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Executive Summary
Conditional Use

HEARING DATE: MARCH 26, 2015

Date:	March 19, 2015
Case No.:	**2015-001077CUA**
Project Address:	**168-186 Eddy Street**
Zoning:	RC-4 (Residential-Commercial, High Density) District 80-130-T Height and Bulk District North of Market Residential Special Use District (Subarea 1)
Block/Lot:	0331/010, 011
Project Sponsor:	Steve Sutton Tenderloin Neighborhood Development Corp. 201 Eddy Street San Francisco, CA 94102
Staff Contact:	Kevin Guy – (415) 558-6163 kevin.guy@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The project proposes to demolish an existing surface parking lot and construct a new mixed-use building reaching a height of eight stories, containing approximately 103 affordable dwelling units (15 studio units, 10 one-bedroom units, 64 two-bedroom units, and 14 three-bedroom units), 5,500 square feet of ground-floor commercial space, community rooms and support functions, and no-off street parking spaces.

In March 2009, the Planning Commission approved entitlements for a similar project at the site to construct a new 14-story, 130-foot tall mixed-use building containing approximately 153 affordable dwelling units and 14,250 gross square feet of ground-floor commercial space (Case No. 2007.1342CK). In 2012, the term of these entitlements was extended by the Planning Commission to July 19, 2015. The current proposal would update the entitlements to reflect the reduced scale and revised design of the project, and would create a new three-year performance period for the project.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the northeast corner of the intersection of Eddy and Taylor Streets, Block 0331, Lots 010 and 011, within the RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District (Subarea 1), the 80-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District. The site is a rectangular corner lot that measures 22,341 square feet, and is currently used as a surface parking lot. Temporary trailers currently

sit on the southerly portion of the site. These trailers house the main office and after school program of the Tenderloin Neighborhood Development Corporation while their permanent locations across the street are undergoing seismic upgrades. These trailers are anticipated to be removed in fall 2015.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character. The site is located within the Tenderloin neighborhood, an area characterized by high-density residential development, including a substantial number of residential hotels. Retail uses are typically found on the ground floors of residential buildings.

The scale of development varies greatly in the vicinity of the project site. Older buildings in the immediate area are generally six stories or less in height. Tall residential towers of more recent construction are interspersed among the older mid-rise structures. Tall hotel structures, such as the Hotel Nikko and the Hilton can be found in the blocks to the north and the east. Boeddeker Park is located one-half block to the west of the project site, and was recently reopened after an extensive renovation. The park is roughly L-shaped, with frontage on Ellis, Eddy, and Jones Streets, and measures nearly one acre in size.

ENVIRONMENTAL REVIEW

On March 2, 2009, the Planning Department published a Final Mitigated Negative Declaration (MND) for the previous iteration of the project. Since the Final MND was published, there have been no substantial changes in project circumstances that would require major revisions to the Final MND. Furthermore, the current project proposes a similar program of residential and commercial uses, but at a reduced height and intensity. There is no new information of substantial importance that would change the conclusions set forth in the Final MND.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 6, 2015	March 6, 2015	20 days
Posted Notice	20 days	March 6, 2015	March 6, 2015	20 days
Mailed Notice	10 days	March 16, 2015	March 6, 2015	20 days

PUBLIC COMMENT

- To date, the Department has received no communications regarding the Project.

ISSUES AND OTHER CONSIDERATIONS

- **Planning Code Modifications.** The project does not strictly conform to several aspects of the Planning Code. As part of the Planned Unit Development process, the Commission may grant modifications from certain requirements of the Planning Code for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding

area. The project requires modifications from requirements related to rear yard, bulk, active street frontages, obstructions over the property line, usable open space, and streetwall setbacks. Staff believes that the project merits these modifications for the reasons discussed in the attached Conditional Use/Planned Unit Development motion.

- **Shadow Impacts**. A shadow analysis was prepared for the previous 14-story iteration of the project which determined that the building would cast an additional 369,409 square-foot hours of shadow onto Boeddeker Park, equivalent to 0.24 percent of the theoretical available annual square foot-hours of sunlight on the Park. As part of the entitlement actions for the previous project, the Recreation and Park Commission and the Planning Commission adopted actions to raise the allowable shadow limit on Boeddeker Park, and to find that the new shadows cast by the Project would not be adverse to the Park.

  The Project Sponsor has prepared an updated shadow analysis that concludes that the Project would cast 66,406 square-foot hours on shadow on Boeddeker Park, equivalent to 0.04 percent of the theoretical available annual square foot-hours of sunlight on the Park. The shadow would generally fall in similar locations than those identified for the previous 14-story iteration of the project, however, the extent and duration of these shadows would be substantially reduced based on the reduced height of the Project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow development greater than 50 feet in height within an RC District, and to approve a Planned Unit Development with modifications of certain requirements of the Planning Code.

BASIS FOR RECOMMENDATION

- The project would develop an underutilized site, currently used for surface parking, with a mixed-use project that is suitable for its intense, urban context.
- The project would add 103 affordable dwelling units to the City's housing stock, and would provide needed goods and services within the ground-floor commercial component.
- Public transit and neighborhood-serving commercial establishments are abundant in the area. No parking is provided in the project, a residents will be able to walk or utilize transit to commute and satisfy convenience needs without reliance on the private automobile.
- The project has been designed to sensitively relate to the Uptown Tenderloin Historic District, including the prevailing character and scale of existing buildings in the vicinity.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The project meets all applicable requirements of the Planning Code, aside from the modifications requested through the Planned Unit Development process.

RECOMMENDATION:	**Approval with Conditions**

Attachments:
Draft Motion
Mitigation, Monitoring, and Reporting Program

Mitigated Negative Declaration for Case No. 2007.1342E
Block Book Map
Sanborn Map
Aerial Photographs
Project Sponsor Submittal

Attachment Checklist

- ☒ Executive Summary
- ☒ Draft Motion
- ☐ Environmental Determination
- ☒ Zoning District Map
- ☒ Height & Bulk Map
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photo
- ☒ Context Photos
- ☒ Site Photos
- ☒ Project sponsor submittal

  Drawings: Existing Conditions
  - ☒ Check for legibility

  Drawings: Proposed Project
  - ☒ Check for legibility

  3-D Renderings (new construction or significant addition)
  - ☒ Check for legibility
- ☐ Wireless Telecommunications Materials
  - ☐ Health Dept. review of RF levels
  - ☐ RF Report
  - ☐ Community Meeting Notice
- ☐ Housing Documents
  - ☐ Inclusionary Affordable Housing Program: Affidavit for Compliance

Exhibits above marked with an "X" are included in this packet _____

Planner's Initials

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)
☐ Downtown Park Fee (Sec. 412)
☐ First Source Hiring (Admin. Code)
☐ Child Care Requirement (Sec. 414)
☐ Other

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Planning Commission Draft Motion

HEARING DATE: MARCH 26, 2015

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Project Address:	**168-186 Eddy Street**
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION FOR DEVELOPMENT EXCEEDING 50 FEET IN HEIGHT WITHIN AN RC-4 DISTRICT (PLANNING CODE SECTION 253) AND FOR A PLANNED UNIT DEVELOPMENT (PLANNING CODE SECTION 304) WITH SPECIFIC MODIFICATIONS TO PLANNING CODE REGULATIONS RELATED TO REAR YARD, BULK, ACTIVE STREET FRONTAGES, OBSTRUCTIONS OVER THE PROPERTY LINE, USABLE OPEN SPACE, AND STREETWALL SETBACKS, FOR A PROJECT TO DEMOLISH AN EXISTING SURFACE PARKING LOT AND CONSTRUCT A NEW 8-STORY MIXED-USE BUILDING CONTAINING APPROXIMATELY 103 AFFORDABLE DWELLING UNITS, 5,500 SQUARE FEET OF GROUND-FLOOR COMMERCIAL SPACE, COMMUNITY ROOMS AND SUPPORT FUNCTIONS, AND NO OFF-STREET PARKING, LOCATED AT 168-186 EDDY STREET, LOTS 010 AND 011 IN ASSESSOR'S BLOCK 0331, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT, THE NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT (SUBAREA 1), THE 80-130-T HEIGHT AND BULK DISTRICT, AND THE UPTOWN TENDERLOIN NATIONAL REGISTER HISTORIC DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 17, 2014, Steve Sutton, acting on behalf of Eddy & Taylor Associates, L.P. ("Project Sponsor"), submitted a request (Case No. 2015-001077CUA) with the City and County of San Francisco Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, and to allow a Planned Unit Development for a project to demolish an existing surface parking lot and construct a new mixed-use building reaching a height of 8 stories, containing approximately 103 affordable dwelling units, 5,500 square feet of ground-floor commercial space, community rooms and support functions, and no off-street parking, located at 168-186 Eddy Street, Lots 010 and 011 of Assessor's Block 0331, within the RC-4 Zoning District, the 80-130-T Height and Bulk District, the North of Market Residential Special Use District (Subarea 1) (collectively, "Project").

On March 26, 2009, the Planning Commission ("Commission") approved a Conditional Use Authorization and Planned Unit Development for a project to demolish an existing surface parking lot and construct a new mixed-use building reaching a height of 14 stories, containing approximately 153 affordable dwelling units, approximately 13,750 square feet of ground-floor commercial space, a supportive services office, rooftop and second floor open space, one loading space, and no off-street parking, located at 168-186 Eddy Street, Lots 010 and 011 of Assessor's Block 0331, within the RC-4 Zoning District, the 80-130-T Height and Bulk District, the North of Market Residential Special Use District (Subarea 1), and the Uptown Tenderloin National Register Historic District (Case No. 2007.1342CK, Motion No. 17849; collectively, "Previous Project").

At the hearing on March 26, 2009, the Commission also adopted a joint resolution with the Recreation and Park Commission to raise the absolute cumulative limit for additional shadow on Boeddeker Park from zero percent to 0.244 percent, an amount sufficient to accommodate the net new shadow cast by the Project (Resolution No. 17847, Case No. 2008.1294K). In addition, the Commission, upon the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, found that the additional shadow cast by the Project on Boeddeker Park would not be adverse, and allocated the additional shadow to the Project (Motion No. 17850, Case No. 2007.1342K).

On February 4, 2009, a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

On March 2, 2009, the Planning Department/ Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

The Planning Department/ Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning

Commission, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Jonas Ionin, is the custodian of records, located in the File for Case No. 2007.1342E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action.

Since the FMND was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FMND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FMND.

On July 19, 2012, the Commission approved an extension to the performance period of the Previous Project through July 19, 2015 (Case No. 2012.0457C, Motion No. 18665).

On March 26, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2015-001077CUA.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby approves the three-year extension of the performance period requested in Application No. 2015-001077CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The project site is located at the northeast corner of the intersection of Eddy and Taylor Streets, Block 0331, Lots 010 and 011, within the RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District (Subarea 1), the 80-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District. The site is a rectangular corner lot that measures 22,341 square feet, and is currently used as a surface parking lot. Temporary trailers currently sit on the southerly portion of the site. These trailers house the main office and after school program of the Tenderloin Neighborhood Development Corporation while their permanent locations

across the street are undergoing seismic upgrades. These trailers are anticipated to be removed in fall 2015.

3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character. The site is located within the Tenderloin neighborhood, an area characterized by high-density residential development, including a substantial number of residential hotels. Retail uses are typically found on the ground floors of residential buildings.

   The scale of development varies greatly in the vicinity of the project site. Older buildings in the immediate area are generally six stories or less in height. Tall residential towers of more recent construction are interspersed among the older mid-rise structures. Tall hotel structures, such as the Hotel Nikko and the Hilton can be found in the blocks to the north and the east. Boeddeker Park is located one-half block to the west of the project site, and was recently reopened after an extensive renovation. The park is roughly L-shaped, with frontage on Ellis, Eddy, and Jones Streets, and measures nearly one acre in size.

4. **Project Description.** The project proposes to demolish the existing surface parking lot and construct a new mixed-use building reaching a height of eight stories, containing approximately 103 affordable dwelling units, 5,500 square feet of ground-floor commercial space and support functions, community rooms, and no-off street parking spaces.

   In March 2009, the Commission approved entitlements for a similar project at the site to construct a new 14-story, 130-foot tall mixed-use building containing approximately 153 affordable dwelling units and 14,250 gross square feet of ground-floor commercial space (Case No. 2007.1342CK). In 2012, the term of these entitlements was extended by the Planning Commission to July 19, 2015. The current proposal would extend the term of the previous approvals, and would update the entitlements to reflect the reduced scale and revised design of the project.

5. **Public Comment**. To date, staff has received no comments from the public regarding the Project.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Use and Density.** Section 209.1 permits residential uses within the RC-4 District. For properties within the RC-4 District, Section 209.8 permits a variety of ground-floor commercial establishments pursuant to the regulations applicable to the NC-3 District. Section 249.5 permits residential densities up to one dwelling unit for each 125 square feet of lot area, within the North of Market Residential Use Subdistrict (Subarea 1). The Project Site measures 22,341 square feet.

   The Project proposes a total of 103 dwelling units for the subject property. Based on the allowable density specified by Section 249.5, up to 179 dwelling units would be allowed on the subject property. The Project also proposes approximately 5,500 square feet of ground-floor retail space, fronting on

both Eddy and Taylor Streets. Both the residential and commercial components of the Project conform to the use and density allowed for the RC-4 District.

B. **Height.** The subject property is located within a 80-130-T Height and Bulk District. Pursuant to Section 263.7, buildings within this District are limited to a base height of 80 feet, while buildings of up to 130 feet may be permitted as part of the Conditional Use authorization process.

The Project proposes a roof height of approximately 88 feet. Section 263.7 permits buildings to exceed 80 feet in height within the North of Market Residential Special Use District ("SUD"), up to a height of 130 feet, provided that contributions are paid into the "North of Market Affordable Housing Fund". The purpose of this fund is to ameliorate the pressures on existing affordable housing resulting from the development of taller market-rate residential structures. The Project proposes only affordable dwelling units, therefore the Project would not create pressures on existing affordable housing in the area. The Project is well articulated, using varied facade treatments and changes in plane to break the massing of the building into smaller, discrete units. The proposed height of the Project is appropriate for the site and its context.

C. **Bulk.** The subject property is located within a 80-130-T Height and Bulk District. Pursuant to Section 270, maximum bulk dimensions apply to portions of the building above the prevailing streetwall height, as defined by Section 132.2, but no higher than 80 feet. Above this height, the building may not exceed a length of 110 feet, or a diagonal dimension of 125 feet.

The scale of development varies greatly in the vicinity of the Project Site. Older buildings in the immediate area are generally six stories or less in height. Tall residential and hotel towers of more recent construction are interspersed among the older mid-rise structures.

The prevailing height of the streetwall within a given block is defined by the typical height of buildings flanking the abutting street. The streetwall height is most strongly defined and readily perceived when individual buildings are fairly close in height. When the heights of buildings vary greatly, the perception of a prevailing streetwall height is diluted.

For buildings on the block faces of Eddy and Taylor Streets shared by the project site, buildings range from approximately 50 feet to 80 feet in height. Buildings on the opposing block faces range from approximately 30 feet to 70 feet in height. Due to the variety of building heights, the streetwall in poorly defined on these block faces. The presence of an existing surface parking lot on the subject property, particularly given its corner location, further detracts from the definition of a streetwall. The surveyed buildings reach a maximum height of 80 feet, which is the minimum height for application of bulk limitations per Section 132.2. Therefore, it is appropriate to apply the bulk limitations to all portions of the building above 80 feet in height. This height corresponds with the 8th floor of the building.

On the 8th floor, the maximum proposed length dimension is approximately 160 feet, and the maximum proposed diagonal dimension is approximately 180 feet. Therefore, these floors exceed the maximum permitted length dimension by approximately 50 feet, and the maximum permitted diagonal dimension by approximately 55 feet.

The Commission may grant the Project a modification to exceed the specified bulk limits through the PUD process, after considering the criteria specified in Section 304. Conformance with these criteria is discussed under item #8 .

D. **Streetwall Setbacks.** Section 132.2 specifies that, within the North of Market Residential SUD, the Commission may impose setbacks to the upper portions of structures to maintain the continuity of a predominant street wall height. The dimension of the setback varies depending on the prevailing height of the streetwall.

As discussed under item #6(C) above, the scale of development varies greatly in the vicinity of the Project Site. For buildings on the block faces of Eddy and Taylor Streets near the project site, heights range from approximately 30 feet to 80 feet in height. Due to the variety of building heights, the streetwall in poorly defined on these block faces.

The Project utilizes deep reveals, changes in plane, and varied façade treatments to lessen the apparent bulk of the building. The roofline of the building along the Taylor Street elevation aligns with the roofline of the adjacent, upslope building. The Project Site is currently a surface parking lot which severely impairs any sense of enclosure within the block. By constructing the Project at a critical corner site, the building will help to form a streetwall that is currently absent, and will reinforce the continuity of the pedestrian experience at the sidewalk by contributing to the pattern of ground-floor retail in the area.

The Commission may grant the Project a modification from the streetwall setback requirements through the PUD process, after considering the criteria specified in Section 304. Conformance with these criteria is discussed under item #8 .

E. **Basic Floor Area Ratio.** In the RC-4 District, Section 124 allows a Floor Area Ratio (FAR) of up to 4.8 to 1. The project site has an area of 22,341 square feet, therefore the allowable FAR would permit a building of up to 107,237 square feet of Gross Floor Area as defined in Section 102.9.

The Project would measure approximately 130,500 square feet. Pursuant to Section 124(b), the cited Floor Area Ratio limits do not apply to residential uses. Subtracting the area of the residential uses, approximately 42,600 square feet of Gross Floor Area within the Project would be subject to the allowable FAR. The Project therefore complies with the maximum allowable FAR.

F. **Rear Yard.** Section 134(a)(1) of the Planning Code requires a rear yard equal to 25 percent of the lot depth to be provided at every residential level.

The Project proposes an L-shaped building on a corner lot, with an at-grade courtyard toward the interior of the lot. The configuration of this courtyard does not meet the requirements for a rear yard pursuant to the Code, and thus the Project requires a modification of the rear yard requirement through the PUD process. Compliance with the PUD criteria for open space is discussed under #8.

Section 134(g) identifies a process whereby the Zoning Administrator may reduce the rear yard requirements for a project within the North of Market Residential Special Use District. Because the Project is seeking a rear yard modification through the PUD, the process described by Section 134(g) does not apply. It should be noted, however, that the project complies with the specified criteria of Section 134(g), as follows:

(1) The substituted open space in the proposed new or expanding structure will improve the access of light and air to and views from existing abutting properties.
(2) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

A code-complying rear yard would provide an open area of approximately 5,585 square feet. The proposed common courtyard measures approximately 7,100 square feet, exceeding the amount of open area that would be provided by a code-complying rear yard. There is a general lack of mid-block open space within the subject block. The rear yard of the Project is configured as a courtyard that restores a traditional pattern of mid-block open space, preserving light and air access for abutting properties to the degree feasible.

G. **Usable Open Space.** Section 135 requires that a minimum amount of usable open space be provided for dwelling units within the RC-4 District. This Section specifies that the area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and configuration

The Code requires that 47.88 square feet of common usable open space be provided for each dwelling unit within the RC-4 District. The Project therefore must provide a minimum of 4,932 square feet of common open space. The Project proposes a common courtyard at the first floor that measures approximately 7,100 square feet.

Section 135 also requires that, in order for an inner court to qualify as usable open space, the area must have an uninterrupted 45-degree sunlight access plane on a minimum of three sides. Portions of the upper stories of the building would intrude into these sunlight access planes. While the Project provides a sufficient area of usable open space, the configuration of the inner court does not strictly comply with the requirements for sunlight access plane. Therefore, the Project requires a modification of the open space requirement through the PUD process. Compliance with the PUD criteria for open space is discussed under #8.

