



# SAN FRANCISCO PLANNING DEPARTMENT

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## Community Plan Exemption Checklist

*Case No.:* 2015-009928ENV  
*Project Address:* 75 Arkansas Street  
*Zoning:* UMU (Urban Mixed Use)  
48-X Height and Bulk District  
*Block/Lot:* 3952/001B  
*Lot Size:* 21,997 square feet  
*Plan Area:* Eastern Neighborhoods Area Plan, Showplace Square/Potrero Hill  
*Project Sponsor:* Suzanne Brown, Equity Community Builders  
*Staff Contact:* Justin Horner 415-575-9023 Justin.horner@sfgov.org

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### PROJECT DESCRIPTION

The 21,997-square-foot (sf) project site is located on the northeast corner of intersection of Arkansas and 17th Streets in the Potrero Hill neighborhood. The project site is occupied by a 17-foot-tall, 19,250 sf occupied warehouse building constructed in 1923. The proposed project includes the demolition of the existing industrial building and the construction of a 65,040 sf, 4-story, 48-foot-tall (51 ½-foot-tall with parapets) mixed-use building with 30 units of student housing (228 total beds) for the California College of the Arts. The proposed project would include 49,521 sf of residential uses on upper three floors, and 7,437 sf of retail and 838 sf of support/utility space on the ground floor. The project includes 80 Class I and 12 Class II bicycle parking spaces. No off-street vehicular parking would be provided. The proposed project would excavate to a depth of 2 feet below ground surface and result in a total of 1,955 cubic yards of excavation. Construction is estimated to last fourteen months.

The proposed 75 Arkansas Street project would require the following approvals:

#### Actions by the Planning Commission

- A **Large Project Authorization (LPA)** is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet in the Eastern Neighborhoods Mixed Use Districts. The proposed location of the rear yard is not code-complying and would thus require a rear yard modification under the LPA.

#### Actions by other City Departments

- A **Building Permit Application** is required for the demolition of the existing building on the subject property.
- A **Building Permit Application** is required for the proposed new construction on the subject property.

### 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).<sup>1</sup> 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 Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include construction of a 65,061 square foot, 4-story, 48-foot tall mixed use building with 30 units of student housing. 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.