H. **Dwelling Unit Exposure.** Section 140 of the Planning Code requires that at least one room of all dwelling units face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The dwelling units are arranged along a double-loaded corridor. Some units face onto Eddy and Taylor Streets, while others face onto the interior courtyard. Section 140 specifies that an open area (such as the proposed courtyard) must have minimum horizontal dimensions of 25 feet at the lowest floor containing a dwelling unit and floor immediately above, with an increase of five feet in horizontal dimensions for each subsequent floor above. According to this methodology, the open area above the courtyard would need to measure at least 55 feet in horizontal dimensions at the 8th floor. At its narrowest point, the courtyard measures 68 feet in width. The Project complies with the exposure requirements of Section 140.

I. **Active Street Frontages.** Section 145.1 of the Planning Code requires that within RC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Spaces accessory to residential uses are considered active uses only if they meet the intent of this section and have access directly to the public sidewalk or street. Portions of frontage devoted to service areas and building are exempt from these requirements.

The majority of the ground-floor frontage is occupied by retail uses, the lobby entry, a meeting room with direct access to the sidewalk, and other functions that meet the active frontage requirements of Section 145.1. Portions of the Taylor Street frontage include a property management office and case manager office. While these uses are considered accessory to the residential use, they do not provide direct access to the sidewalk. Therefore, these uses do not comply with the active frontage requirements of Section 145.1, and the Project requires a modification through the PUD process. Compliance with the PUD criteria for open space is discussed under #8.

J. **Obstructions/Bay Windows.** Section 136(c) permits bay windows to project over the public right-of-way, provided that the bays meet specified limitations for dimensions, separation, and glazing.

The Project includes several features which extend over the property line along the Taylor and Eddy Street frontages up to three feet. While these features add interest and articulation to the facade, they do not meet the dimensional limitations and required glazing for bay windows specified in Section 136(c). Therefore, the Project requires a modification of the requirements of this Section through the PUD process. Compliance with the PUD criteria is discussed under Item #8 .

K. **Shadows on Parks.** Pursuant to Section 295**,** no building permit authorizing the construction of any structure exceeding 40 feet in height that will cast any shade or shadow upon any property under the jurisdiction of the Recreation and Park Commission during the times of one hour after sunrise and one hour before sunset, all year round, may be issued except on prior action of the Commission pursuant to the provisions of this Section. The Commission must conduct a hearing and must disapprove the issuance of any building permit governed by the provisions of this Section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of the Recreation and Park

Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant.

A shadow analysis was prepared for the Previous Project which determined that the Project would cast an additional 369,409 square-foot hours of shadow onto Boeddeker Park, equivalent to 0.24 percent of the theoretical available annual square foot-hours of sunlight on the Park.

In 1989, the Recreation and Park Commission and the Planning Commission jointly adopted criteria establishing absolute cumulative limits for additional shadows on 14 downtown parks throughout San Francisco (Planning Commission Resolution No. 11595). The memo specified that Boeddeker Park is a "zero-tolerance" park, meaning that no new shadows could be cast upon the park. An absolute cumulative limit of zero percent new shadow was adopted for the Park in 1989.

On March 26, 2009, the Recreation and Park Commission and the Planning Commission met jointly to discuss the shadows cast by the Previous Project on Boeddeker Park. The Commissions adopted actions to raise the allowable shadow limit on Boeddeker Park, to find that the new shadows cast by the Project would not be adverse to the Park, and to allocate the allowable new shadow to the Previous Project.

On February 23, 2015, the Project Sponsor submitted an updated shadow analysis that quantified the amount of shadow that would be cast by the current Project. This study determined that the Project would cast 66,406 square-foot hours on shadow on Boeddeker Park, equivalent to 0.04 percent of the theoretical available annual square foot-hours of sunlight on the Park. The shadow would generally fall in similar locations than those identified for the Previous Project, however, the extent and duration of these shadows would be substantially reduced based on the reduced height of the Project.

L. **Affordable Housing.** Pursuant to provisions of Section 415, new residential developments involving five or more dwelling units are required to comply with the inclusionary housing requirements by constructing 12% of the proposed dwelling units as affordable if they are provided on-site, 20% if the affordable units are provided off-site, or by payment of an in lieu-fee.

All of the proposed dwelling units within the Project qualify as affordable units, therefore, the project complies with the inclusionary housing requirements.

L. **Off-Street Parking.** Pursuant to Section 151.1, no off-street parking is required for any uses within the RC-4 District. Up to one parking space is principally permitted for each two dwelling units, and up to .75 spaces per dwelling unit may be requested through Conditional Use Authorization.

The Project proposes no off-street parking spaces. The subject property is situated within a dense, urban context that is well-served by transit. It is expected that many patrons of the retail uses would walk or ride transit to reach the Project Site. By providing no off-street parking within such a context, the Project furthers the goals of the City's Transit First policy. By deleting the garage and curb cut

that would be required to access parking, the Project reduces the potential for conflicts between vehicles and pedestrians, and presents a greater length of retail storefront that will help to active the adjacent sidewalks. The Project also provides a substantial, secure bicycle parking area with space for 104 bicycles, giving residents another transportation option that reduces private automobile use. The Project complies with Section 151.1.

M. **Off-Street Loading**. Section 152 provides a schedule of required off-street freight loading spaces for all uses in districts other than C-3 or South of Market. Pursuant to this Section, residential uses measuring less than 100,000 square feet are not required to provide off-street loading. In addition, retail uses measuring less than 10,000 square feet do not require any off-street loading spaces.

The residential and retail portions of the Project are smaller than the thresholds specified for required off-street loading spaces, and no loading spaces are proposed. The Project complies with Section 152.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project will add significant affordable housing opportunities at a density that is suitable for an intensely-developed urban context served by ample public transit. In addition, the project will add significant new retail space that will provide employment opportunities, and will serve the residents of the Project and the larger neighborhood. By targeting infill, mixed-use development at such locations, residents of the Project will be able to walk, bicycle, or take transit to commute, shop, and meet other needs without reliance on private automobile use. The proposed ground floor retail will continue the procession of ground-floor commercial uses that are prevalent throughout the area, activating the streetscape and creating visual interest for pedestrians.

The existing development in the area surrounding the Project site is varied in scale and intensity. While the Project is taller than some of the buildings in the area, the roofline of the Project aligns with the adjacent, upslope building on Taylor Street. In addition, the varied facade treatments and changes in plane divide the elevations into smaller sections that reduce the visible bulk of the Project. The proposed uses are necessary and desirable for, and are compatible with the neighborhood.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project site is a regularly-shaped corner lot that is adequately sized to accommodate the development. Existing development in the vicinity varies in size and intensity, and the Project is generally compatible with the eclectic character of the area. The upper stories of the Project are sculpted to transition to the scale of adjacent properties and reduce the apparent bulk of the development. The rear yard of the project is configured as a courtyard that establishes a pattern of mid-block open space that is currently lacking on the subject block. The shape and size of development on the subject property will not detrimental to persons or adjacent properties in the vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project Site is located within an intense, mixed-use context where many convenience goods and services are available within walking distance. In addition, the area is served by ample public transit, allowing residents to travel without reliance on private automobile use. Approximately 20 MUNI bus lines are located within four blocks of the subject property, as well as the MUNI Metro routes and BART service along Market Street, and the Powell-Hyde and Powell-Mason Cable Car Lines. No off-street parking or loading is required or proposed for the Project. By not providing parking, the Project reinforces the City's Transit First Policy, and the lack of a garage entry and curb-cut helps to create a more pedestrian-oriented streetscape.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project includes residential and retail uses that are typical of the surrounding context, and should not introduce operational noises, dust, or odors that are detrimental, excessive, or atypical for the area. While some temporary increase in noise can be expected during construction, this noise is limited in duration and will be regulated by the San Francisco Noise Ordinance which prohibits excessive noise levels from construction activity and limits the permitted hours of work. The building will not exhibit an excessive amount of glazing or other reflective materials, therefore, the Project is not expected to cause offensive amounts of glare.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project provides open space within a common courtyard at the first floor. Street trees and other amenities will be provided along the Eddy and Taylor Street frontages of the Project. No parking is proposed for the project, but the area is well-served by transit and a variety of goods and services within walking distance. Conditions of approval require that, as the Project proceeds through the review of building permits, the Project Sponsor will continue to work the Planning staff to refine details of lighting, signage, materials, and other aspects of the design.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project generally complies with the applicable sections of the Code, with certain exceptions. The residential and retail uses contemplated for the Project, and the proposed density are permitted within the RC-4 Zoning District, the 80-130-T Height and Bulk District, and the North of Market Residential Special Use District (Subarea 1). The Project seeks a number of modifications to the requirements of the Planning Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan. The requested modifications, and compliance with the PUD criteria are discussed under item #8.

Considered as a whole, the Project would add affordable housing and retail space to enhance a vibrant, active commercial corridor. The Project Site is well-served by transit and commercial services, allowing residents to commute, shop, and reach amenities by walking, transit, and bicycling. The Project includes a mix of affordable units in a range of sizes, including 15 studio units, 10 one-bedroom units, 64 two-bedroom units, and 14 three-bedroom units. This mix of units will ensure that the Project will serve a diversity of household sizes and people with varied housing needs. The Project conforms with multiple goals and policies of the General Plan, as described in further detail in item #10.

8. **Planned Unit Development**. Section 304 establishes criteria and limitations for the authorization of PUD's over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. In cases of outstanding overall design, projects may merit modification of certain Code requirements. On balance, the Project complies with said criteria in that it:

A. Affirmatively promotes applicable objectives and policies of the General Plan;

See discussion under item #10.

B. Provides off-street parking adequate for the occupancy proposed.

Pursuant to the requirements of Section 151.1, no off-street parking is required for any use within the RC-4 District. The area surrounding the Project Site is served by abundant transit and retail services within walking distance. Residents would be able to commute and shop for goods and services without reliance on private automobile use.

C. Provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by this Code;

Section 135 requires that the Project provide a minimum of 4,932 square feet of common open space. The Project proposes a common courtyard at the first floor that measures approximately 7,100 square feet,

exceeding the area required by Section 135. As discussed in item #6(g) above, the courtyard does not strictly meet the sunlight-access plane requirements of Section 135. However, the courtyard is generously sized, with a minimum width of approximately 68 feet, and a minimum depth of approximately 95 feet. Therefore, the courtyard will receive sufficient sunlight to create a usable and enjoyable open space for residents.

D. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of the Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property.

Section 249.5 permits residential densities of up to one dwelling unit for each 125 square feet of lot area within the North of Market Residential Use Subdistrict (Subarea 1), where the Project Site is located. Based on this density, up to 179 dwelling units could be developed on the subject property. The Project proposes a total of 103 dwelling units, and therefore complies with the density permitted by Article 2 of the Code. Approval of the PUD will not be substantially equivalent to a reclassification of property.

E. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

Section 263.7 permits buildings to exceed 80 feet in height within the North of Market Residential Special Use District (hereinafter, "SUD"), up to a maximum height of 130 feet, provided that contributions are paid into the "North of Market Affordable Housing Fund". The purpose of this fund is to ameliorate the pressures on existing affordable housing resulting from the development of taller market-rate residential structures. The Project proposes only affordable dwelling units, therefore the Project would not create pressures on existing affordable housing in the area. The Project is well articulated, using varied facade treatments and changes in plane to break the massing of the building into smaller, discrete units. The proposed height of the Project is appropriate for the site and its context.

9. **Planning Code Section 253** specifies that, because the Project exceeds 50 feet in height within an RC District, the Commission shall consider the expressed purposes of the Code, of the RC Districts, and of the height and bulk districts.

a. **RC-4 (Residential-Commercial, High Density) District.** Section 206.3 describes that the RC-4 District contains, "...a mixture of high-density dwellings similar to those in RM-4 Districts with supporting commercial uses."

The Project would add 103 affordable dwelling units and ground-floor retail space in a manner that is appropriate for the context of the Project Site. The retail uses would provide goods and services to residents and visitors in the area, and would activate the adjacent public rights-of-way. The Project is compatible with the dense mixed-use character of the surrounding area.

b. **80-130-T Height and Bulk District.** Section 251 establishes that the general purposes of the height and bulk district are to relate the scale of new development to be harmonious with existing development patterns and the overall form of the City, respect and protect public open spaces and neighborhood resources, and to synchronize levels of development intensity with an appropriate land use and transportation pattern.

The existing development in the area surrounding the Project site is varied in scale and intensity. At a height of eight stories, the Project represents an appropriately scaled infill development that respects the prevailing character of the block and of the neighborhood beyond. The Project also includes a generously-sized courtyard, which will establish a pattern of mid-block open space that is weakly defined within the subject block, and will protect light and air to adjacent properties. The Project has been designed to sensitively related to the surrounding context of the Uptown Tenderloin Historic District.

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT:
Objectives and Policies

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

The Project would convert an underutilized property to a development suited to the existing, intense urban context. The Project includes 103 affordable dwelling units, as well as ground-floor retail space to serve residents of the Project and existing residents of the area. The Project Site is well-situated to give residents access to job opportunities in the nearby Union Square, South of Market, and Financial District areas. The area is served by a rich network of transit, providing multiple transportation options for residents without a private automobile.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

Policy 6.10:

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The Project would convert an underutilized property (currently a surface parking lot) to a mixed-use development suited to the existing urban context. The Project includes 103 affordable dwelling units. Residents of these units would shop for goods and services in the area, bolstering the viability of the existing businesses. In addition, the ground floor of the project includes approximately 5,500 square feet of commercial uses that will contribute to the economic vitality of the area, fulfill shopping needs for residents, and will activate the streetscape of a corner that is ill-defined by the existing surface parking lot.

TRANSPORTATION ELEMENT:

Objectives and Policies

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:
Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

Policy 2.2:
Reduce pollution, noise and energy consumption.

Due to the abundant transit and commercial services in the area, residents of the Project can minimize use of the private automobile to commute and fulfill shopping needs. The Project Site is suitable for accommodating dense residential development that will discourage sprawling regional development patterns that are strongly auto-oriented and contribute to greenhouse gas emissions.

URBAN DESIGN ELEMENT:
Objectives and Policies

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.7

Recognize the special urban design problems posed in development of large properties.

OBJECTIVE 12

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

Policy 4.13:
Improve pedestrian areas by providing human scale and interest.

The ground floor of the Project includes retail spaces that define an attractive and vibrant pedestrian realm on Taylor and Eddy Streets while broadening the availability of good and services. Residents of the Project will activate the sidewalks and open spaces in the area, and will help to support establishments in the neighborhood. While the Project is taller than some buildings in the vicinity, the building utilizes deep reveals, changes in plane, and varied façade treatments to reduce the apparent bulk of the structure and relate to its surroundings.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

    A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The new residents in the Project will patronize area businesses, bolstering the viability of surrounding commercial establishments. In addition, the Project would include new retail space to provide goods and services to residents in the area contribute to the economic vitality of the area, and define the streetscape.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The project will not diminish the existing housing stock, and will add affordable dwelling units in a manner that enhances the vitality of the neighborhood.

C. That the City's supply of affordable housing be preserved and enhanced,

The Project would add not demolish any dwelling units, and will add 103 affordable dwelling units in a variety of sizes and bedroom configurations.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The property is located within the Tenderloin neighborhood and within walking distance of Union Square, therefore, a wide variety of goods and services are available within walking distance of the Project Site. In addition, the area is well served by public transit, providing connections to all areas of the City and to the larger regional transportation network. The Project provides no off-street parking, and will encourage transit usage and deemphasize reliance on the private automobile.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not propose any commercial office development. The new development will include retail services that will provide employment and/or business ownership opportunities for area residents.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

G. That landmarks and historic buildings be preserved.

There are no existing buildings that would be demolished in association with the Project. The Project Site is situated within the Uptown Tenderloin National Register Historic District. While the architecture of the Project is contemporary, the massing and exterior treatment has been designed in a

manner that is compatible with, and sensitive to other properties within the District. The Project will not adversely affect any on-site or off-site historic resources.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will not cast some new shadow on Boeddeker Park, located one-half block to the west. The affected area is relatively small, and is not located within the central portion of the park. In addition, the shadows would be cast prior to 9:00am, when usage of the park is generally low. Sculpting the building to further avoid casting new shadows on the Park would require the elimination of several of the upper floors of the building and the commensurate loss of affordable dwelling units. On balance, the Project has been designed to preserve access to sunlight on Boeddeker Park to the degree feasible.

The Project Site is located in a relatively flat area with few public vistas. Within the subject block, Eddy and Taylor Streets are not identified as "Streets Important for their Quality of Views" (General Plan, Urban Design Element, Map 5). The Project will not impede access to important vistas.

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

13. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2015-001077CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 26, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 26, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 26, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow development exceeding 50 feet within an RC District, and to allow a Planned Unit Development with approximately 103 affordable dwelling units, 5,500 square feet of ground-floor commercial uses, and no off-street parking, located at 168-186 Eddy Street, Block 0331, Lots 010 and 011 pursuant to Planning Code Sections 253, 303, and 304 within the within the RC-4 Zoning District, the 80-130-T Height and Bulk District, the North of Market Residential Special Use District (Subarea 1), and the Uptown Tenderloin National Register Historic District, in general conformance with plans, dated March 26, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2015-001077CUA and subject to conditions of approval reviewed and approved by the Commission on March 26, 2015 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 26, 2015 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity. The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Expiration and Renewal. Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Diligent pursuit. Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Extension. All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Conformity with Current Law. No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Mitigation Measures. Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Garbage, composting and recycling storage. Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Rooftop Mechanical Equipment. Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Lighting Plan. The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Streetscape Plan. Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Transformer Vault. The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

1. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, http://sfdpw.org

Overhead Wiring. The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

Noise, **Ambient**. Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800,

www.sfdph.org

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Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.2, and 155.3, the Project shall provide no fewer than **101 Class 1** bicycle parking spaces, and a total of 7 Class 2 bicycle parking spaces for the residential and commercial portions of the Project and.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

First Source Hiring. The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.
For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

Transit Impact Development Fee. Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Revocation due to Violation of Conditions. Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for

the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, http://sfdpw.org

Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

Community Liaison. Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Lighting. All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

	MONITORING PROGRAM			
Mitigation Measures Adopted As Conditions of Approval	**Responsibility for Implementation**	**Mitigation Schedule**	**Monitoring/Reporting Responsibility**	**Status/Date Completed**
ARCHAEOLOGICAL RESOURCES:				
Mitigation Measure 1:				
Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The Project Sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Archeo-Tec. ***Archaeological Research Design and Treatment Plan Pavilion Mixed-Use Development Project***, May 19, 2003) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirement of this archeological mitigation measure shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).	Project Sponsor (subject to ERO approval)	Prior to soil disturbing activities	Project Sponsor to submit documentation to ERO that a qualified archaeological consultant has been retained.	