## 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 implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

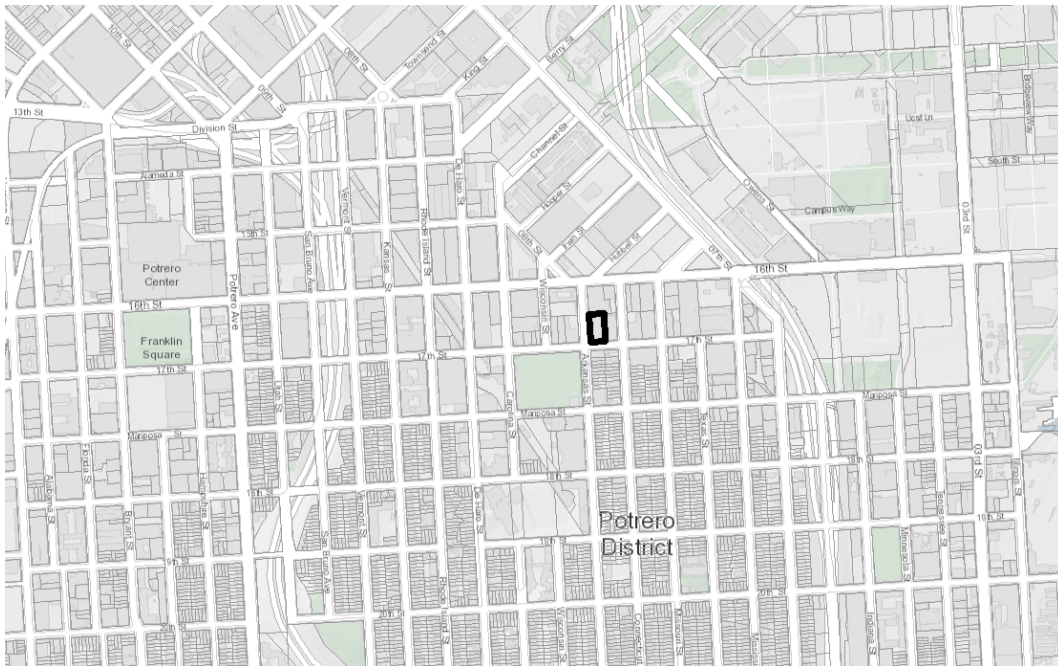
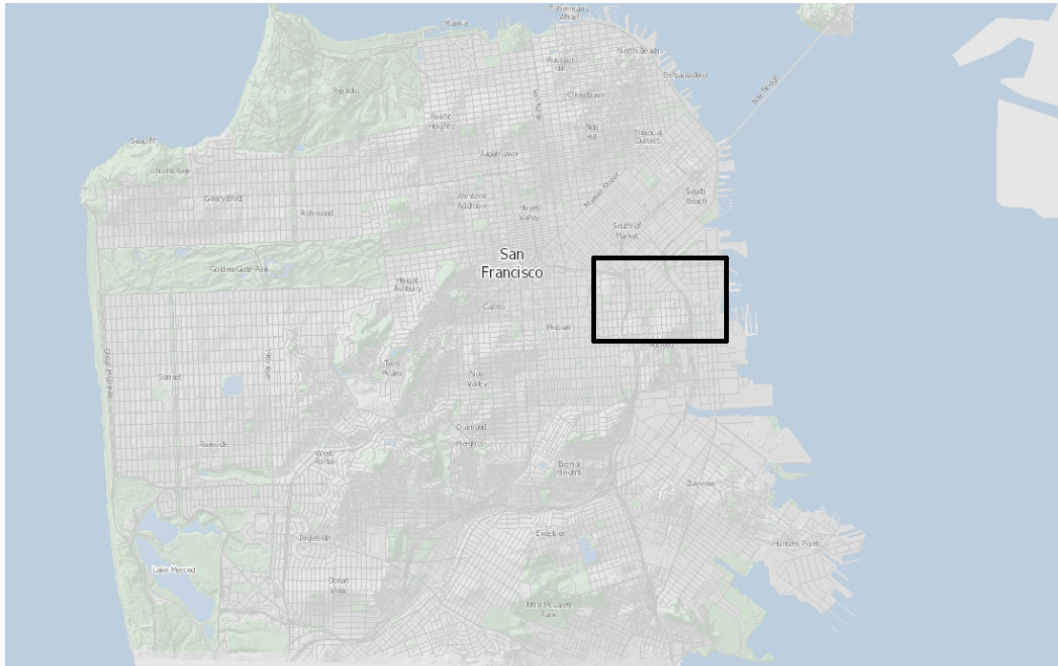
- State statute regarding Aesthetics, Parking Impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT) effective March 2016 (see “CEQA Section 21099” heading below);
- The adoption of interim controls requiring additional design standards for large project authorizations within the Showplace Square/Potrero Hill and Central Waterfront plan areas of the Eastern Neighborhoods effective February 2016 through August 2017;

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<sup>1</sup> 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.

- 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, the Transportation Sustainability Program process, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled (VMT) effective March 2016 (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, amended 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”).