	MONITORING PROGRAM			
Mitigation Measures Adopted As Conditions of Approval	**Responsibility for Implementation**	**Mitigation Schedule**	**Monitoring/Reporting Responsibility**	**Status/Date Completed**
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the Project Sponsor either: A) <u>The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</u> B) <u>A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</u>	Project Sponsor and archaeological consultant	In the event that archaeological deposit is determined to be significant	The Project Sponsor in consultation with the ERO shall either redesign the project to avoid any adverse effect or implement data recovery program	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:				
• The archeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;	Project Sponsor and archaeological consultant	During soil disturbing activities	Project Sponsor and archaeological consultant Implement AMP in consultation with ERO	
• The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;	Project Sponsor and archaeological consultant	During soil disturbing activities	Archaeological consultant and project contractors	
• The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;	Project Sponsor and archaeological Consultant	During soil disturbing activities	Archaeological consultant and Project Contractors	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
• The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;	Project Sponsor and archaeological consultant	During soil disturbing activities	Archaeological consultant and Project Contractors	
• If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.	Project Sponsor and archaeological consultant	In the event that archaeological deposit is encountered	Archaeological consultant and project contractors shall report finding to ERO, conduct appropriate significance evaluation, and report findings to ERO	
Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL AND MITIGATION MONITORING PROGRAM (Continued)

	MONITORING PROGRAM			
Mitigation Measures Adopted As Conditions of Approval	**Responsibility for Implementation**	**Mitigation Schedule**	**Monitoring/Reporting Responsibility**	**Status/Date Completed**
Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.	Project Sponsor and archaeological consultant	In the event that archaeological data recovery program is required by the ERO	The Project Sponsor and archaeological consultant shall consult with ERO for approval of ADRP	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed

The scope of the ADRP shall include the following elements:

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

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, Project Sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	Project Sponsor and archaeological consultant	In the event human remains and/or funerary objects are encountered	Archaeological consultant in consultation with the San Francisco Coroner, NAHC, and, if applicable, MLD	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.	Project Sponsor and archaeological consultant	After all monitoring and data recovery (if necessary) is complete	Submit Draft and Final Archaeological Resources Report to the ERO	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
CONSTRUCTION NOISE AND VIBRATION:				
Mitigation Measure 2				
If a pile-driven foundation is used, the Project Sponsor shall require its geotechnical engineering contractor to conduct a pre-construction assessment of existing subsurface conditions and the structural integrity of nearby buildings subject to pile driving impacts prior to receiving a building permit. If recommended by the geotechnical engineer, for structures or facilities within 50 feet of pile driving, the Project Sponsor shall require ground-borne vibration monitoring of nearby structures. The Project Sponsor shall also require its construction contractor to use noise-reducing pile driving techniques if nearby structures are subject to pile driving noise and vibration (e.g. sonic or vibrating sheet pile drivers rather than impact drivers). These techniques include pre-drilling pile holes (if feasible, based on soils) to the maximum feasible depth, installing intake and exhaust mufflers on pile driving equipment, vibrating piles into place when feasible, and installing shrouds around the pile driving hammer where feasible. Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices. In addition, at least 48 hours prior to pile-driving activities, the Project Sponsor shall notify building owners and occupants within 500 feet of the project site of the dates, hours, and expected duration of such activities.	Project Sponsor, geotechnical engineering contractor, and construction contractor	Prior to and during soil disturbing activities	Project Sponsor, construction contractor, and ERO	

Mitigation Measures Adopted As Conditions of Approval	MONITORING PROGRAM			
	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
IMPROVEMENT MEASURES				
Improvement Measure 1: The Project Sponsor would set up arrangements with nearby garages to allocate parking spaces to be leased to residents for overnight parking.	Project Sponsor	Prior to project approval and ongoing during project operation	Department of Parking and Traffic	
Improvement Measure 2: The Project Sponsor would apply for on-street yellow zones that would avoid adverse impacts on traffic and transit operation and pedestrian and bicycle safety and would also avoid double–parking conditions.	Project Sponsor	Prior to project approval and ongoing during project operation	Traffic Engineering Division of the Department of Parking and Traffic	
Improvement Measure 3: Improvement Measure 3 should, to the extent possible, limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. to minimize disruption of the general traffic flow on adjacent streets during peak-hours.	Project Sponsor	Ongoing during project operation	Department of Parking and Traffic	
Improvement Measure 4: The Project Sponsor should consider subsiding transit costs for the construction worker or could provide an off-site parking and shuttle the workers into the project site.	Project Sponsor	Ongoing during project construction	Department of Parking and Traffic	
Improvement Measure 5: The Project Sponsor should meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, and the Planning Department to determine feasible mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the project.	Project Sponsor	Prior to project construction	Traffic Engineering Division, Fire Department, and the Planning Department	
Improvement Measure 6: The Project Sponsor should coordinate with Muni's Chief Inspector prior to construction to avoid impacts on transit.	Project Sponsor	Prior to project construction	San Francisco Municipal Railway Chief Inspector	

SAN FRANCISCO
PLANNING DEPARTMENT

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

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415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

Date:	February 4, 2009
Case No.:	**2007.1342E**
Project Title:	Eddy & Taylor Family Housing project
Zoning:	RC-4 (Residential/Commercial Combined, High-Density) 80/130-T Height and Bulk District; NOMRSUD No. 1
Block/Lot:	331/10 and 11
Staff Contact:	Michael Jacinto – (415) 575-9033 Michael. Jacinto@sfgov.org

To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a Preliminary Mitigated Negative Declaration, containing information about the possible environmental effects of the proposed project. The Preliminary Mitigated Negative Declaration documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a Mitigated Negative Declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

Project Description:

The proposed Eddy & Taylor Family Housing project would involve development of up to 178 affordable rental family-housing units on the northeast corner of Eddy and Taylor Streets in San Francisco's Tenderloin neighborhood. The proposed project would entail removal of an existing 22,334 square-foot commercial parking lot and construction of a 178,869 gross square foot (gsf), 130-foot-tall, mixed-use building with residential and retail use, potentially a grocery store. The proposed project would provide 118,780 gsf of residential uses, 11,661 gsf of open space in an above-grade courtyard and rooftop gardens, 6,888 gsf of common and program space for residents, and up to 13,138 gsf of retail space fronting on Taylor Street and Eddy Street. An off-street loading area would be provided with access from Taylor Street. The project would not include off-street parking. The site is zoned RC-4 (Residential/Commercial Combined, High-Density) and is in the North of Market Residential Special Use District No. 1 (NOMRSUD No. 1) and in an 80/130-T Height and Bulk District. The proposed project would require Conditional Use authorization to exceed 80 feet in height and to exceed 110-foot maximum horizontal and 140-foot maximum diagonal dimensions in an 80/130-T Height and Bulk District. The project would require approval for a Planned Unit Development (PUD). As part of the PUD process, the Project Sponsor would seek modifications related to: design (upper story streetwall setbacks, bulk, rear yard configuration, and common open space); residential and commercial parking; and height measurement point.

If you would like a copy of the Preliminary Mitigated Negative Declaration or have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

2007.1342E

Within 20 calendar days following publication of the Preliminary Mitigated Negative Declaration (i.e., by close of business on **February 25, 2009** any person may:

1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.

2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include additional relevant issues or cover issues in greater depth. One may recommend amending the text without the appeal described below. -OR-

3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a check for $500 payable to the San Francisco Planning Department.[1] An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, Environmental Review Officer, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of $500.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on February 25, 2009.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

In the absence of an appeal, the Mitigated Negative Declaration shall be made final, subject to necessary modifications, after 30 days from the date of publication of the Preliminary Mitigated Negative Declaration.

[1] Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.

SAN FRANCISCO
PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	February 4, 2009
Case No.:	**2007.1342E**
Project Title:	Eddy & Taylor Family Housing project
BPA Nos.:	N/A
Zoning:	RC-4 (Residential/Commercial Combined, High-Density) 80/130-T Height and Bulk District; NOMRSUD No. 1
Block/Lot:	Block 331; Lots 10 and 11
Lot Size:	22,334 square feet
Project Sponsor:	Eddy & Taylor Associates, L.P./Tenderloin Neighborhood Development Corporation (TNDC) Nick Griffin, (415) 358-3930
Lead Agency:	San Francisco Planning Department
Staff Contact:	Michael Jacinto – (415) 575-9033 Michael. Jacinto@sfgov.org

Project Description:

The proposed Eddy & Taylor Family Housing project would involve development of up to 178 affordable rental family-housing units on the northeast corner of Eddy and Taylor Streets in San Francisco's Tenderloin neighborhood. The proposed project would entail removal of an existing 22,334 square-foot commercial parking lot and construction of a 178,869 gross square foot (gsf), 130-foot-tall, mixed-use building with residential and retail use, potentially a grocery store. The proposed project would provide 118,780 gsf of residential uses, 11,661 gsf of open space in an above-grade courtyard and rooftop gardens, 6,888 gsf of common and program space for residents, and up to 13,138 gsf of retail space fronting on Taylor Street and Eddy Street. An off-street loading area would be provided with access from Taylor Street. The project would not include off-street parking. The site is zoned RC-4 (Residential/Commercial Combined, High-Density) and is in the North of Market Residential Special Use District No. 1 (NOMRSUD No. 1) and in an 80/130-T Height and Bulk District. The proposed project would require Conditional Use authorization to exceed 80 feet in height and to exceed 110-foot maximum horizontal and 140-foot maximum diagonal dimensions in an 80/130-T Height and Bulk District. The project would require approval for a Planned Unit Development (PUD). As part of the PUD process, the Project Sponsor would seek modifications related to: design (upper story streetwall setbacks, bulk, rear yard configuration, and common open space); residential and commercial parking; and height measurement point.

Finding:

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

Mitigation Measures are included in this project to avoid potentially significant effects. See pp 98-103.

cc: Supervisor Chris Daly, Distribution List, Bulletin Board, Master Decision File, Tenderloin Neighborhood Development Corporation (TNDC)

INITIAL STUDY
Eddy & Taylor Family Housing Project - 2007.1342E

Figures

Tables

INITIAL STUDY
Eddy & Taylor Family Housing Project - 2007.1342E

A. PROJECT DESCRIPTION

BACKGROUND

The Project Sponsor, Eddy & Taylor Associates, L.P., through its developer Tenderloin Neighborhood Development Corporation (TNDC), with financial support from the Mayor's Office of Housing, proposes to develop up to 178 units of one-hundred percent affordable housing, with ground-floor retail uses that could potentially include a grocery store.

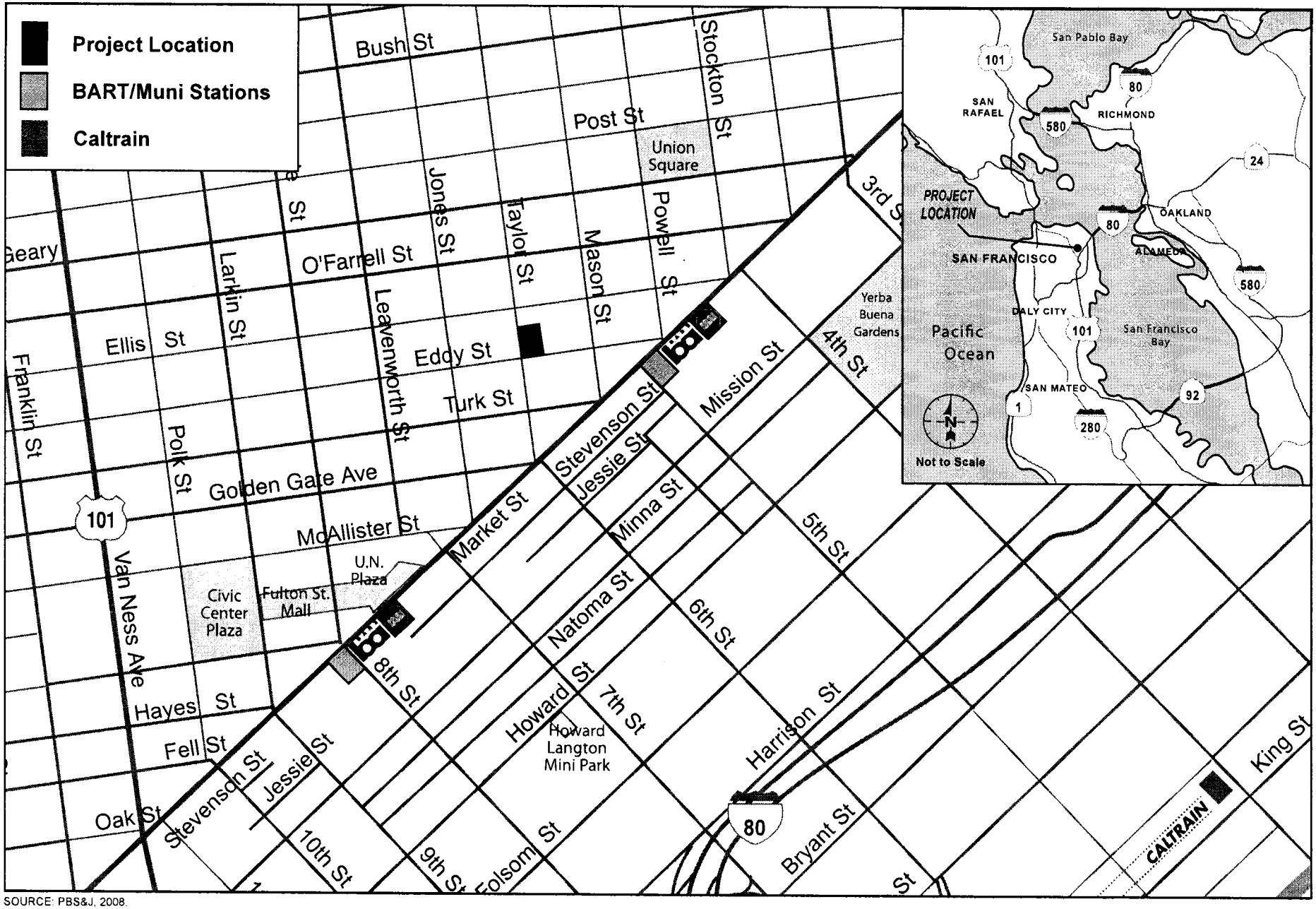
PROJECT LOCATION

The subject property at 168-186 Eddy Street ("project site") is at the northeast corner of Eddy and Taylor Streets in San Francisco's Tenderloin District, two blocks west of the Powell Street Muni Metro/BART station on Market Street and about three blocks southwest of Union Square (see Figure 1, p. 2). The project site is bounded by Eddy Street to the south, Taylor Street to the west, and abutting commercial/residential properties to the east and north. The rectangular project site occupies Lots 10 and 11 of Assessor's Block 331 (see Figure 2, p. 3), with an area of 22,334 square feet (sf). The site is zoned RC-4 (Residential/Commercial Combined, High-Density) and is in an 80/130-T Height and Bulk District. The project site is also located within the North of Market Residential Special Use District No. 1 (NOMRSUD No.1).

EXISTING CONDITIONS

The site is currently occupied by a 144-space commercial parking lot that provides both hotel valet and daily parking (Figures 2 and 3, pp. 3 and 4). A small kiosk for parking attendants is located in the center of the site. The site's perimeter is enclosed by a roughly six-foot-tall cyclone fence. Two extant driveways on Eddy and Taylor Streets provide vehicular ingress and egress to the property.

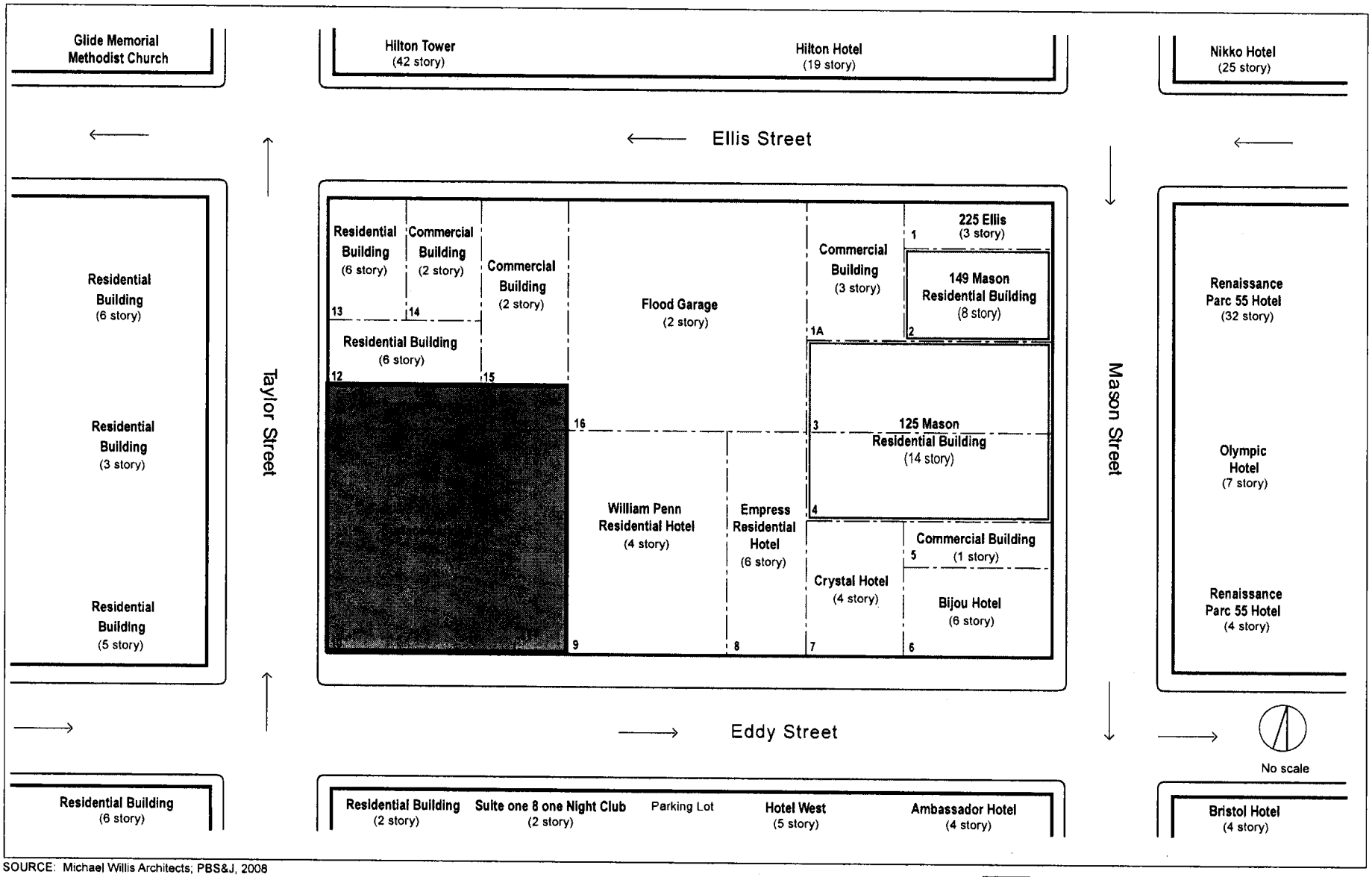
The project site slopes down from north to south, with approximately nine feet grade differential across the site, from a maximum elevation of about 44 feet at the northwest corner of the project site, to a minimum elevation of approximately 35 feet at the southeast corner of the project site based on San Francisco Datum (SFD).