Figure 1. Project Location



Source: San Francisco Planning Department

Figure 2: Ground Floor Plan

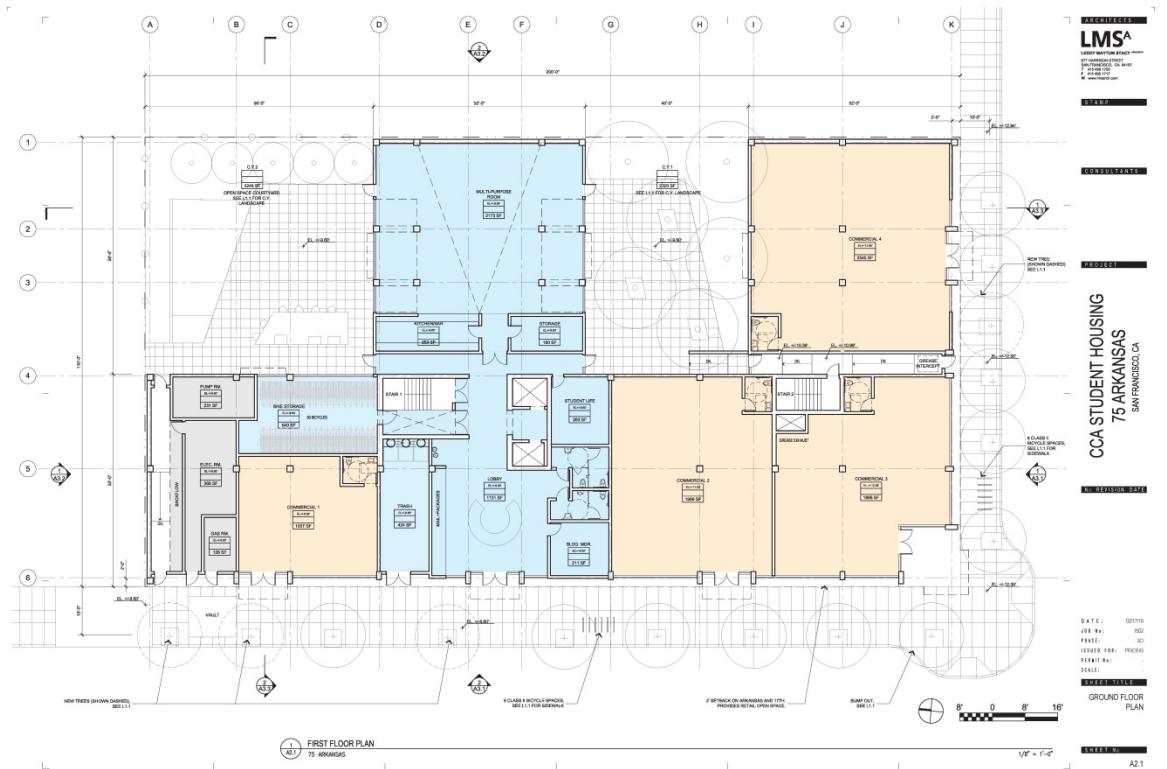
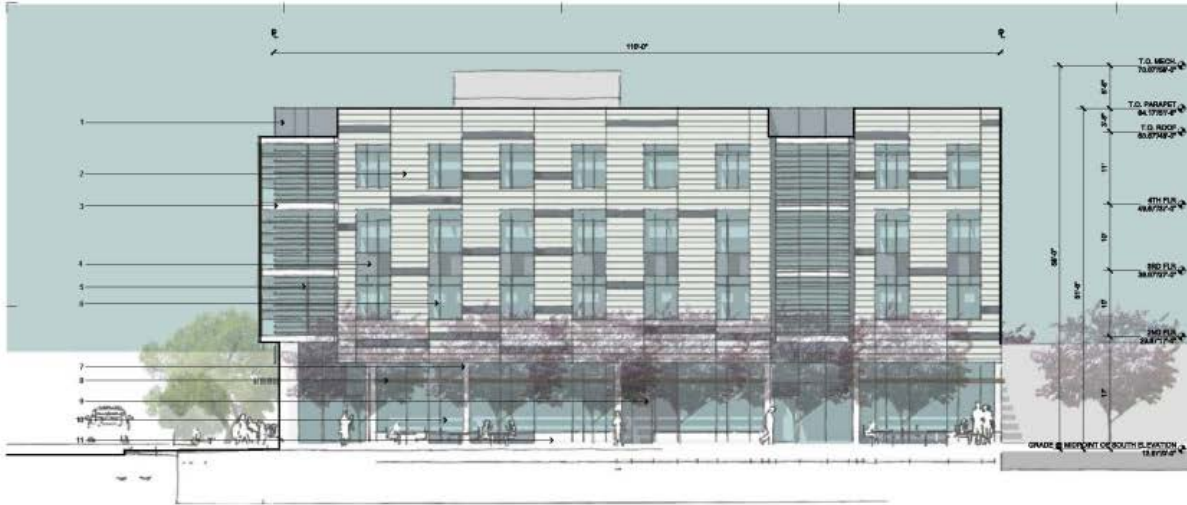


Figure 3: Second to Fourth Floor Plans



Figure 4: South (17<sup>th</sup> St) and West (Arkansas St) Elevations



1. PREMIUM PANEL SIDING OVERSPEARL BARRIERS OR
2. LAF SIDING BARRIERS WITH 1/2" REVEAL, 3/16" MINIMUM
3. EPOXY PAINTED 30 GAUGE SHEET METAL PANELS
4. PREMIUM PANEL SIDING OVERSPEARL BARRIERS OR
5. HORIZONTAL SIDING SCREEN 5/8" x 8" THERMOCLAD
6. VERTICAL SIDING: 5/8" x 8" THERMOCLAD @ 10" O.C.
7. PERFORATED STEEL BARRIERS 5/8" THICK GALVANIZED
8. DRAWINGS FOR CONFIGURATIONS
9. CONCRETE COLUMN BOARD FORM AND SANDBLASTED
10. HORIZONTAL SIDING EXPOSURE 5/8" x 8" THERMOCLAD
11. BRACKET
12. STU REFRONT PANEL OVERSPEARL OR PAINTED
13. PAINTED ALUMINUM STOREFRONT
14. CONCRETE BASE BOARD FORM AND SANDBLASTED
15. ROOFTOP MECHANICAL
16. ALUMINUM GLAZING
17. NEIGHBORING BUILDING
18. FENCE