SOURCE: PBS&J, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

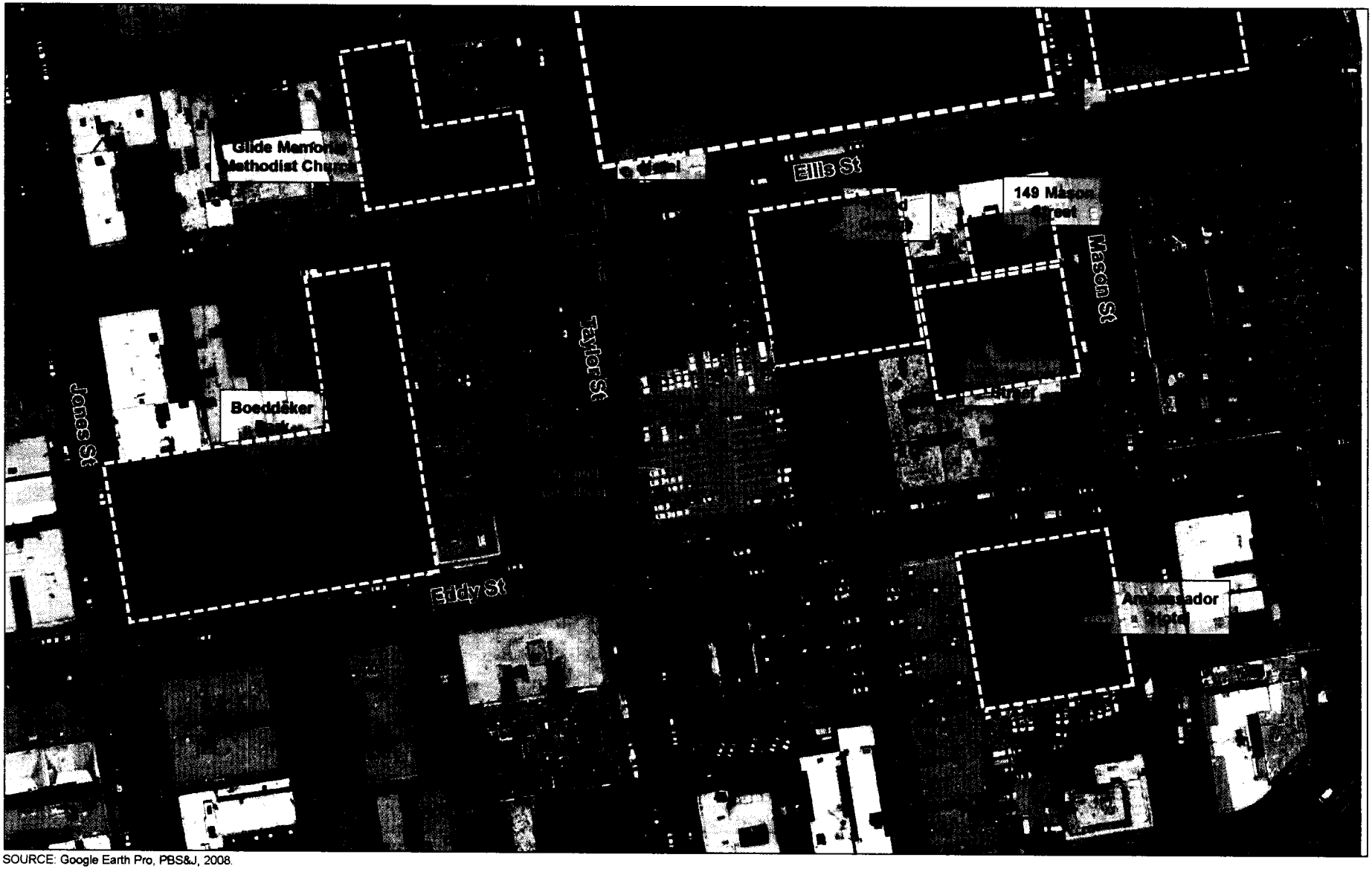
FIGURE 1: PROJECT LOCATION



SOURCE: Michael Willis Architects; PBS&J, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 2: EXISTING SITE PLAN



SOURCE: Google Earth Pro, PBS&J, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 3: AERIAL VIEW OF PROJECT SITE AND VICINITY

PROJECT DESCRIPTION

The proposed project would be a 130-foot-tall, mixed-use residential building with ground-floor retail space. In the 80/130-T Height and Bulk District, buildings may be constructed up to 80 feet as of right, and up to 130 feet by Conditional Use (CU) authorization by the Planning Commission. As shown in Table 1, the proposed 178,869-gsf building would contain up to 178 units of affordable rental family housing. The dwelling unit mix would include up to 32 studios, 63 one-bedroom units, 64 two-bedroom units, and 19 three-bedroom units. No off-street residential parking is proposed. At ground level, the building would have up to 13,138 gsf of retail space intended for a neighborhood-serving grocery. The project would not provide parking for the retail use (see Figure 4, p. 6). Up to 57 bicycle spaces would be provided in a double-decker rack in a storage room behind the residential lobby. The project would provide one off-street loading space for the retail use, with an entrance from Taylor Street on the north end of the project site.[1] The grocery store operation would use this loading space for deliveries to a receiving room adjacent to the loading area (see Figure 4, p. 6).

TABLE 1
PROJECT AND VARIANT CHARACTERISTICS

	(Proposed Project)	**Variant 2**	**Variant 3**
	Large Retail Off Street Loading No Parking	Large Retail On Street Loading No Parking	Small Retail On Street Loading No Parking
Use/Characteristics	**Area/Amount**	**Area/Amount**	**Area/Amount**
Residential	118,780 gsf	118,780 gsf	121,868 gsf
Retail	11,702 gsf	12,922 gsf	7,733 gsf
Retail Back of House	1,436 gsf	2,018 gsf	0 gsf
Loading Dock	1,792 gsf	0 gsf	0 gsf
Other Common and Program Space	6,888 gsf	6,888 gsf	6,830 gsf
Circulation and Service	38,271 gsf	38,271 gsf	41,699 gsf
TOTAL	**178,869** gsf	**178,879** gsf	**178,130** gsf
Dwelling Units	Up to 178	Up to 178	Up to 178
Courtyard open space	6,653 gsf	6,653 gsf	6,553 gsf
Rooftop Gardens	5,028 gsf	5,028 gsf	5,028gsf
Loading Space	1	0	0
Height of Building	130 feet	130 feet	130 feet
Number of Stories	14	14	14

Source: Eddy & Taylor Associates, L.P., 2008.

[1] *Planning Code* Section 152 requires that a retail use over 10,000 gsf provide one freight-loading space.

The proposed building would provide 6,635 gsf of open space in an above-grade courtyard and 5,028 gsf of open space in five rooftop gardens. The project would also provide 6,888 gsf of common and program space for residents. (The supportive services provided to individuals and families would include: case management services; referrals; assistance with medical, mental health and substance abuse issues; crisis intervention and conflict resolution; mediation; and a variety of other child, youth and family services.)

PROJECT VARIANTS

As shown in Table 1, p. 5 above, the Project Sponsor is considering two variants to the proposed project. "Variant 2," would have a residential area of 118,780 gsf (the same as the proposed project), and a retail area of 14,940 gsf (including retail "back of house" service or storage space) and would not include retail parking or an off-street loading space for the retail use.[2] The grocery store operations would use a scheduled curb-side loading space on Taylor Street, with deliveries to a receiving room on the north end of the ground-floor.

"Variant 3" would have a residential area of 121,868 gsf, and 7,733 gsf of retail space, with no back of house space and no retail parking. Loading would likely be from a curb-side loading space on Eddy Street directly to the retail floor since a receiving room is not included in this variant. The Planning Code would not require off-street loading for this variant.

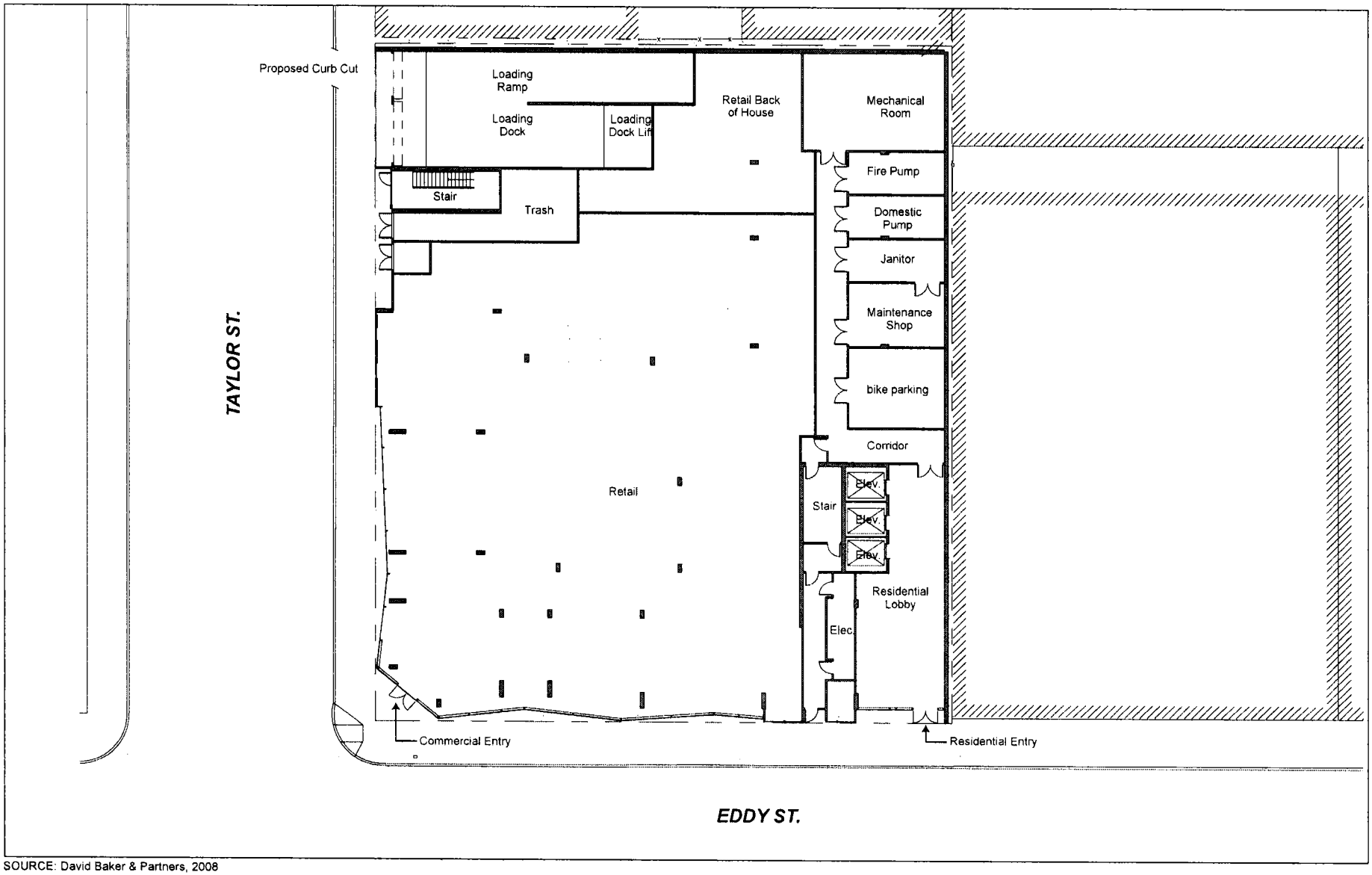
The proposed project and the two variants would have the same building height (130 feet), number of dwelling units (up to 178), rooftop garden space (5,028 gsf), and number of stories (14). Variant 3 would have slightly less (6,553 gsf) courtyard open space than Variant 2 and the proposed project (6,553 gsf) and slightly less (6,830 gsf) common and program space than Variant 2 and the proposed project (6,888 gsf). The proposed project would include an off-street loading space, while Variants 2 and 3 would not. None of the project variants would include off-street retail or residential parking.

The transportation section, p. 41 of this Initial Study, analyzes the proposed project and the two variants to present a range of transportation, circulation, parking, and pedestrian effects that could occur.

AFFORDABLE RENTAL FAMILY UNITS

The proposed building would provide affordable rental housing for between about 280 and 706 residents. Potential building occupancy was calculated based on occupancy limits for

[2] *Planning Code* Section 152 requires that a retail use over 10,000 gsf have one freight-loading space.



SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 4: GROUND FLOOR

Tenderloin Neighborhood Development Corporation properties, as shown in Table 2, p. 8. All dwellings would be characterized as Below Market Rate (BMR) units (see Topic E.3, Population and Housing, p. 30 for more information). The project's 136 units would be restricted to residents earning 50 percent of Area Median Income (AMI), and the balance of approximately 42 units would be restricted to 60 percent of AMI.

TABLE 2
DWELLING UNIT CALCULATIONS

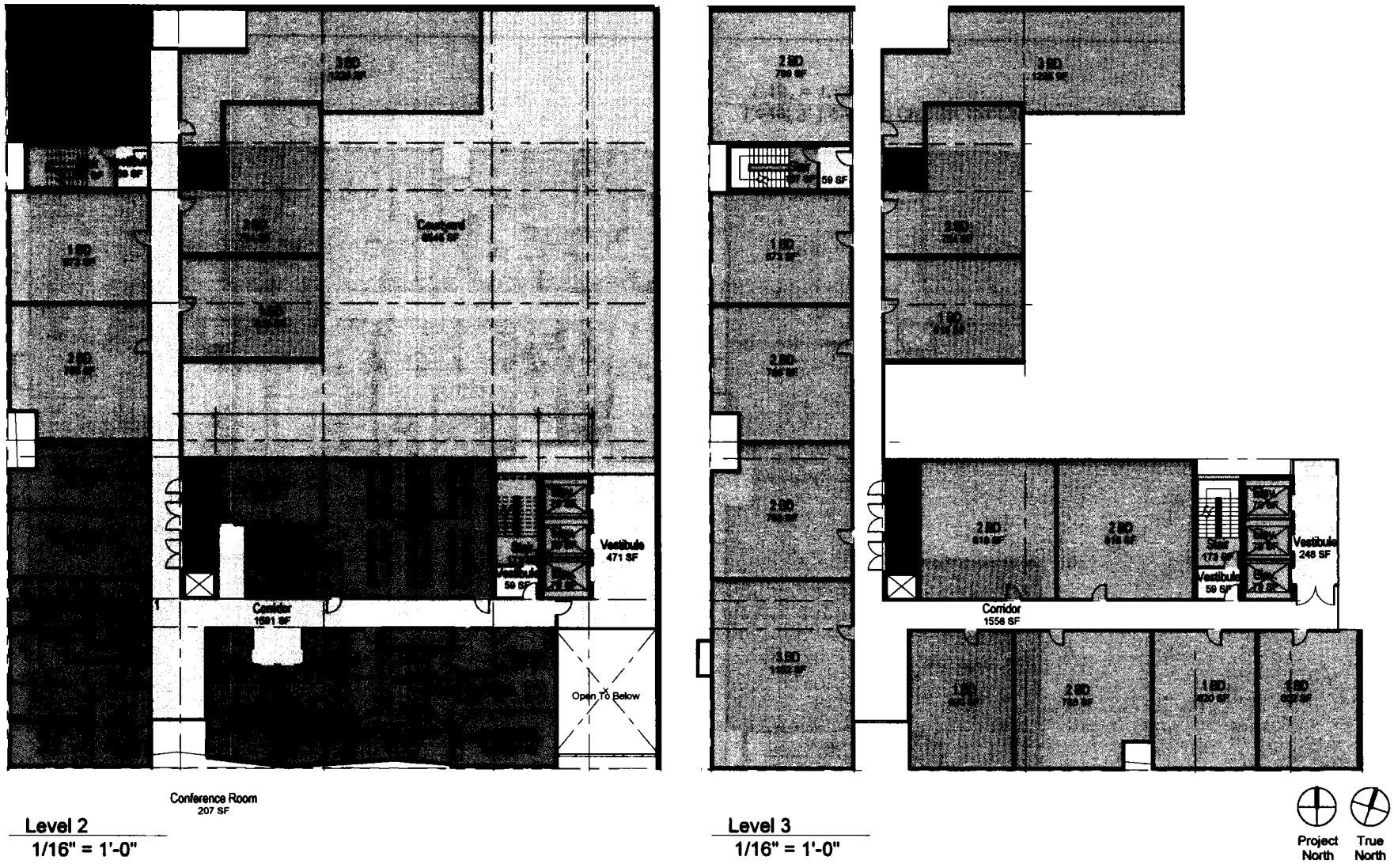
Dwelling Unit Type	Units	Persons per Unit	Occupancy Range
Studios	32	1 – 2	32 – 64
1 Bedroom	63	1 – 3	63 – 189
2 Bedroom	64	2 – 5	128 – 320
3 Bedroom	19	3 – 7	57 – 133
		Total Occupancy	**280 - 706**

Source: Eddy & Taylor, LLP, 2008, based on U.S. Department of Housing and Urban Development guidelines for occupancy by bedroom range.

BUILDING DESIGN AND CONSTRUCTION SCHEDULE

The project would be built out to the property lines. The first level would include the residential lobby, service space, bike parking, the trash room, the retail space (including the retail stockroom or "back of the house"), and a loading ramp, loading dock and loading dock lift, (see Figure 4, p. 6). (The existing parking lot includes driveways from Eddy Street and Taylor Street. The proposed project loading space would have a new curb cut on the north end of the Taylor Street frontage.) The second level would contain some residential units, a courtyard, a community room, a play room, offices for the site management, offices for supportive services (including youth services), a tv room, a meeting room, a computer/study room, and a kitchen (see Figure 5, p. 9).

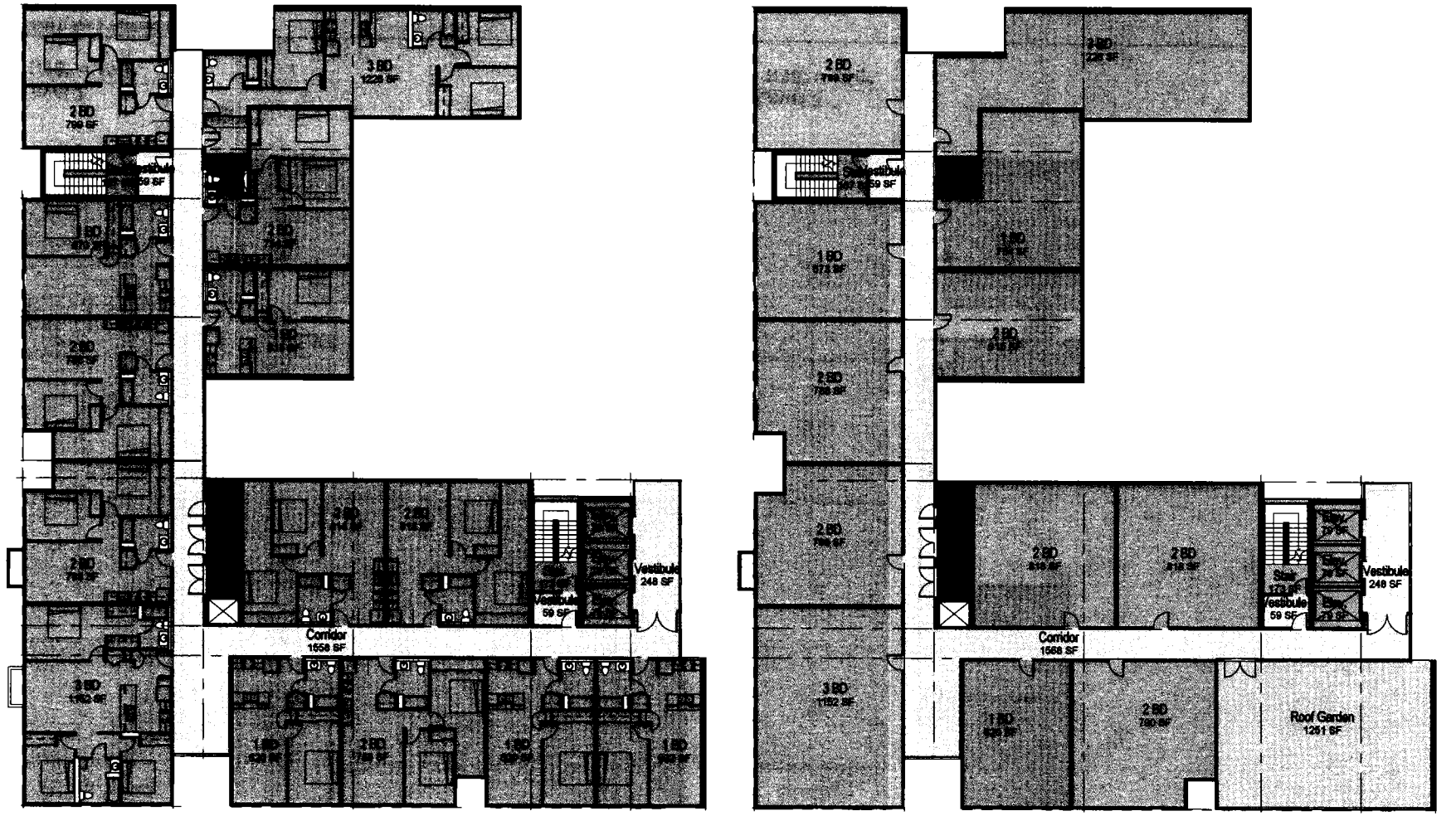
The third level would be the base of the residential floors. The residential floors would rise in an L-shaped plan up to the 14th floor (see Figures 5-8, pp. 9-12). Levels four-eight, nine, 11, 12 and 13 would have terraces with gardens consisting of drought-tolerant planting and pervious paving. The building massing would vary, with setbacks that would step down from Taylor Street to Eddy Street (see Figure 9, p. 13). The contemporary-style building design, intended to appear as a series of smaller buildings, would use a variety of materials and colors, shifts in massing, and window patterns. Cladding materials under consideration could include metal or precast concrete panels, cement plaster, and glass. The project architect is David Baker and Partners.



SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

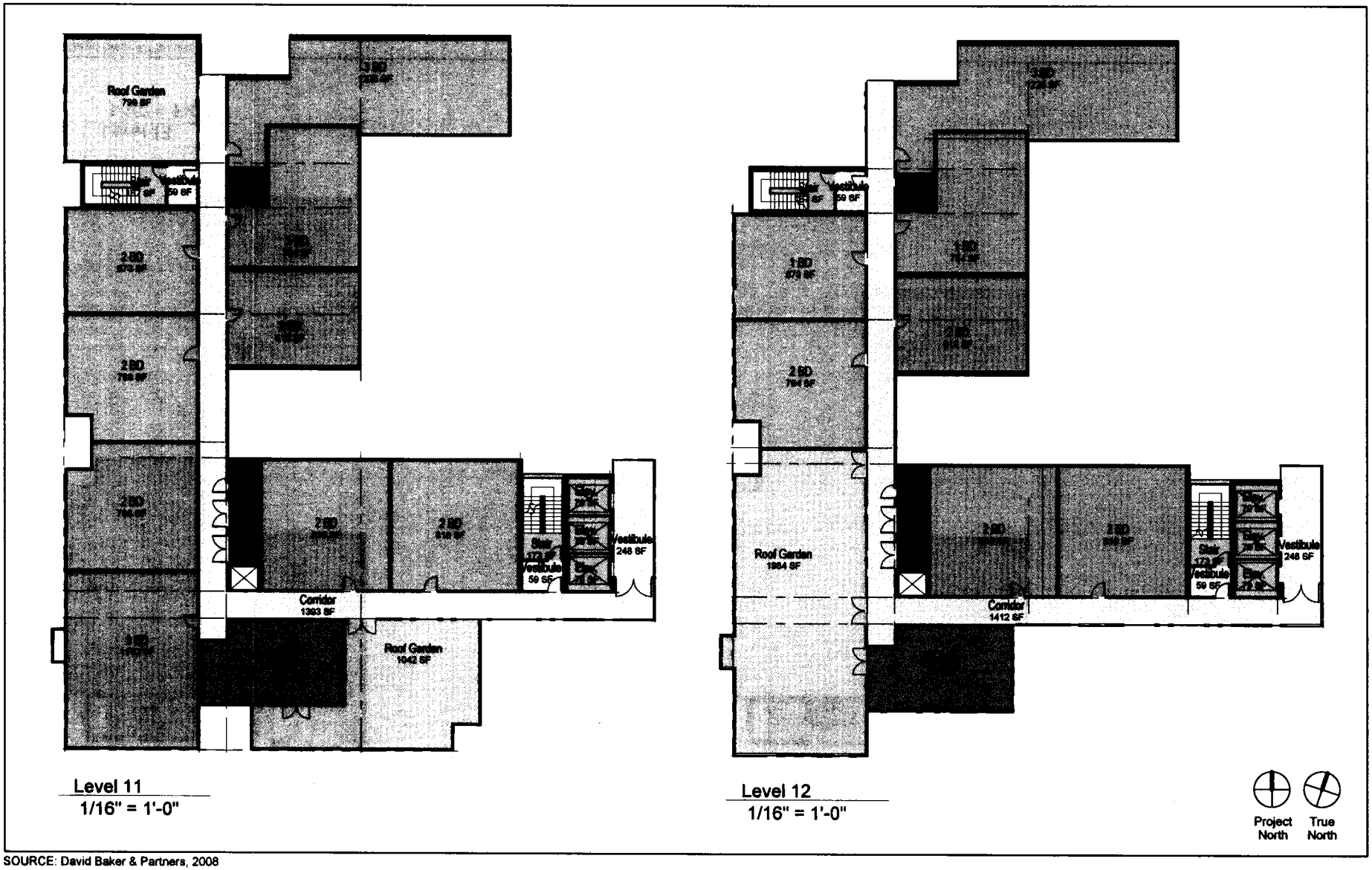
FIGURE 5: LEVELS 2 AND 3



SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

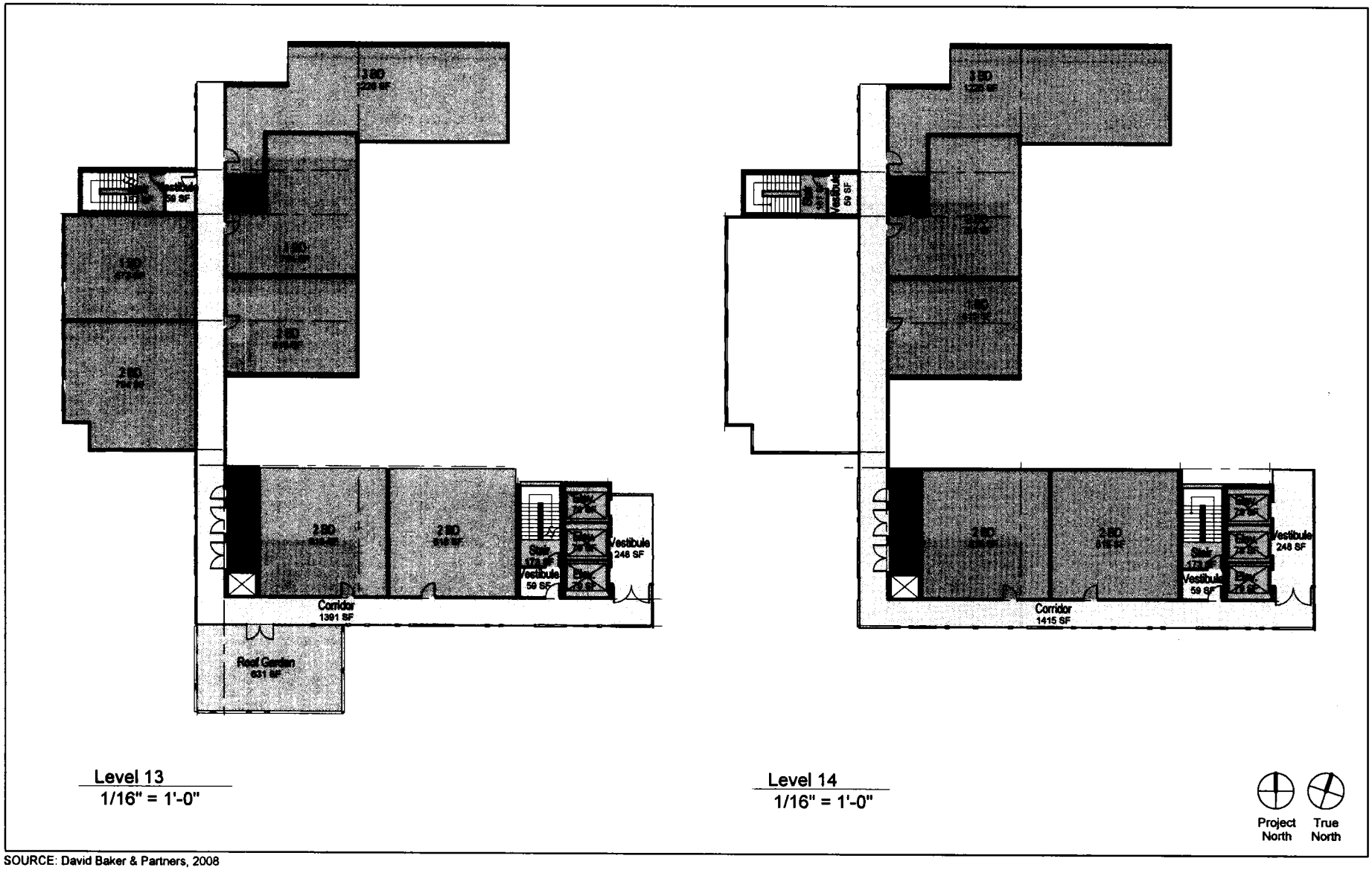
FIGURE 6: LEVELS 4-8 AND 9



SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

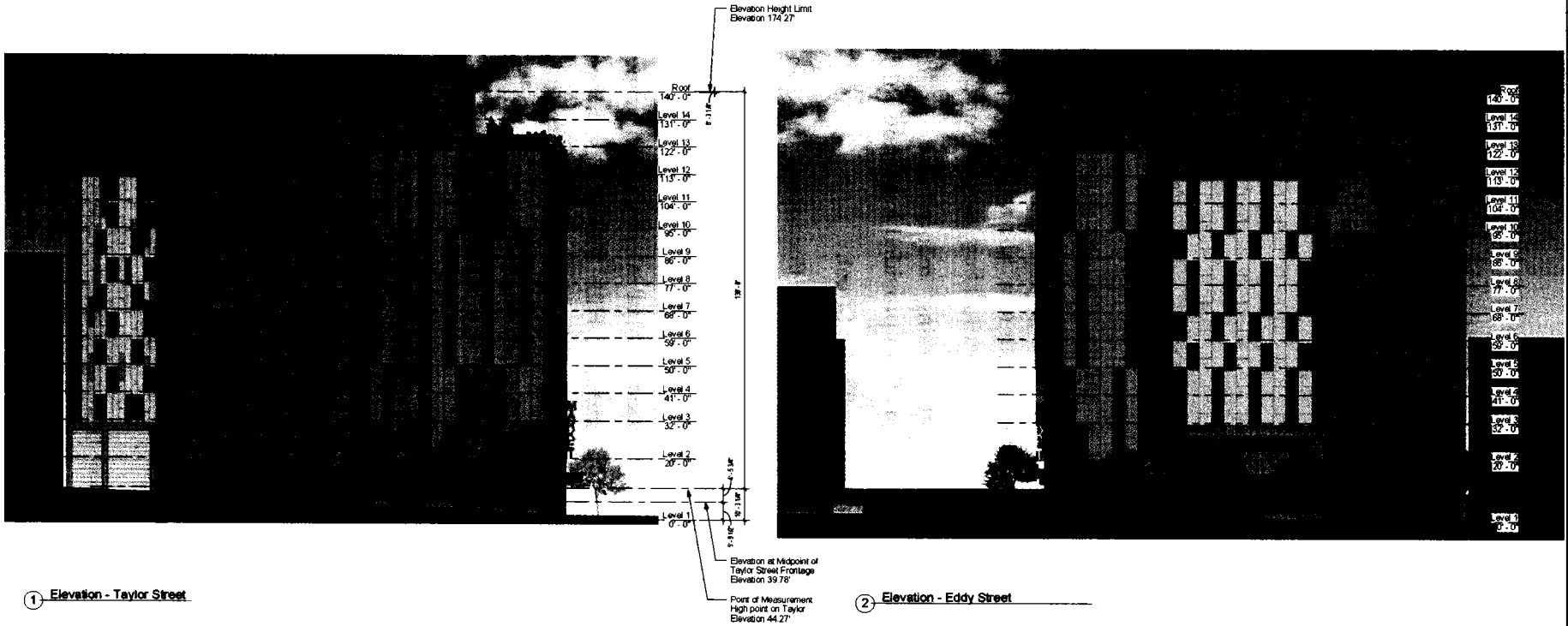
FIGURE 7: LEVELS 11 AND 12



SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 8: LEVELS 13 AND 14



Note: Not to Scale

SOURCE: David Baker & Partners, 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 9: ELEVATIONS

The proposed project would include a pile foundation, with excavation to a maximum depth of about eight feet. The project would excavate approximately 3,500 cubic yards of soil to be disposed offsite. Project construction is estimated to begin in April 2010 and take approximately 24 months. The estimated construction cost is $55.7 million (2008).

APPROVALS REQUIRED

Planning Commission

- Conditional Use and Planned Unit Development (PUD) authorization under *Planning Code* Sections 303 and 304 for:
  - (a) Height above 80 feet in 80/130-T height and bulk district, establishment of a streetwall height and measurement point for height (Sections 263.7, 249.5);
  - (b) Bulk exceeding 110 foot maximum horizontal plan dimension and 140-foot diagonal dimension above streetwall height of 80 feet (Section 271(a));
  - (c) Elimination of off-street parking requirement for dwelling units in and commercial use in Section 151 as provided in Section 161(h); and
- Establishment of new curb cut on Taylor Street.
- Finding of no significant new shadow on Boeddeker Park, in consultation with the Recreation and Park Commission (Section 295).

B. PROJECT SETTING

The Tenderloin is an urban neighborhood located in central San Francisco, between the Civic Center, Market Street, Union Square, and Nob Hill. The area is characterized by dense multi-family housing, residential hotels, high levels of pedestrian traffic, a substantial concentration of social service providers, as well as dining, nightlife, and tourist venues (see Figures 1 and 3, pp. 2 and 4).

Land uses within the project block include residential, commercial, and parking/garage uses. East of the project site along Eddy Street is the six-story Empress Hotel, the four-story Crystal Hotel, and the four-story William Penn Hotel, which are residential hotels that contain ground-floor retail and community services (such as the Vietnamese Youth Development Center in the William Penn Hotel). The six-story Bijou Hotel is a tourist hotel at the northwest corner of Eddy and Mason Streets. North of the project site along Taylor Street to Ellis Street are two, six-story apartment buildings with ground-floor retail space (see Figure 2, p. 3).

On the project block's Mason Street frontage are two recent residential projects, at 125 Mason Street and 149 Mason Street. The recently-completed Glide Economic Development Corporation (GEDC) project at 125 Mason Street includes an 81-unit, 14-story affordable family

housing building. A TNDC project at 149 Mason Street, Mason Street Housing, is under construction and will be a 56-unit, eight-story building for the formerly homeless. Since 125 Mason Street and 149 Mason Street are both new residential projects in the same block as the proposed project, the three residential buildings, together, are considered the "cumulative condition" for the purposes of the environmental analysis. The two Mason Street projects are under construction or recently completed and thus will be part of future conditions with or without the proposed project, and it is reasonable to consider those current unoccupied projects as part of future cumulative conditions. The Planning Department did not identify any other potential projects in the vicinity that would be considered as part of cumulative conditions. Commercial uses on the project block are primarily along Ellis Street, and include two, two-story buildings with ground-floor commercial uses, the two-story Flood Garage with ground-floor retail at 251-261 Ellis Street, and a three-story structure with ground-floor retail at 229 Ellis Street (see Figure 1, p. 2).

Other land uses in the project vicinity are predominantly tourist hotels and residential uses, interspersed with ground-floor retail, and parking lots and garages. Buildings near the project site range from the post-1906 Earthquake reconstruction of downtown San Francisco, to more recent development such as high-rise hotels and newer residential structures. North of the project block is the 19-story Hilton Hotel and 42-story Hilton Tower. Glide Memorial Methodist Church is at the northwest corner of Ellis and Taylor Streets. Apartment buildings ranging from three to six stories are west of the project block on Taylor Street.

Boeddeker Park, at the northeast corner of Jones and Eddy Streets, one block west of the project site, is the nearest public open space in the project vicinity. Union Square is two blocks east and two blocks north of the project site (see Figure 1, p. 2). The Powell Street BART and MUNI Metro underground station, a major regional transit center serving the Bay Area, is 2.5 blocks east. The Caltrain regional rail depot is 10 blocks to the southeast. AC Transit serves the Transbay Terminal, about five blocks to the east at First and Mission Streets. The project vicinity is served by several MUNI, Golden Gate Transit, and SamTrans bus lines.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☒	☐
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

SAN FRANCISCO PLANNING CODE

The *San Francisco Planning Code,* which incorporates by reference the City's Zoning Maps, also governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to alter existing buildings (or to construct new buildings or demolish existing ones) may not be issued unless either the project conforms to the *Planning Code,* or an exception is granted pursuant to provisions of the *Planning Code.*

Uses. The project site is within an RC-4 (Residential-Commercial Combined, High-Density) zoning district. RC-4 Districts "encourage a combination of high-density dwellings... with supporting commercial uses... located in or below the ground story in most instances, and exclude automobile-oriented establishments.... The high-density and mixed-use nature of these districts is recognized by certain reductions in off-street parking requirements." (*Planning Code,* Sec. 206.3)

North of Market Residential Special Use District. The project site is within the North of Market Residential Special Use District (NOMRSUD) No. 1, established in *Planning Code* Section 249.5. The purpose of the NOMRSUD No. 1 is "to protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area."

Moreover, the NOMRSUD No. 1 controls restrict commercial uses to the ground-floor and basement spaces; permit a density of one dwelling unit per 125 sq. ft. of lot area; apply the "T" bulk district controls; and allow for certain reductions in off-street parking. Other zoning provisions not regulated by the NOMRSUD No. 1 are dictated by RC-4 Use District controls.

The proposed project's residential and ground-floor retail uses would be permitted in the RC-4 and NOMRSUD No. 1. Project consistency with height, bulk and other *Planning Code* controls is discussed below.

Planned Unit Development. The Project Sponsor is seeking Conditional Use authorization for a Planned Unit Development (PUD). A PUD is "intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the city as a whole. In cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well reasoned modification of certain provisions contained elsewhere in this Code" (*Planning Code* Section 304(a)). Properties may be considered for review under a PUD if they are "...not less than a ½ acre, exclusive of streets, alleys and other public property that will remain undeveloped" (Section 304(b)).

Approval of a PUD is subject to criteria that include conformance with the objectives and policies of the General Plan, provision of adequate off-street parking, provision of adequate usable open space as required by the *Planning Code*, no exceptions to height limits except for minor deviations from the provisions for measurement of height , and a residential density less than the density allowed in a district permitting greater density.

As part of the PUD process, the Project Sponsor seeks the following modifications related to: design (upper story streetwall setbacks, bulk, rear yard configuration, and common open space); residential parking; commercial parking; and height measurement point.

Height. The project site is in an 80/130-T Height and Bulk District. Buildings in this district may be constructed up to 80 feet as of right, and up to 130 feet by Conditional Use authorization by the Planning Commission. A Conditional Use for height may be permitted pursuant to *Planning Code* Section 263.7 when the project provides affordable housing. The proposed project would be 130 feet tall (measured from its northwest corner as permitted by the PUD) and would provide affordable housing.