1 SOUTH ELEVATION  
AS.1 17TH ST.



2 WEST ELEVATION  
AS.1 ARKANSAS ST.

## 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 areas, 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) throughout the lifetime of the Plan (year 2025).<sup>2</sup> The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>3</sup> Growth projected in the Eastern 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).<sup>4</sup>

As of February 2016, projects containing 9,749 dwelling units and 2,807,952 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review<sup>5</sup> within the Eastern Neighborhoods plan areas.<sup>6</sup> This level of development corresponds to an overall population increase of approximately 23,758 to 25,332 persons. Of the 9,749 dwelling units that are under review or have completed environmental review, building permits have been issued<sup>7</sup> for 4,583 dwelling units, or approximately 47 percent of those units (information is not available regarding building permit non-residential square footage).

Within the Showplace Square/Potrero Hill subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 2,300 to 3,900 net dwelling units and 1,500,000 to 1,700,000 square feet of non-residential space (excluding PDR loss) through the year 2025. This level of development corresponds to an overall population increase of approximately 7,864 to 9,886 persons. As of February 2016, projects containing 3,315 dwelling units and

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<sup>2</sup> 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.

<sup>3</sup> Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

<sup>4</sup> 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>.

<sup>5</sup> For this and the Land Use and Land Use Planning 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).

<sup>6</sup> These estimates include projects that have completed environmental review and foreseeable projects (including the proposed project). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department.

<sup>7</sup> An issued building permit refers to buildings currently under construction or open for occupancy. This number includes all units approved under CEQA (including CPEs, Categorical Exemptions and other types of CEQA documents).

1,138,920 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Showplace Square/Potrero Hill subarea. This level of development corresponds to an overall population increase of 6,908 to 7,758 persons. Of the 3,315 dwelling units that are under review or have completed environmental review, building permits have been issued for 1,836 dwelling units, or approximately 55 percent of those units. Therefore, anticipated growth from the Eastern Neighborhoods Rezoning and Area Plans is within the Eastern Neighborhoods PEIR growth projections.

Growth that has occurred within the plan areas 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 number of housing units under review is approaching or exceeds the residential unit projections for the Mission and Showplace Square/Potrero Hill Area Plans of the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is well below what was anticipated. Therefore, population growth associated with approved and reasonably foreseeable development is within the population that was projected for 2025. Furthermore, the number of constructed projects within Eastern Neighborhoods is well below what has been approved for all plan areas.

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. The analysis of environmental topics covered in this checklist take into account the differing severities of effects of the residential and employee population.

In summary, projects proposed within the Eastern Neighborhoods Plan Areas have not exceeded the overall population growth that was projected in the Eastern Neighborhoods PEIR; therefore, foreseeable growth within the plan areas do not present substantial new information that was not known at the time of the PEIR and would not result in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

## SENATE BILL 743

### **Aesthetics and Parking**

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets 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.<sup>8</sup> Project elevations are included in the project description.

In addition, approvals for a Large Project Authorization under Planning Code 329 in the Showplace Square, Potrero Hill, or Central Waterfront Area Plans must conform to the provisions of the Planning Code and must also demonstrate the following:

- (1) An awareness of urban patterns that harmonizes visual and physical relationships between existing buildings, streets, open space, natural features, and view corridors;
- (2) An awareness of neighborhood scale and materials, and renders building facades with texture, detail, and depth; and
- (3) A modulation of buildings vertically and horizontally, with rooftops and facades designed to be seen from multiple vantage points.

The case report for the proposed project would demonstrate compliance with the above design requirements, as applicable.

#### **Automobile Delay and Vehicle Miles Traveled**

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)<sup>9</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

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<sup>8</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 75 Arkansas Street, March 31, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No 2015.09928E.