Bulk. The bulk restrictions applicable to the 80/130-T Height and Bulk District limit the maximum plan dimension above 80 feet to 110 feet and the maximum diagonal dimension to 140 feet. In addition, pursuant to *Planning Code* Section 132.2 in the NOMRSUD No. 1, setbacks of the upper portion of a building which abuts a public sidewalk may be required in order to maintain the continuity of a predominant street wall. The proposed building would have a maximum plan dimension of 161.5 feet and a plan diagonal of 211 feet, thus exceeding bulk limits. Pursuant to *Planning Code* Section 271(a), an exception to the bulk restrictions may be permitted if one or both of the following criteria are met: (1) Achievement of a distinctly better

design, in both a public and a private sense, than would be possible with strict adherence to the bulk limits, avoiding an unnecessary prescription of building form while carrying out the intent of the bulk limits and the principles and policies of the Master Plan; (2) Development of a building or structure with widespread public service benefits and significance to the community at large, where compelling functional requirements of the specific building or structure make necessary such a deviation. Section 270(b) provides that such bulk exceptions be reviewed under Section 303, Conditional Use procedures.

Similarly, a setback could be imposed as a condition of approval under Section 132.2, as required by Section 253 for a building in excess of 40 feet in height. The Planning Commission may impose a setback requirement for the portion of a building which exceeds 50 feet, but the setback cannot exceed 20 feet. If the applicant can establish that the prevailing streetwall height(s) along Taylor and/or Eddy Street(s) exceeds 50 feet (as established by existing cornice lines) then the Planning Commission may impose a setback of up to 20 feet for the portion of a building which exceeds the established prevailing streetwall height. If the established streetwall height is in excess of 68 feet, the maximum setback requirement which can be imposed is 16 feet.

Affordable Housing. As referenced above, *Planning Code* Section 263.7 permits a Conditional Use for height based on the provision of affordable housing to low-income and moderate-income tenants. The *Planning Code* requires either provision of affordable units as a component of the proposed development, or payment of an *in-lieu* fee. The proposed project was conceived to provide 100 percent affordable housing units to families at the project site. These Below Market Rate (BMR) units would be affordable to households earning up to 60 percent of the Area Median Income (AMI) and would contribute to the City's supply of low income housing.

Density. The permitted density of dwelling units in the NOMRSUD No. 1 is up to one unit per 125 square feet of lot area. The proposed structure would develop up to 178 dwelling units on a lot area of 22,344 sf, for an average density of 126 sf per unit and would thus meet the density restriction.[3]

Floor Area Ratio. The Floor Area Ratio ("FAR") is a ratio of commercial floor space to total lot area. In an RC-4 zoning district, the maximum commercial FAR is 4.8 times the lot area; floor area limits do not apply to residential uses (*Planning Code* Section 124(b)). The project would create up to gsf of retail space on a lot area of 22,344 gsf, for a FAR ratio of approximately 0.69:1, which would comply with the *Planning Code's* FAR limits.

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[3] The project may develop fewer than 178 units. However, as 178 units is the maximum allowable under the *Planning Code*, that figure provides the basis for environmental analysis.

Open Space. The project would include a total of 11,661 gsf of commonly accessible open space. The open space would be provided primarily through an open-air yard on the building's second level and rooftop gardens on levels nine, 11, 12 and 13 (see Figures 5-8, pp. 9-12). Section 135 of the *Planning Code* requires that 48 gsf of common open space be provided for each residence in RC-4 districts, which for this project would amount to 8,544 sf of common open space. The project's 11,661 gsf of common open space, as proposed, would exceed the *Planning Code's* open space requirement by about 37 percent.

Rear Yards. *Planning Code* Section 134 requires that every building in an RC-4 district have a minimum rear yard depth at the lowest story containing a dwelling unit equal to 25 percent of the total depth of the lot on which the building is situated, in no case less than 15 feet. The 6,635-gsf rear-yard on the second floor of the building would be equal to or greater than 25 percent of the size of the lot but would require a PUD modification pursuant to *Planning Code* Section 134(f) to authorize its configuration at the northeast corner of the site. Under Section 134(f), such configuration can be allowed if the Zoning Administrator determines that the substituted open space in the proposed new or expanding structure would improve the access of light and air to and views from existing abutting properties.

Street Trees. *Planning Code* Section 143 (b) requires projects in R Districts to provide one street tree of 15-gallon size for each 20 feet of property frontage along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Public *Works Code* 806 requires that a permit must be obtained from the Department of Public Works to plant or remove any tree on the sidewalk or public right-of-way (street tree) and that all permits for the planting or removal of street trees issued by the Director for residential properties shall be recorded on the Report of Residential Building Records in accordance with Section 351 of the Housing Code.

Parking. *Planning Code* Section 151 requires one off-street parking space for every four dwelling units in the RC-4 District. The project would not propose any off-street residential parking. The Project Sponsor seeks this residential off-street parking exception under *Planning Code* Section 161(h), which states that the Commission may reduce the residential parking requirement in the North of Market Residential Special Use District, if justified by the anticipated usage of residents/visitors.

Planning Code Section 151 also requires one parking space for each 500 square feet of occupied retail floor area. The approximately 13,138 gsf grocery store would thus require 26 spaces. The Project Sponsor seeks a PUD modification because no commercial parking is proposed.

Loading. *Planning Code* Section 152 requires that a retail use over 10,000 gsf have one freight-loading space. The *Planning Code* would thus require that the project include a loading space for the 13,138 gsf grocery use. Per *Planning Code* Section 154(b)(2), the off-street freight loading space shall be designed to have a minimum length of 25 feet, a minimum width of 10 feet and a minimum vertical clearance of 12 feet. The project, as proposed, includes a loading facility and thus would meet this requirement. Two variants are analyzed as part of this Initial Study. Variant 2 would not include a loading space (see Transportation, p. 41 for more information) and would require an exception. Variant 3 would include 7,733 gsf of retail space. No loading would be required or provided with this variant.

Summary

The project would be an infill, 100 percent affordable rental housing development that would meet height and density requirements and would have ground-floor retail space designed to accommodate a grocery store that is intended to serve the neighborhood, which would be permitted in the RC-4 district and the NOMRSUD No. 1. As noted, the project would require an exception to "T" bulk controls, as part of Conditional Use authorization under Section 303, and an exception to commercial and residential parking requirements.

Variants 2 and 3 would similarly comply with the Planning Code as with the proposed project, with the exception of loading requirements. Variant 2, with 14,940 gsf of retail space would be required to provide one off-street freight loading space. Since Variant 2 would not provide an off-street loading space, an exception would be required. Variant 3, with 7,733 gsf of loading space, would not be required to provide an off-street loading space under Section 152 and would not include such space.

PLANS AND POLICIES

The *San Francisco General Plan,* which provides general policies and objectives to guide land use decisions, contains some policies that relate to environmental issues. The General Plan contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies and objectives for the physical development of the city. The compatibility of the project with General Plan policies that do not relate to physical environmental issues will be considered by decision makers as part of their decision whether to approve or disapprove the proposed project. Any potential any conflict between the project and policies that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the project.

Regional environmental plans and policies are those, like the Bay Area Air Quality Plan, that directly address physical environmental issues and/or contain regional targets or standards that must be met in order to preserve or improve specific components of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted plan or policy.

Proposition M. In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology and Soils); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 8 a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Space). Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the project or legislation is consistent with the Priority Policies. As noted above, the consistency of the project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects, providing information for use in the case report for the project. The case report and approval motions for the project will contain the Department's comprehensive project analysis and findings regarding consistency of the project with the Priority Policies.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

☐ Land Use	☐ Air Quality	☐ Geology and Soils
☐ Aesthetics	☐ Wind and Shadow	☐ Hydrology and Water Quality
☐ Population and Housing	☐ Recreation	☐ Hazards/Hazardous Materials
☒ Cultural Resources	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Transportation and Circulation	☐ Public Services	☐ Agricultural Resources
☒ Noise	☐ Biological Resources	☒ Mandatory Findings of Significance

Section E contains a detailed discussion of all environmental topics.

E. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1.	**LAND USE AND LAND USE PLANNING** **Would the project:**					
a)	Physically divide an established community?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c)	Have a substantial impact upon the existing character of the vicinity?	☐	☐	☒	☐	☐

Existing Community. The subject property is a 144-space commercial day and nighttime commercial parking lot in San Francisco's Tenderloin neighborhood which is characterized by its mixture of residential and commercial uses. The Project Sponsor proposes to construct a mixed-use building on the site that would include up to 178 units of affordable housing over leasable ground-floor commercial space, potentially housing a grocery store.

Land use impacts are considered significant if they disrupt or divide the physical arrangement of an established community, or if they have a substantial impacts on the existing character of the vicinity. While the proposed project would represent a change to the area and a new use on

the subject property where no building currently exists, the project would not cause a significant land use impact. The proposed project is located within a high-density residential area with ground-floor commercial uses and a nearby neighborhood park. Those surrounding uses would be expected to continue in operation and to relate to each other as they do presently, without disruption from the proposed project. The proposed mixed-use residential building would be incorporated within the established street network, and it would not disrupt or divide the physical arrangement of existing uses on or adjacent to the project site or impede the passage of persons or vehicles.

The proposed project would be designed to provide affordable rental family housing in the Tenderloin neighborhood. The Project Sponsor, TNDC, and other non-profit housing organizations have developed and operated other affordable housing uses in the Tenderloin neighborhood. On the project block, affordable housing is under construction at 149 Mason Street. At 125 Mason Street, an affordable housing project has recently been completed and is ready for occupancy.

Therefore, the project, with residential and retail uses, would be consistent with the character of the area in terms of its proposed use and physical compatibility and would not present a physical barrier to movement throughout the community. The project would introduce additional residential and retail uses to the neighborhood that would provide housing and employment opportunities for residents. The project would not physically divide an established community, but would be expected to provide a foundation of stability in the form of affordable housing for families and a grocery store that could serve as an improvement to the existing community. Therefore, land use impacts on the existing community would be less than significant.

Consistency with Plans and Zoning. The proposed project would not obviously conflict with applicable plans, policies, and regulations such that an adverse physical change would result (see C. Compatibility with Existing Zoning and Plans on p. 16).

Character of Project Vicinity. There are several high-rise hotels in the project vicinity, including the 42-story Hilton Tower to the north, the 32-story Renaissance Parc 55 Hotel to the east, and the 25-story Nikko Hotel to the northeast. The closest uses to the project site are primarily three- to six-story residential hotels and apartment buildings. The trend on the project block is infill developments oriented toward low-income and formerly homeless tenants. The project recently completed at 125 Mason Street, would provide 81 units of affordable housing. The project at 149 Mason Street, currently under construction, would provide 56 units for the formerly homeless. Thus, the proposed project is consistent with a trend to provide infill

that meets the need for affordable housing in the Tenderloin neighborhood and San Francisco in general.

The proposed building would be 14 stories tall, which would be taller than buildings immediately adjacent, but shorter than the high-rise hotels to the north and east. The building would comply with height limitations set forth in the *Planning Code* and would be similar in scale to the 14-story 125 Mason Street affordable housing project under construction on the east side of the project block. The proposed project would result in less-than-significant impacts to the character of the project vicinity.

Effects of Variants. Variant 2 would involve the same residential and retail land uses and overall building design, with greater retail floor area, without an off-street loading area; therefore, land use effects impacts would be similar as those with the proposed project. Impacts with Variant 2 would be less than significant. Variant 3 would involve the same residential and retail land uses and overall building design, with less retail floor area, without an off-street loading area; therefore, land use effects impacts would be similar as those with the proposed project. Impacts with Variant 3 would be less than significant. Variants 2 and 3, with no off-street loading, would require use of curb spaces for retail loading activities, with some potential for conflict with pedestrian movements. This would not be a significant adverse effect on land use or community character. Transportation and Circulation, E.5 p. 41, reviews loading and pedestrian conditions that would occur with the proposed project and the variants.

Cumulative Land Use Changes. The 125 Mason Street and 149 Mason Street affordable housing developments on the east side of the project block, as noted above, are infill developments with special below-market offerings oriented toward the Tenderloin community. Together, these three projects would not cumulatively divide an established neighborhood or conflict with any applicable land use plans, policies, or regulations. The project's mix of affordable residential and retail uses, in combination with the 125 and 149 Mason Street developments, would not disrupt or divide the existing community or adversely affect the character of the project vicinity.

For the reasons discussed above, the proposed project's impacts related to land use, both individually and cumulatively, are considered less than significant.

Topics:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
2.	**AESTHETICS—Would the project:**					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	☐	☐	☐	☒	☐
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	☐	☐	☒	☐	☐

Scenic Vistas. Due to the site's relatively flat topography and to obstruction by existing buildings, no major scenic vistas are available from the project site or the surrounding area. Existing public open space in the project vicinity includes Boeddeker Park, at the northeast corner of Jones Street and Eddy Street, one block west of the project block, Hallidie Plaza at Eddy Street and Cyril Magnin Street, one block east of the project block, and Union Square, two blocks east and two blocks north of the project site. Views from these areas are limited due to the extent of urban development and existing building heights between these areas and the project site; the project would be partially visible as infill development built to the property line, typical of buildings in the vicinity. The upper floors of the project would be visible from parts of Boeddeker Park, and would become another element in short-range views of the surrounding urban skyline. The proposed project is therefore not expected to result in an adverse effect on scenic vistas from adjacent public open spaces and streets and no impacts would occur.

Scenic Resources. The project site would not be considered a scenic resource, as its visual attributes are defined by a surface parking lot enclosed by a cyclone fence along the property's perimeter. The Eddy and Taylor frontages contain no street trees or other distinguishing landscaping features.

Additionally, as illustrated on page I.5.16 of the Urban Design Element of the General Plan, neither the subject property nor its immediate Eddy and Taylor Street street segments are classified by the General Plan as "streets important to the perception of the city" or "streets important for their quality of views." Thus, the project would have no impact on scenic resources.

Visual Character. The visual setting of the area surrounding the project site is urban, characterized by high-density residential (e.g., apartment buildings), retail, office, and hotel uses. Building heights range from about 30 feet to 340 feet. In the immediate vicinity of the

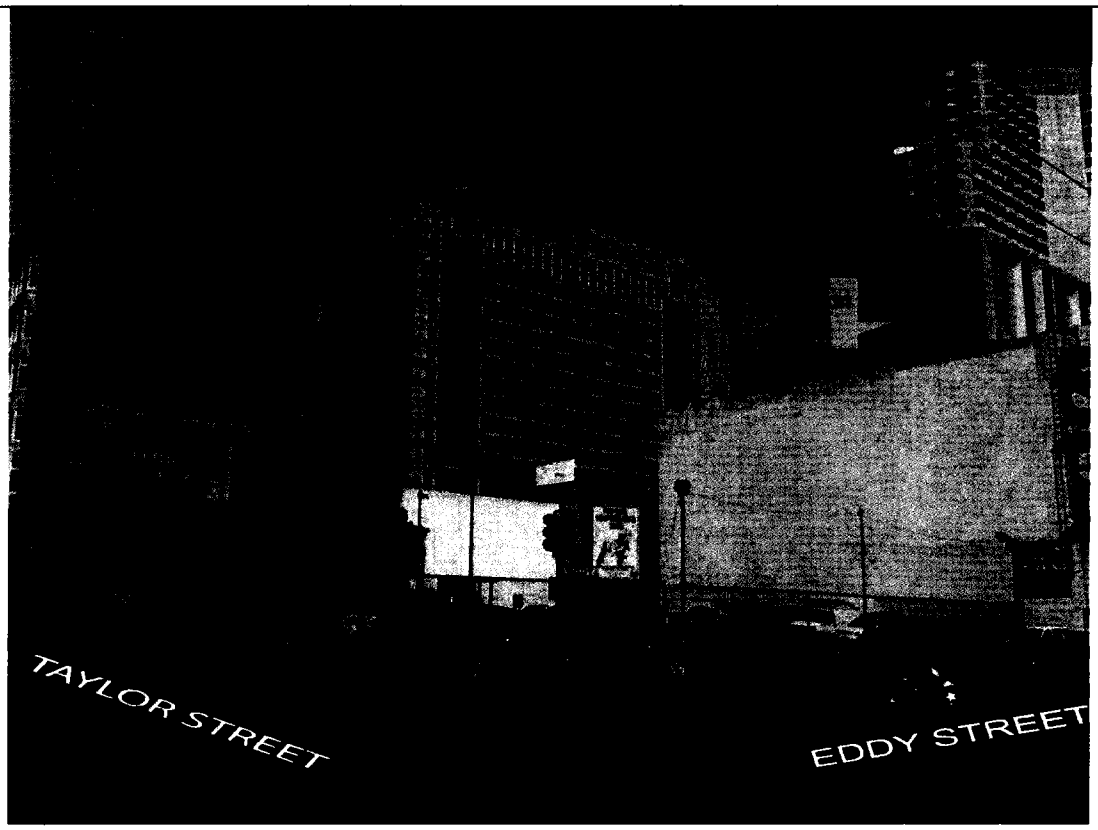
project site, most buildings are three- to six-story residential hotels or other residential buildings. This mid-rise character, with many buildings dating from the first half the 20th Century, is the typical pattern for the Tenderloin neighborhood in the blocks west and south of the project site. Taller structures are located to the north and east; newer high-rise hotels are within two blocks of the project site, including the 42-story Hilton Hotel Tower north of the project site, the Nikko Hotel northeast of the project block, and the Renaissance Parc 55 Hotel east of the project block (see Figures 10 and 11, pp. 27 and 28).

The massing of the proposed project would include discrete forms along Eddy and Taylor Streets (see Figure 9, Elevations, on p. 13). Through the application of a variety of materials and colors, shifts in massing, and varying window patterns, the exterior façade would be expressed as a series of building forms intended to provide a human scale and pedestrian orientation. At upper levels, the building would step back to create usable green terraces for resident use. Potential cladding materials include metal or precast concrete panels, cement plaster, and glass. At the ground floor, the project would have a retail space, expected to be a grocery store with extensive window areas at the street front that would promote ground-floor transparency, signage, and sunshades projecting over the sidewalk. Service rooms and the entrance to the loading area would be located to minimize breaks in the street frontage.

The proposed project would be built to the property line on Eddy and Taylor Streets. In replacing the existing parking lot on the site, the proposed project would add a building mass where there is currently none, and enhance and continue the streetwall pattern on the project block, as is the typical pattern in downtown San Francisco.

The proposed project site is in a densely-developed urban neighborhood in a relatively flat section of downtown San Francisco. Buildings are typically built to lot lines and street frontages. As a result, the project site is visible mainly in short-range views, since the street grid and intervening development limit longer-range views. Views of the project site, as seen from more distant private residences, public open spaces and/or streets would not substantially change under project conditions; due to the project location and height, the project would not be prominent on the skyline from public viewpoints.

The 14-story proposed project would be transitional in height between the older three- to six-story residential buildings and the 14- to 42-story hotels on surrounding blocks. Building heights vary on surrounding blocks as well. The project height and massing would be greater than nearby older structures, but would continue the pattern of varied building heights in the vicinity.