<sup>9</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

| <i>Topics:</i>  | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|---|---|--|--|--|
| <b>1. LAND USE AND LAND USE PLANNING—Would the project:</b>   |   |  |  |  |
| a) Physically divide an established community?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input 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 analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the Plan Area throughout the lifetime of the Plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the Plan Area under the No Project scenario. Within the Showplace Square/Potrero Hill subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 990,000 square feet of PDR space through the year 2025. 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 space. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

As of February 2016, projects containing the removal of 1,715,001 net square feet of PDR space have been completed or are proposed to complete environmental review within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (1,172,032 square feet of PDR space loss) and foreseeable projects, including the proposed project (542,969 square feet of PDR space loss). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. As of February 2016, projects containing the removal of approximately 823,670 net square feet of PDR space have completed or are proposed to complete environmental review within the Showplace Square/Potrero Hill subarea. These estimates include projects that have completed environmental review (417,383 square feet of PDR space loss) and foreseeable projects, including the proposed project (406,287 square feet of PDR space loss).

Development of the proposed project would result in the net loss of approximately 19,250 square feet of PDR building space and this would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site is located in the UMU (Urban Mixed Use) Use District, which is intended to promote a vibrant mix of uses, including housing, retail, industrial, arts and office, and, and the proposed project is within the development density as envisioned for the site under the Eastern Neighborhoods PEIR. In addition, the proposed project would preclude an opportunity for development of PDR space given that PDR uses are allowed in the UMU Use District (as they were in the previous zoning for the project site: M-2). The incremental loss of PDR opportunity is considerable due to the size of the project site (0.5 acres) and its ability to potentially accommodate PDR uses. The proposed loss of 19,250 square feet of existing PDR

uses and the preclusion of development of 0.5 acres of PDR space represents a considerable contribution to the loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in significant impacts that were previously not identified or a more severe adverse impact than analyzed in the PEIR.

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 plan 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 (Urban Mixed Use District and is consistent with the height, bulk and density envisioned in the Plan. The Eastern Neighborhoods rezoning process of 2008 rezoned the project site to the (UMU) Urban Mixed-Use District with a Height and Bulk designation of 48-X. The 48-X Height and Bulk District permits buildings up to 48 feet in height without bulk restrictions. The proposed project would not exceed the applicable 48-foot height limit, except for certain rooftop features such as parapets and mechanical screens as allowable under Planning Code Section 260(b). The UMU District permits residential dwelling units, such as the Student Housing included in the proposed project, without specific density limitations. At least 40% of all dwelling units must contain two or more bedrooms or 30% must contain three or more bedrooms in the UMU District. The proposed project would include dwelling units, 90% of which would be four-bedroom units. The UMU District permits non-residential development on the project site at a floor area ratio (FAR) of 3.0:1 and up to 25,000gsf of retail sales and services per lot. The proposed project would include 7,619 sf of ground floor retail space, which would be equivalent to an FAR of 0.3:1. As proposed, the project is permitted in the UMU District and is consistent with the development density as envisioned in the Showplace Square/Potrero Hill Area Plan.<sup>10 11</sup>

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> |
|---|---|--|--|--|
| <b>2. POPULATION AND HOUSING—<br/>Would the project:</b>  |   |  |  |  |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

<sup>10</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 75 Arkansas Street, March 18, 2016.

<sup>11</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 75 Arkansas Street, Received: February 22, 2016.

| <b>Topics:</b>  | <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) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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 project would add 30 units of student housing and approximately 7,500 sf of retail. 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.

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| <b>Topics:</b>  | <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>3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>   |   |  |  |  |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input 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"/>                            |

| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| 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 existing building on the project site was previously evaluated in a historical resources survey and found to be ineligible for national, state, or local listing.<sup>12</sup> 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 impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

### Archeological Resources

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

As no archeological assessment report has been prepared for the project site, Mitigation Measure J-2 applies to the proposed project. In accordance with Mitigation Measure J-2, a Preliminary Archeological

<sup>12</sup> San Francisco Planning Department, *Showplace Square/Northeast Mission Historic Resource Survey*, 2011. See <http://sf-planning.org/showplace-square-northeast-mission-historic-resource-survey> (accessed April 27, 2016).

Review was conducted by Planning Department archeologists. Based on the PAR, it was determined there would be no effect on archeological resources from the proposed project.<sup>13</sup>

For these reasons, the proposed project would not result in significant impacts on archeological resources 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> |
|---|---|--|--|--|
| <b>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>   |   |  |  |  |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input 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 transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it

<sup>13</sup> Email from Randall Dean, Planning Department Staff Archeologist, January 4, 2016.

was anticipated that the significant adverse cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable. As discussed above under “SB 743”, in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis presented below evaluates the project’s transportation effects using the VMT metric.

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.

### **Vehicle Miles Traveled (VMT) Analysis**

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area’s actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>14,15</sup>

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<sup>14</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>16</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>17</sup> Average regional daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone (TAZ) in which the project site is located, 651.

**Table 1 Daily Vehicle Miles Traveled**

| <u>Land Use</u>          | <u>Existing</u>                  |  |                | <u>Cumulative 2040</u>           |  |                |
|--------------------------|----------------------------------|--|----------------|----------------------------------|--|----------------|
|                          | <u>Bay Area Regional Average</u> | <u>Bay Area Regional Average minus 15%</u> | <u>TAZ 651</u> | <u>Bay Area Regional Average</u> | <u>Bay Area Regional Average minus 15%</u> | <u>TAZ 651</u> |
| Households (Residential) | 17.2                             | 14.6                                       | 6.5            | 16.1                             | 13.7                                       | 4.0            |
| Employment (Retail)      | 14.9                             | 12.6                                       | 10.7           | 14.6                             | 12.4                                       | 10.7           |

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of three screening criteria (Map-Based, Small Projects, and Proximity to Transit Station), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT (i.e., greater than 15 percent below regional averages); Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

As shown in Table 1, the proposed project's residential and retail uses would be located in a TAZ where existing VMT for residential and retail uses are more than 15 percent below regional averages (Map-Based Screening Criterion). Existing average daily VMT per capita is 6.5 for TAZ 651, which is 62 percent below the existing regional average daily VMT per capita of 17.2. Existing average daily VMT per retail employee is 10.7 for TAZ 651, which is 28 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per capita is 4.0 for TAZ 651, which is 75 percent

<sup>15</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>16</sup> Includes the VMT generated by the households in the development.

<sup>17</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.



below the future 2040 regional average daily VMT per capita of 16.1. Future 2040 average daily VMT per retail employee is 10.7 for TAZ 651, which is 27 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.<sup>18</sup>

Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential and retail uses would not result in substantial additional VMT. Therefore, impacts would be less-than-significant impact. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates that the proposed project's residential and retail uses would not cause substantial additional VMT.

### **Trip Generation**

The proposed project includes the construction of a 65,040 sf mixed-use building with 30 units of student housing and 7,437 sf of retail.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>19</sup> The proposed project would generate an estimated 1,416 person trips (inbound and outbound) on a weekday daily basis, consisting of 862 person trips by auto, 162 transit trips, 362 walk trips and 30 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 152 person trips, consisting of 90 person trips by auto (58 vehicle trips accounting for vehicle occupancy data for this Census Tract), 17 transit trips, 42 walk trips and 3 trips by other modes.

### **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, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>20</sup> The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.<sup>21</sup> In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: 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-

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<sup>18</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 75 Arkansas Street, March 31, 2016.

<sup>19</sup> San Francisco Planning Department, Transportation Calculations for 75 Arkansas Street, January 7, 2016.

<sup>20</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

<sup>21</sup> <http://tsp.sfplanning.org>

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 16<sup>th</sup> 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 within the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16<sup>th</sup> 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 10-Townsend, 19-Polk, 22-Fillmore, 14X-Mission Express, and 55-16<sup>th</sup> Street. The proposed project would be expected to generate 162 daily transit trips, including 17 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 17 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 Muni lines, the project site is located within a quarter-mile of the 22-Fillmore. The proposed project would not contribute considerably to these conditions as its minor contribution of 17 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.

### **Conclusion**

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

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

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 identified six noise mitigation measures, three of which may be applicable to subsequent development projects.<sup>22</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

<sup>22</sup> Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project’s future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

## Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 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). The proposed project would not include pile-driving or particularly noisy construction procedures. Therefore, Mitigation Measures F-1 and F-2 do not apply to the proposed project.

In addition, all construction activities for the proposed project (approximately fourteen 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 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 fourteen 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.

## Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The proposed project consists of residential and retail uses, neither of which are expected to generate noise levels in excess of ambient noise levels. Therefore, Mitigation measure F-5 does not apply to the proposed project.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures (including hotels) is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for non-residential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, DBI would review the final

building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, 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 would limit exterior noise to 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 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 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> |
|--|---|--|--|--|
| <b>6. AIR QUALITY—Would the project:</b>   |   |  |  |  |
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input 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 uses<sup>23</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels 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 addresses air quality impacts during construction and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>24</sup>

### **Construction Dust Control**

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and 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

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<sup>23</sup> 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.