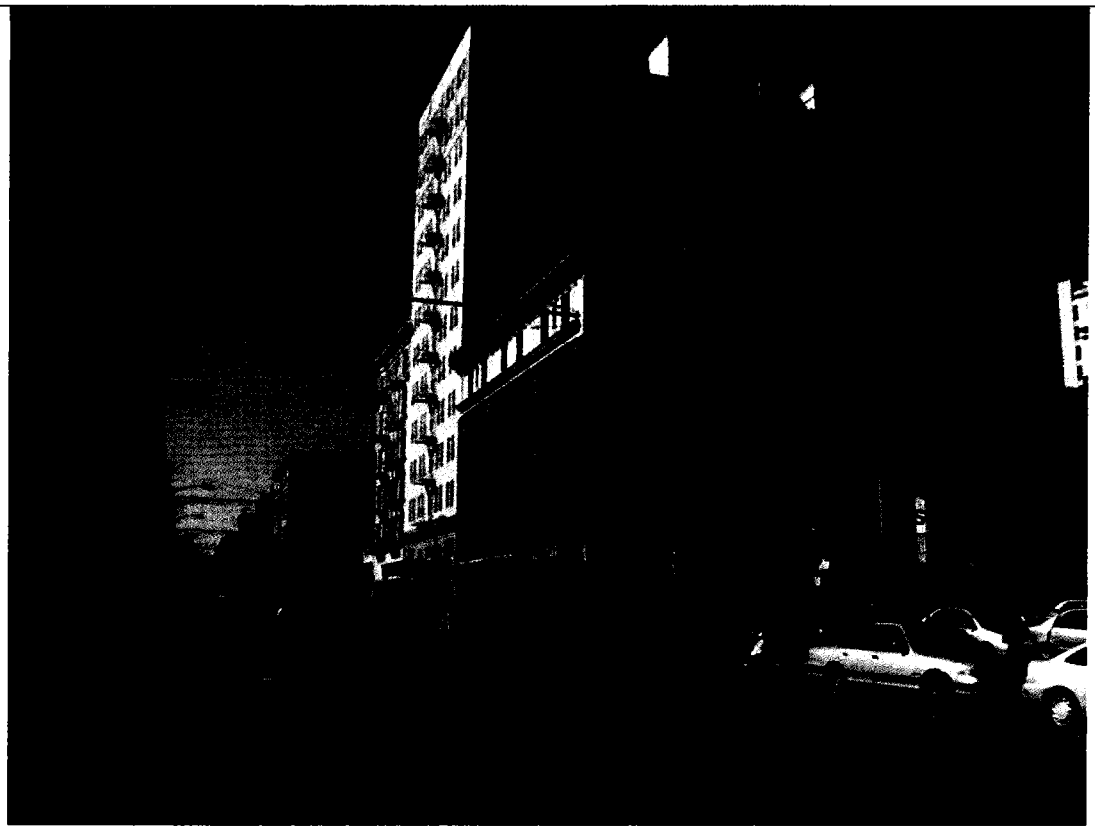
A. View Northeast of Project Site

B. View North of Project Site

SOURCE: PBS&J, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 10: VIEW NORTHEAST AND NORTH OF PROJECT SITE



A. View West of Surrounding Uses (Eddy and Taylor Street)

B. View Southeast of Surrounding Uses (Eddy and Taylor Street)

SOURCE: PBS&J, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 11: VIEW WEST AND SOUTHEAST OF SURROUNDING USES

The proposed project's exterior materials and façade design would be a contemporary design. The design would contrast with masonry and stone detail of older buildings in the vicinity. Other newer development on the block at 125 Mason Street and 149 Mason Street will incorporate contemporary design elements. The project would be infill on a site in the Uptown Tenderloin Historic District. Topic 4, Cultural Resources p. 33, discusses the relationship of the proposed project to the design character of the historic district.

Though evaluations of visual quality are to some extent subjective, it is reasonable to conclude that the project would not have a substantial, demonstrable negative aesthetic effect on visual resources on-site, or within the immediate visual setting. The project would not have a significant adverse effect on visual character.

Light and Glare. The project site is located in an urban setting with numerous existing sources of electronic light. Additional ambient light sources would be introduced by the project. New lighting would include light within the dwelling units and commercial/retail spaces, and light fixtures at the building entrances and pedestrian walkways typical of residential and commercial development. The project would comply with City Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass, and no other aspect of the buildings would result in light or glare that would significantly impact other properties. Therefore, the project would not generate obtrusive light or glare that could substantially impact other properties, resulting in less-than-significant impacts

Effects of Variants. The Variants 2 and 3 building design would be similar to the proposed project, except that the variants would not include a loading entrance along Taylor Street. The variants would replace the loading entrance with street-level windows and façade materials. This would continue the street wall pattern along the building frontage. Other building massing, architectural treatment, and lighting would be the same as with the proposed project; therefore, impacts with Variant 2 or 3 would be less-than-significant.

Cumulative Aesthetic Impacts. The project would intensify land uses on the subject property and project block, by replacing an existing surface parking lot with residential and retail uses. This change to the neighborhood's character would combine with other on going projects at 125 Mason Street and 149 Mason Street. The cumulative effect would be an intensification of residential development, with building facades at the respective lot lines, replacing vacant sites or parking lots to form a uniform streetwall typically found in the downtown area. The projects would change the pattern on the block, with the newer buildings of contemporary design more visible on the local skyline of Mason Street, Eddy Street and Taylor Street. For the reasons

discussed above, the proposed project's impacts related to aesthetics, both individually and cumulatively, would be less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
3. POPULATION AND HOUSING— Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐

The San Francisco Bay Area is known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand – especially affordable housing – is particularly difficult because the amount of available land is limited and land development costs are relatively high. In the case of the proposed project, 100 percent of its units would be affordable.

Population Growth. In general, a project would be considered growth inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not implemented. Based on the project's provision of up to 178 dwelling units and roughly 13,000 gsf of retail space, the proposed project would result in an on-site population increase of about 294 residents and 43 employees, according to U.S. Census Tract information.[4, 5] The U.S. Census Tract information takes into account a variety of housing types. As an affordable family housing project, the proposed project would be subject to U.S. Department of Housing and Urban Development (HUD) occupancy limits. As shown in Table 2, p. 8, the proposed project is expected to house a population of between 280 and 706 persons.

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4 U.S. Census Bureau, Profile of Demographic Characteristics: 2000. Census Tract 125 has an average household population of 1.65 persons/household.

5 Employees associated with the proposed project would equal approximately 43 employees (up to 37 for retail uses and six for building management).

The project would increase the overall residential population of the City and County of San Francisco by less than 0.1 percent.[6] The 2000 U.S. Census indicates that the population of the subject property's census tract, Census Tract 125 (bounded by Market, Ellis, Leavenworth, and Powell Streets), is 7,727 persons. Based on 2000 population totals, the proposed project would increase the population in Census Tract 125 by between four and nine percent.

This population increase would not result in a significant effect because the subject property is within a densely populated urban area. While potentially noticeable to immediately adjacent neighbors, this increase would not substantially change the existing area-wide population characteristics, and the resulting residential density, permitted by the NOMRSUD No. 1, would not exceed levels that are common and accepted in urban areas such as San Francisco. Construction of the proposed project would not be expected to generate substantial growth or concentration of population in the project area, which is already populated with multi-family residential, residential and tourist hotels, and retail consumer uses. Therefore, the proposed project would have less-than-significant impacts on population growth.

Affordable Housing. One hundred percent of the proposed project's rental dwelling units would be reserved for low income households. Approximately 105 Below-Market-Rate (BMR) units would be affordable to households earning up to 50 percent of AMI, and the balance of 73 units would be affordable to households earning 60 percent of AMI. In 2008, Area Median Income for a single person household is $58,050; $66,300 for a two-person household; and $82,900 for a household of four persons.[7]

The project's residential uses would help address the City's broader need for additional housing in a citywide context in which job growth and in-migration outpace the provision of new housing. In June 2008, the Association of Bay Area Governments (ABAG) projected regional needs in its Regional Housing Needs Determination (RHND) 2007–2014 allocation. The projected need of the City and County of San Francisco from 2007 to 2014 is 31,193 total new dwelling units, or an average annual need of 4,456 net new residential units. Of this total, 12,124 very low- to low- income housing units need to be constructed, for an average annual need of 1,732 net new dwelling units.[8] The proposed project would add 178 low income residential rental units to the City's housing stock, helping to meet this need.

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6 The calculation is based on the Census 2000 population of 776,733 persons (estimated for year 2006) in the City and County of San Francisco (and population generated by household size factor).

7 Mayor's Office of Housing, 2008 Maximum Income by Household Size derived from the Median Income for the City and County of San Francisco, accessed September 18, 2008. For more information see:www.sfgov.org/site/uploadedfiles/moh/Rent_Levels/MOH2008AMI_IncomeLimits-CCSFonly.pdf

8 Association of Bay Area Governments, San Francisco Bay Area Housing Needs Plan, 2007-2014, June 2008. For more information see: http://www.abag.ca.gov/planning/pdfs/SFHousingNeedsPlan.pdf.

Population Displacement. The project site currently houses no residents, and therefore no residential displacement would result from the project. The project would displace one employee associated with the commercial parking lot. With the project's proposed retail uses, combined with building management and administration, would generate an estimated 43 new employees, a net increase in employment of 42 jobs.[9] This increase in employment on site is not considered significant in the context of the citywide employment conditions. Thus, the project would have no impact in displacing residents or employees.

Effects of Variants. Variants 2 would include the same number of units and a similar amount of retail space, the population increases would be the same as with the proposed project. Variant 3 would have about 40 percent less retail space than the proposed project or Variant 2; Variant 3 would provide fewer retail jobs. The variants would have less-than-significant impacts.

Cumulative Population and Housing Impacts. The 2000 U.S. Census indicates that the population of the subject property's census tract, Census Tract 125 (bounded by Market, Ellis, Leavenworth, and Powell Streets), is 7,727 persons. Based on 2000 population totals, the proposed project would increase the population in Census Tract 125 by between four and nine percent.

Cumulative development in the project vicinity, including the 125 Mason Street and 149 Mason Street projects, would add residents to the project vicinity. The 125 Mason Street and 149 Mason Street projects are expected to add 304 residents and 43 employees to the area. The combined population increase for these three projects would be 584 to 1010 residents. Population growth in this area is planned by the City, and is consistent with the Association of Bay Area Government's projects for citywide growth. The cumulative increase in population for Census Tract 125 would be 7.5 to 13 percent. As such, cumulative population and housing impacts would be less than significant.

For the reasons discussed above, the proposed project's impacts related to population and housing, both individually and cumulatively, are considered less than significant.

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[9] The grocery store is expected to have up to 30 employees. Building administration would have 13 employees: four building managers, one administrative assistant, two maintenance/janitorial positions, two tenant services positions, and four desk clerks.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
4. CULTURAL RESOURCES— Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐

Architectural Resources. The project site is currently occupied by a surface parking lot. There are no architectural resources on the project site. However, there are historic properties and a designated historic district in the vicinity of the project site. Carey & Co prepared a historic resources evaluation report in February 2006 for the recently completed GEDC project at 125 Mason Street, which includes an 81-unit, 14-story affordable family housing building.[10] In addition, Carey & Co. completed a historic resources evaluation report in January 2004 for a larger GEDC proposal on the project block that included the current proposed project site (the larger proposal did not proceed).[11] The historic resources evaluation reports, prepared by Carey & Co. are also applicable to the proposed project. The findings are incorporated by reference into the current analysis to assess the impacts of the proposed project on architectural resources.

In February 1983, historian Ann Bloomfield submitted a recommendation to the National Register of Historic Places (NRHP) to create the San Francisco Apartment Hotel District, a unique concentration of apartment hotels that were built during the reconstruction of downtown San Francisco after the 1906 Earthquake and Fire. The project site and a portion of the project block are located within this eligible district. The San Francisco Apartment Hotel District, as nominated, contained 28 blocks roughly bounded by Taylor, Larkin, Turk, and Bush Streets with irregular extensions to include contiguous concentrations of contributing buildings on 29 additional City blocks. As a district considered eligible for listing on the National

[10] Carey & Co. Inc., Initial Study Historic Resources Evaluation Report, Glide Mixed-Use Project, February 12, 2006. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, by appointment, as part of Case No. 2007.1342E.

[11] Carey & Co. Inc., Historic Resources Evaluation, Pavilion Mixed-Use Project – 2002.1077E, Glide Mixed-Use Project, January 2004. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, by appointment, as part of Case No. 2007.1342E.

Register, the proposed Apartment Hotel Historic District is automatically listed in the California Register of Historical Resources (CRHR).

In 2008, the district was renamed and resubmitted for listing on the NRHP by the San Francisco Landmarks Preservation Advisory Board as the "Uptown Tenderloin Historic District," which includes essentially the same area as the original Apartment Hotel District.[12] The project site is listed as "Non-Contributory" within the District. Because the project site contains no structures, the project's potential to affect significant historic and architectural resources would be limited to its potential to affect the district and adjacent properties. The January 2004 Carey & Co. report identified an "Area of Potential Effect" (APE) on historic resources that includes the project block and surrounding adjacent properties. Figure 12, p. 35, illustrates the APE. Table 3, p, 36, lists and describes the potential historic resources in the APE that are adjacent to or immediately across the street from the project site. The project's Area of Potential Effect (APE) includes the project site plus a total of 19 adjacent structures, including those structures across Ellis Street and Mason Street from the project block.[13]

Buildings in the vicinity of the project site were surveyed between 1974 and 1976 as part of a City-sponsored inventory of architecturally significant buildings. The inventory assessed the architectural significance of 10,000 structures from the standpoint of overall design and particular design features. Both contemporary and older buildings were included and each building was numerically rated according to its overall architectural significance. The ratings ranged from a low of "zero" to a high of "five." Factors considered included architectural significance and urban design context.

Two properties within the APE are rated zero (including the 225 Ellis Street building), five properties are rated one, and one property is rated two. No properties within the APE are rated three to five.

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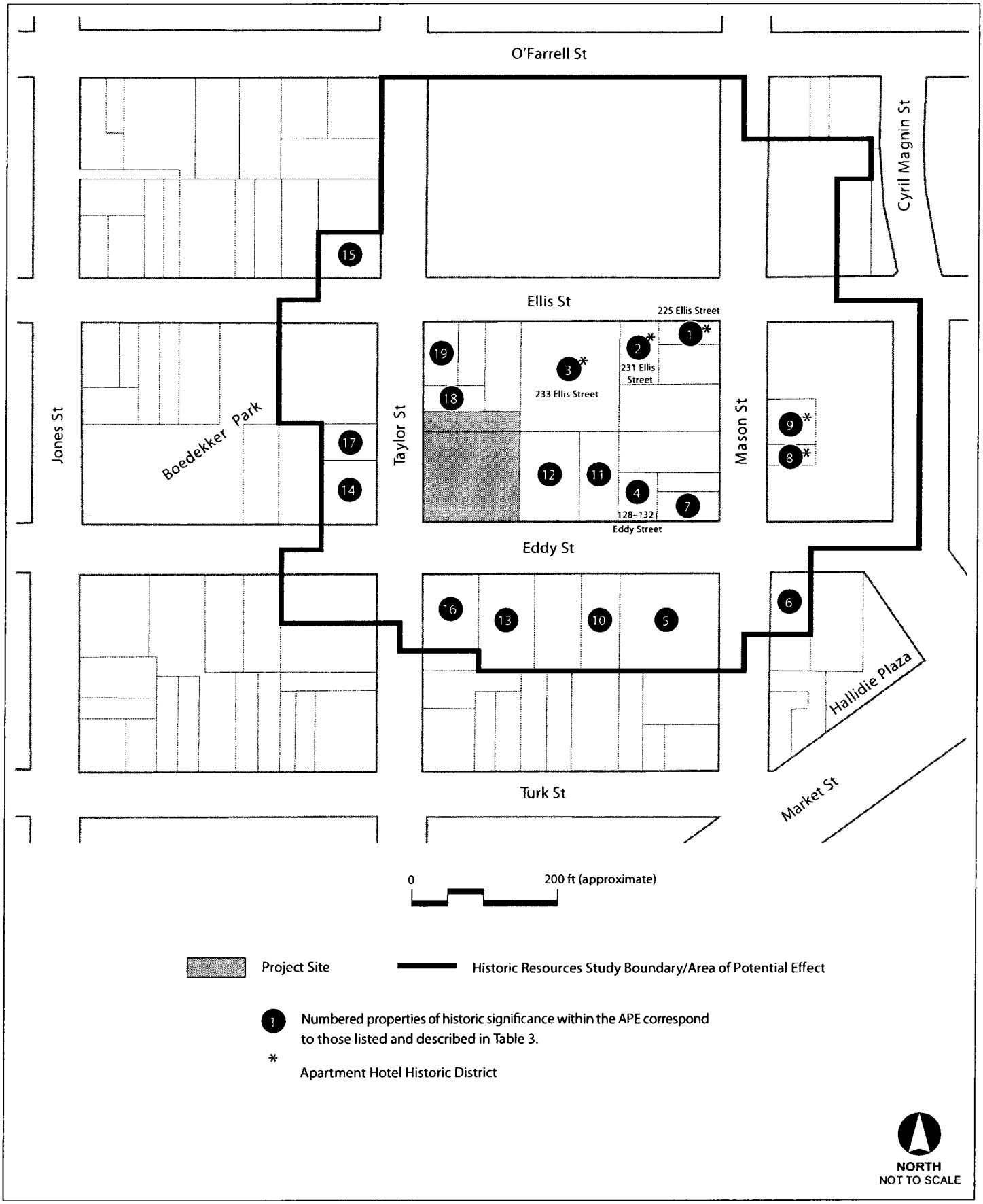
[12] Uptown Tenderloin Historic District, National Register of Historic Places Registration Form, May 2008. Boundaries include all or part of 33 blocks roughly bounded by Market, McAllister, Golden Gate, Larkin, Geary, Taylor, Ellis, and Mason Streets. This document is available for public review by appointment at the San Francisco Planning Department, 1650 Mission Street, Suite 400. On July 25, 2008, the State Historical Resources Commission approved the nomination and forwarded it to the Keeper of the National Register.

[13] The APE for the Glide Mixed-Use Project, which has been adopted for this review, encompassed a larger area because the Glide project encompassed most of the project block. The APE for the proposed project, which would only occupy the southwest corner of the project block, would be less extensive. Thus, the 2004 and 2006 reports provide a reasonable scenario of the proposed project's potential impacts on historic resources.