<sup>24</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

“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.”<sup>25</sup> The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>26</sup> for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria for low-rise residential and retail uses. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

### **Health Risk**

Since certification of the 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, amended 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<sub>2.5</sub> 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.

### **Construction**

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

### **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.

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<sup>25</sup> 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.

<sup>26</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

**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.

| <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> |
|---|---|--|--|--|
| <b>7. GREENHOUSE GAS EMISSIONS—<br/>Would the project:</b>  |   |  |  |  |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                     | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Showplace Square/Potrero Hill Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>27</sup> per service population,<sup>28</sup> 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 BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>29</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>30</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD’s *2010 Clean Air Plan*,<sup>31</sup> Executive

<sup>27</sup> CO<sub>2</sub>E, 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.

<sup>28</sup> 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.

<sup>29</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>30</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>31</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.



Order S-3-05<sup>32</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act),<sup>33,34</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>35</sup> and B-30-15.<sup>36,37</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by constructing new residential units and new retail space in a building twenty feet taller than the existing warehouse structure. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Transportation Sustainability Fee, and bicycle parking requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>38</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill,

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<sup>32</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>33</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>34</sup> 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.

<sup>35</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>36</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>37</sup> San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>38</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>39</sup> and reducing the energy required to produce new materials.

Compliance with the City’s Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>40</sup> Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.<sup>41</sup>

Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

| <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> |
|--|---|--|--|--|
| <b>8. WIND AND SHADOW—Would the project:</b>   |   |  |  |  |
| a) Alter wind in a manner that substantially affects public areas?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input 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"/>                            |

**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 48-foot-tall (51 ½ feet tall with parapets) 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

<sup>39</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>40</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>41</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 75 Arkansas Street* January 28, 2016

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 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 48-foot-tall building (51 ½ feet tall with parapets); therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks. The preliminary shadow fan analysis determined that the project had the potential to cast new shadow on portions of Jackson Square Park, located directly southwest of the project site. Therefore, a more detailed shadow analysis of the proposed project was prepared.<sup>42</sup>

The detailed shadow analysis examined the shadows cast on Jackson Square Park by a representative sample of sun angles throughout the solar year. Cast shadow was estimated at 15 minute intervals, from one hour after sunrise to one hour before sunset, each day. The analysis looked both at when new shadow would be the largest (by area) and when it would be longest (in duration).

The analysis found that the proposed project would cast new shadow on Jackson Square Park on six days of the year, all during the summer. The proposed project's new shadow would be cast in the northeastern portion of the park along 17<sup>th</sup> Street, which is lined with trees that themselves currently cast shadow. The proposed project's new shadow would not be cast on Jackson Square Park's ballfield diamond, tennis or basketball courts, or recreational facilities. The longest-lasting new shadow would be for 14 minutes, while the average new shadow would last for less than 8 minutes. All new shadow would be gone no later than 7:15 am.

In January, 2016, a shadow study was conducted for a proposed project at 88 Arkansas Street, directly across Arkansas Street from the proposed project.<sup>43</sup> The study included a survey of the usage of Jackson Park. The survey included six 30-minute field observations, conducted between April 21, 2015 and April 26, 2015 at various times of the day. Depending on the observation period, between 40 and 144 users were observed at Jackson Park, with peak usage on weekend midday and afternoon periods. Peak activity observed at the playground area occurred during weekend mornings, with other patrons primarily using the baseball fields or lying/sitting/crossing the grass. During the weekdays park usage was fairly consistent. Peak activity at the basketball courts and playground typically occurred during the morning and the basketball courts were used throughout the day. User activity was observed near the northwestern baseball field.

Given the new shadow from the proposed project would be limited in duration (six days lasting no longer than 14 minutes) within a limited area not dedicated to active or passive uses during the early

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<sup>42</sup> CADP, *75 Arkansas Street Jackson Playground Shadow Study*. April 7, 2016.

<sup>43</sup> Prevision Design, *Shadow Analysis Report for the Proposed 88 Arkansas Street Project per SF Planning Code Section 295 Standards*. January 13, 2016.

morning (prior to 7:15 am), the impact of new shadow on Jackson Square Park would not substantially affect use or enjoyment of the park.

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 property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in significant impacts related to shadow 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> |
|--|---|--|--|--|
| <b>9. RECREATION—Would the project:</b>  |   |  |  |  |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input 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. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

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 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 17<sup>th</sup> and Folsom, are both set to open in 2016. 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).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area.

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> |
|--|---|--|--|--|
| <b>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>  |   |  |  |  |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input 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"/>                            |

| <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> |
|--|---|--|--|--|
| 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> |
|--|---|--|--|--|
| <b>12. BIOLOGICAL RESOURCES—Would the project:</b>   |   |  |  |  |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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 Showcase Square/Potrero Hill 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.

| <b>Topics:</b>   | <b>Significant Impact Peculiar to Project or Project Site</b> | <b>Significant Impact not Identified in PEIR</b> | <b>Significant Impact due to Substantial New Information</b> | <b>No Significant Impact not Previously Identified in PEIR</b> |
|--|---|--|--|--|
| <b>13. GEOLOGY AND SOILS—Would the project:</b>  |   |  |  |  |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.) | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input 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.<sup>44</sup> While the report noted that the primary geotechnical issue facing the proposed building is the presence of potentially liquefiable soil layers that extend from about 7 to 20 feet below the sidewalk grade, it concluded that the proposed project could be developed as planned, provided the recommendations presented in the report are incorporated into the project plans and specifications and properly implemented during construction. It is also noted that, based on review of Planning Department records, the project site is located in an area subject to liquefaction. The study recommends drilled displacement sand-cement (DDSC) columns and improved soil to support the foundation. Based on communication with the project sponsor, the most likely foundation type for the proposed project would be shallow-spread footings, which is consistent with recommendations put forward in the geotechnical report.<sup>45</sup>

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.

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.

| <b>Topics:</b>  | <b>Significant Impact Peculiar to Project or Project Site</b> | <b>Significant Impact not Identified in PEIR</b> | <b>Significant Impact due to Substantial New Information</b> | <b>No Significant Impact not Previously Identified in PEIR</b> |
|---|---|--|--|--|
| <b>14. HYDROLOGY AND WATER QUALITY—Would the project:</b>   |   |  |  |  |
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

<sup>44</sup> Rockridge Geotechnical, *Geotechnical Investigation, Proposed Mixed Use Building 75 Arkansas Street*, December 22, 2015.

<sup>45</sup> Email from Suzanne Brown, Equity Community Builders, to Justin Horner, Planning Department, January 6, 2016.

| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| 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 a warehouse building and surface parking lot and loading area. The proposed project would demolish the existing warehouse building and replace it with a new residential and retail building that would cover the project site. Therefore, the proposed project would not be anticipated to result in a net increase in impervious surfaces and associated 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<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| <b>15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>  |   |  |  |  |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input 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 an existing building, Mitigation Measure L-1 would apply and is incorporated into the proposed project as Project Mitigation Measure 1 (see full text on page 38).

### **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, remediation 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.

The proposed project would disturb approximately 26,400 square feet and excavate about 1,955 cubic yards of soil. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

In compliance with the Maher Ordinance, the project sponsor has submitted a complete Maher Application to DPH.<sup>46</sup> A Phase I ESA was completed for the project site on November 7, 2015.<sup>47</sup> According to the ESA, there were three areas of environmental concern: artificial fill beneath the site, the presence of a railway spur located along the loading area at the north end of the project site, and contaminated groundwater from the site's historic use as a Bulk Storage Facility. Based on these findings, an environmental sampling plan has been developed for the site.<sup>48</sup> Where such soil 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.

The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project

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<sup>46</sup> Email from Russel Yim, Department of Public Health to Justin Horner, Planning Department, March 31, 2016.

<sup>47</sup> Geoterren Environmental Services, *Phase I Environmental Site Assessment*, 75 Arkansas Street, San Francisco, November 7, 2015.

<sup>48</sup> RPS Iris Environmental, *Maher Application, Site History and Work Plan for Subsurface Investigation 75 Arkansas Street, San Francisco*, March 3, 2016.

would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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.

| <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> |
|---|---|--|--|--|
| <b>16. MINERAL AND ENERGY RESOURCES—Would the project:</b>  |   |  |  |  |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input 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.

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.

| <u>Topics:</u>  | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|---|---|--|--|--|
| <b>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>   |   |  |  |  |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input 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**

**Project Mitigation Measure 1 – Hazardous Building Materials**

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