SOURCE: PBS&J, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 12: HISTORIC RESOURCES IN THE PROJECT VICINITY

TABLE 3
PROPERTIES OF HISTORIC SIGNIFICANCE ADJACENT TO PROJECT SITE

Map Key #	Address[1]	Description	Proposed Uptown Tenderloin Historic District Contributor	National Register Rating[2]
1	225 Ellis Street	This three-story building was constructed soon after the 1906 earthquake and fire, approximately 1910. The architect was Smith O'Brien, who also designed the adjacent building at 231 Ellis Street.	No, but qualifies for inclusion with revised district boundaries	4D
2	231 Ellis Street	This three-story building was constructed soon after the 1906 earthquake and fire, approximately in 1910, as the Burns Hammam Turkish Baths. It remained the Burns Hamman Turkish Baths until some time after World War II, when its ownership changed and it began functioning as a clinic in addition to a Turkish bath.	No, but qualifies for inclusion with revised district boundaries	4D
3	233 Ellis Street	Two-story square-shaped garage with a commercial storefront development on the east half on the first story of the Ellis Street facade. It is of reinforced concrete construction with stucco cladding. Built around 1920, during the post-World War I era.	No, but qualifies for inclusion with revised district boundaries	4D
4	128-132 Eddy Street	Currently known as the Crystal Hotel and originally known as The Gotham Lodgings, this four-story building was designed by Charles R. Wilson and built in 1908.	Yes	3D
5	45-55 Mason Street	Six-story, L-shaped building that features a brick and stucco façade and was designed by Earl B. Scott and K. McDonald in 1911 as the Hotel Ambassador.	Yes	3D
6	50-56 Mason Street	Four-story, painted brick structure that currently features a stucco finish and houses commercial space. This building was built c. 1908 as the Athens Lodgings. It is known today as the Hotel Bristol.	Yes	3D
7	111 Mason Street	The Hotel Bijou is six stories in height, with a stone and stucco base and a stucco facade. This building was constructed in 1914.	Yes	3D
8	124 Mason Street	Nine-story, two-bay-wide structure that houses commercial space on the ground level and residential space on the upper levels. Sanborn maps indicate this building was constructed in the decade after the 1906 earthquake and fire, approximately in 1915.	No, but qualifies for inclusion in proposed district boundaries	4D
9	140 Mason Street	Seven-story masonry building originally known as Hotel Tivoli and now known as the Olympic Hotel. Constructed approximately in 1910.	No, but qualifies for inclusion in proposed district boundaries	4D
10	141 Eddy Street	Painted brick building that is five stories tall and five bays wide, is rectangular in plan, and has a galvanized iron facade on the ground level. This building was designed in 1908. Now known as the Hotel West.	Yes	3D
11	144 Eddy Street	Brick hotel constructed in 1907 that is six stories and four bays wide, with commercial space on the ground floor and is known as the Empress Hotel.	Yes	3D

TABLE 3
PROPERTIES OF HISTORIC SIGNIFICANCE ADJACENT TO PROJECT SITE

Map Key #	Address[1]	Description	Proposed Uptown Tenderloin Historic District Contributor	National Register Rating[2]
12	160 Eddy Street	Four-story brick residential building with street-level commercial uses. Built in 1906 as the William Penn Hotel.	Yes	3D/2D2
13	163 Eddy Street	Two-story concrete commercial building. Designed by Charles C. Frye and constructed in 1911.	Yes	3D
14	206-216 Eddy Street	Five-story residential building with brick façade and street-level commercial uses. The base and entry have been altered. The Hotel Ritz was designed by Ralph Warner Hart and built in 1910.	Yes	3D/2D2
15	302-320 Ellis Street	Glide Memorial Methodist Church is a religious building designed in 1930. Like much of the surrounding neighborhood, it was built on land cleared by the 1906 earthquake and fire.	Yes	3D/3S
16	144-164 Eddy Street	Two-story commercial building with a hotel on the second level and commercial uses at street level. Constructed in 1910 as the Beverly Hotel and subsequently re-named the Modern Hotel.	Yes	3D
17	225 Taylor Street	Three-story residential building. Designed in 1911 as the Michigan Apartments; later changed to the Edellis Apartments.	Yes	3D/2D2
18	248 Taylor Street	Six-story residential building with numerous architectural details. Constructed in 1922 as the El Don apartments.	Yes	3D/2D2
19	250 Taylor Street	Six-story residential building with street-level commercial uses. Concrete construction with stucco cladding; contains bay projections across the upper stories. Designed by Leo J. Devlin and constructed in 1922 as the Euclid Apartments.	Yes	3D/2D2

Source: Carey & Co., 2004.
Notes:
1. Numbering of the properties corresponds to Figure 12.
2. Districts are given "S" ratings, while contributors receive "D" ratings. Thus, a district judged eligible for the National Register is rated "3S," but the district's contributors are rated "3D." The initial number in a code indicates the general status:
   2 = Determined eligible for the National Register in a formal process involving federal agencies.
   3 = Appears eligible for listing in the National Register in the judgment of the person(s) completing or reviewing the form.
   4 = Might become eligible for listing.

The proposed project would be on the northern Eddy Street blockface adjacent to six identified historic architectural resources at: 250 Taylor Street, 248 Taylor Street, 160 Eddy Street, and 144 Eddy Street. On the southern side of Eddy Street, the proposed project building would be directly across the street from four historic resources: 225 Taylor Street, 206-216 Eddy Street, 144-164 Eddy Street, and 163 Eddy Street. Pursuant to CEQA Guidelines Section 15064.5, a project would have a significant effect if it would cause a substantial adverse change in the

significance of a historical resource. A "substantial adverse change" is defined by CEQA Guidelines Section 15064.5 as "demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." Because the project site currently consists of a surface parking lot and is not identified as a district contributor to the potential historic district, the project site would not be considered an historic resource pursuant to CEQA. Therefore, demolition of the existing surface parking lot would not constitute an adverse environmental impact on an historic resource.

The Planning Department prepared an Historic Resources Evaluation Response (HRER) for the project on January 15, 2009, as summarized herein.[14] As described above, the project site is within the National Register-eligible Uptown Tenderloin Historic District. The Uptown Tenderloin Historic District is a largely intact, visually consistent, inner-city high-density residential area. The district contains a homogenous collection of early Twentieth Century structures with two- or three-part vertical compositions and ornamentation derived from Italian Renaissance and French Renaissance, Spanish Colonial Revival, Tudor Revival and Late Gothic Revival. These buildings were constructed between the 1906 earthquake and the Great Depression and, due to building law, were required to be of fire-resistant construction. As a result, all have brick or concrete exterior walls which form a strong visual continuity.

Although the proposed building would reach to a height of 130 feet and street frontages would be over 100 feet in length, the proposed design would characterize typical street wall heights and building rhythms within the immediate area. The proposed building would also take advantage of the street corner site, where larger buildings are typically located as an anchor to the block. The immediate block area in context to 168 Eddy Street has an average height of five stories, but has a full range of two to twelve stories and largely varying street wall heights. The facades facing Taylor and Eddy Streets would be divided into three masses by use of different façade treatments, recessed wells, and varying heights to simulate typical building widths. The proposed street wall height for each of the masses would range from 85 feet to 130 feet. Any additional building height above the street wall height (10th through 14th floors) would be set back 30 feet from the street-facing facades and minimally visible from immediate vantage points. The proposed project would thereby reflect the traditional pattern of the district consisting of medium-scaled buildings. The proportions of street-facing facades, while contemporary in form, would have a two-part composition of a base and shaft through the use

[14] Angela Heitter, San Francisco Planning Department, Historic Resource Evaluation Response (HRER) for 168-186 Eddy Street, Case No. 2007.1342E, January 15, 2009. This document is available for public review by appointment at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2007.1342E.

of modulation and change in materials. A base element at the street level would include storefronts and residential entrances to maintain the character and pedestrian scale of the District. The proposed building would represent compatible features, scale, proportion, and massing found in the District. Overall, the proposed project would not have an adverse effect on the National Register-eligible Uptown Tenderloin District.

As discussed above, the proposed project would be constructed in proximity to several historic resources, which could result in potentially significant adverse effects from construction activities, including vibrations from excavation and, potentially, piledriving. The Project Sponsor would implement Mitigation Measure 2, p. 102, which would reduce potential construction impacts on historical architectural resources to a less-than-significant level.

Archaeological Resources. An archaeological research design and treatment plan (ARDTP) was prepared for the then-proposed Glide Pavilion Mixed-Use Development Project on the project block in May 2003.[15] The findings of that report are incorporated by reference herein and apply to the proposed project. The ARDTP discusses the prehistoric, historical, and natural formation contexts of the project area, evaluates the potential for archaeological resources to be present that would be eligible for listing in the California Register of Historic Resources (CRHR) and develops treatment and testing strategies for expected archaeological resources that are identified.

The ARDTP concluded that the types of deep foundations required by the project could affect older, deeper prehistoric archaeological resources that could be present in deeper strata. Prehistoric deposits dating from the Early Holocene period have been previously encountered within a critical range of the project site. Expected prehistoric resources within the project vicinity would be potentially eligible to the CRHR and thus project impacts would be significant.

The ARDTP identified a reasonable potential that historical archaeological deposits may be present associated with households occupying Rose Place (in the interior of the project site), and various commercial and neighborhood trade establishments along Taylor and Eddy Streets within the period of 1869 to 1906. The ARDTP concludes that potentially CRHP-eligible logical resources from the prehistoric and later the 19th century may be present within the project site. These expected archaeological resources, if present and possessing sufficient scientific integrity, would potentially be able to address research questions regarding prehistoric cultural history, settlement and subsistence patterns, ethnicity and boundary maintenance, and Victorian

[15] Archeo-Tec, Archaeological Research Design and Treatment Plan, Pavilion Mixed-Use Development Project, City and County of San Francisco, May 19, 2003.

consumption preference patterns and, thus, would be eligible for listing in the CRHR under Criterion D.

The project would require excavation of the site to a maximum depth of about eight feet, and the use of a deep foundation system such as torque-down piles, auger cast-in-place piles or Tubex piles. Thus, the proposed project could potentially disturb or destroy expected archaeological resources of the prehistoric period or of the latter 19th century. Since those archaeological resources have been potentially determined to be eligible for the CRHR because of their potential to provide significant scientific or historical information, data recovery of these expected resources, if encountered, would reduce the effects of the project to a less-than-significant level. Based on archival evidence, this excavation may disrupt or adversely affect historic resources or historic archaeological resources.

Mitigation Measure 1, p. 102 would reduce any potentially significant disturbance, damage, or loss of archaeological resources to a less-than-significant level. Mitigation Measure 1 requires implementation of an archaeological testing program and submittal of a final Archaeological Testing Plan (ATP) for approval by the Planning Department's Environmental Review Officer (ERO) prior to any soils-disturbing activities by the proposed project, as well as an Archaeological Monitoring Program to reduce impacts on resources that may be encountered during project construction. Adoption of Measure 1 would reduce potential impacts to archaeological resources to a less-than-significant level.

Paleontological and Geological Resources. Paleontological resources are the fossilized remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains, such as bones, teeth, shells, and wood, are found in geologic deposits (rock formations). Although no known paleontological resources have been recorded at the project site, paleontological resources may be found at depths greater than previously disturbed during past development. Mitigation Measure 1, discussed above, would reduce any potentially significant disturbance, damage, or loss of paleontological or geological resources to a less-than-significant level. Adoption of Mitigation Measure 1 would reduce potential impacts to archaeological resources to a less-than-significant level.

Human Remains. Although no known human remains are anticipated to be found at the project site, it is possible that such resources may be found at depths greater than previously disturbed during past development. Mitigation Measure 1, discussed above, would reduce any potentially significant disturbance, damage, or loss of human remains to a less-than-significant level. Adoption of Mitigation Measure 1 would reduce potential impacts to archaeological resources to a less-than-significant level.

Effects of Variants. Variants 2 and 3 design would be similar to the proposed project, and would not materially impair the integrity of the Uptown Tenderloin Historic District; therefore impacts would be less-than-significant. Excavation with Variants 2 and 3 would be the same as with the proposed project. With Mitigation Measure 1, p. 102 impacts on archaeological resources would be less than significant.

Cumulative Cultural Resources Impacts. The proposed project could have cumulative effects with other projects, such as 125 Mason Street and 149 Mason Street, on the project block, to the historic resources in the proposed District. As with the proposed project, the projects on the east side of the project block have incorporated massing and design that do not have adverse effects on the integrity of the Uptown Tenderloin Historic District and would not have a cumulative adverse impact on architectural resources.

As stated above, the project would involve ground excavation, which may impact subsurface cultural resources. However, implementation of Archaeological Measure 1, p. 102 would reduce impacts to a less-than-significant level. Therefore, the proposed project would not contribute to potentially significant cumulative effects related to archaeological resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
5. TRANSPORTATION AND CIRCULATION					
Would The Project:					
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (unless it is practical to achieve the standard through increased use of alternative transportation modes)?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐	☐
f) Result in inadequate parking capacity that could not be accommodated by alternative solutions?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.), or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes?	☐	☐	☒	☐	☐

The proposed project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, topic 5c is not applicable to the proposed project. A transportation study has been prepared for the proposed project and is summarized below.[16]

Project Area. The project site is located within San Francisco's Tenderloin District, on the northwest corner of Taylor and Eddy Streets, on the block bounded by Eddy Street to the south, Mason Street to the west, Taylor Street to the east, and Ellis Street to the north. Regional access roads in the project vicinity include Interstate 80, U.S. Highway 101, and Interstate 280. Local streets within project vicinity include Jones Street, Taylor Street, Mason Street, Seventh Street, Ellis Street, Eddy Street, Market Street, and Mission Street.

Jones Street, located one block to the west of the project site, is a one-way southbound street with three travel lanes from California Street to Market Street and has on-street parking on both sides of the street near the project site. The *San Francisco General Plan* (*General Plan*) identifies Jones Street as a Secondary Arterial Street. Taylor Street, which borders the project site to the west, is an arterial that runs north-south and has three travel lanes in the north direction, with curbside parking along both sides of the street. The *General Plan* identifies Taylor Street as a Citywide Bicycle Route. Mason Street, which runs north-south one block east of the project site, has two travel lanes in the south direction and on-street parking on both sides of the street. The *General Plan* identifies Taylor Street as a Local Street. Seventh Street, located three blocks southwest of the project site, is a north-south arterial with three travel lanes in the north direction and a limited number of on-street parking. In the *General Plan*, Seventh Street is identified as a Major Arterial, a Neighborhood Pedestrian Street, a Neighborhood Commercial Street. Seventh Street is also identified as a Citywide Bicycle Route and a Class II bike lane (Bike Route 23). It is a Freight Traffic Route, and is included in the Congestion Management Program (CMP) Network and part of the Metropolitan Transportation System (MTS) Network. Ellis Street, located one block north of the project site, is a one-way westbound three-lane street with

[16] CHS Consulting Group, Eddy/Taylor Mixed-Use Affordable Family Housing Transportation Study, Project No: 2007.13421, January 26, 2009. This document is available for public review by appointment at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2007.1342E.

on-street parking on both sides of the street. Eddy Street, which runs along the project site to the south, is one-way eastbound three-lane street with on-street parking on both sides of the street. The *General Plan* identifies Eddy Street as a Neighborhood Pedestrian Street. Market Street, located two blocks south of the project site, is northeast-southeast arterial with two lanes in each direction and with no on-street parking. The *General Plan* identifies Market Street as Transit Preferential Street. Market Street is part of the Citywide Pedestrian Network and the Citywide Bicycle Route Network, and is designated as a Neighborhood Pedestrian Street and Bicycle Route #50. Mission Street, located four blocks south of the project site, is a northeast-southwest arterial with two lanes in each direction and on-street parking on both sides of the street. The *General Plan* identifies Mission Street as a Neighborhood Pedestrian Street, a Transit Preferential Street, and is part of the Citywide Pedestrian Network.

The project site is served by the San Francisco Municipal Railway (Muni), which provides access to other local and regional public transit providers, including BART (two blocks east at the Powell Street Station), Golden Gate Transit (on Mission Street between Sixth and Seventh Streets), and AC Transit and SamTrans (approximately 0.8 miles east at the Transbay Terminal). The bus routes to the project site include the 27-Bryant, which runs along Mason Street (southbound) and 31-Balboa, which run along Eddy Street (eastbound) and Mason Street (southbound); 16AX-Noreiga "A" Express and 16BX-Noreiga "B" Express, which run along Turk Street (westbound); and 5-Fulton, 6-Parnassus, 7-Haight, 9-San Bruno, 21-Hayes, 71-Haight-Noriega, 71L-Haight-Noriega Limited, and F-Market (Trolley), which all run along Market Street. The nearest Muni bus stop to the project site is located on Eddy Street between Mason Street and Taylor Street, where the 31-Balboa stops. Other bus stops within a quarter mile radius are located along Market Street, Mason Street, Ellis Street, and Turk Street. The closets Muni Metro lines and Bart Station is the Powell Street Station, located two blocks east of the project site.

All four streets that surround the project site—Taylor, Eddy, Mason, and Ellis Streets—have sidewalks, which are 10 to 11 feet in width. Pedestrian crosswalks are provided at all signalized intersections in the project vicinity. There are no pedestrian signals for all approaches at the intersections of Eddy/Taylor.

Four bicycle routes exist near the project site - Route #19, which runs northwest-bound/southeast-bound along Fifth Street; Route #20, which runs westbound along McAllister Street; Route #23, which runs northbound along Seventh Street; and Route #50, which runs eastbound/westbound along Market Street. In addition the proposed *Draft San Francisco Bike Plan* proposes bicycle route improvements on Fifth Street Bicycle Lanes and McAllister Street

Bicycle Lane, subject to environmental review through the *San Francisco Bicycle Plan Environmental Impact Report.*

Parking adjacent to the project site is provided on-street and is usually at or near 100 percent capacity during the daytime. The average parking occupancy in the project area is saturated at approximately 98 percent, with higher occupancy along Jones Street, Mason Street, Cyril Magnin Street, Eddy Street, and McAllister Street (at 100 percent).

Traffic. Based on the peak-hour factors and land use trip generation rates provided in the *San Francisco Guidelines,* the proposed project would generate approximately 5,444 daily person-trips (inbound and outbound trips) on a typical weekday and about 553 person-trips in the weekday p.m. peak hour. Of the p.m. peak-hour trips, 38 residential trips and 81 grocery/supermarket trips would be by auto, 129 residential trips and 48 grocery/supermarket trips would be by transit, 82 residential trips and 123 grocery/supermarket trips would be made on foot, and 19 residential trips and 33 grocery/supermarket trips would be by other modes, such as bicycle or taxi. The estimated vehicle trips were calculated by dividing the auto person trips by the vehicle occupancy rates from each trip origin. The vehicle occupancy rates for grocery/supermarket were obtained from Appendix E Work Trips to C-3 All Other (for work trips) and Visitor Trips to C-3 Retail (for non-work trips) in the Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002). The vehicle occupancy rates for the residential use were obtained from the 2000 Census for tract 125. The proposed project would generate 818 daily vehicle trips on a typical weekday, and 79 total vehicle trips (32 residential and 47 grocery/supermarket) in the p.m. peak hour.

Seven intersections (Eddy/Jones, Eddy/Taylor, Ellis/Taylor, Market/Fifth Street, Market/Sixth Street, Market/Seventh Street, Mission/Fifth Street) were analyzed to determine whether project-generated vehicular traffic would result in adverse changes in the level of service (LOS).[17] All intersections currently operate at an acceptable LOS (LOS D or better). The addition of project-generated traffic would result in minimal changes (no more than 0.5 seconds) in average vehicle delay at the study intersections, and all study intersections would continue to operate at an acceptable LOS (see Table 4). There would be no change in LOS at any of the seven study intersections. In summary, the addition of the approximately 79 project-generated p.m. peak-hour vehicle trips would result in negligible changes in the average delay per vehicle at the

[17] Level of service is a qualitative description of the operational performance of an intersection, based on the average delay per vehicle, ranging from LOS A (free flow or excellent conditions with short delays per vehicle) to LOS F (congested or overloaded conditions with extremely long delays per vehicle). Typically, LOS A through D are considered excellent to satisfactory service levels, LOS E is undesirable, and LOS F conditions are unacceptable.

intersections studied and all intersections analyzed would continue to operate at the same service level as under existing conditions. This impact would, therefore, not be significant.

Under cumulative (2030) conditions, two changes in levels of service would occur, Market/Sixth Street (from LOS C to LOS E) and Mission/Fifth Street (from LOS C to LOS E). The proposed project would not substantially contribute to the total 2030 cumulative traffic volumes at the study intersections.

TABLE 4
INTERSECTION LEVEL OF SERVICE

	Existing		Existing Plus Project		Future Cumulative	
	Delay[1]	LOS	Delay[1]	LOS	Delay[1]	LOS
Eddy Street/Jones Street	11.6	B	11.6	B	11.8	B
Eddy Street/Taylor Street	10.3	B	10.5	B	11.2	B
Ellis Street/Taylor Street	13.0	B	13.5	B	14.6	B
Market Street/Fifth Street	20.3	C	20.4	C	27.0	C
Market Street/Sixth Street	25.2	C	25.7	C	63.5	**E**[2]
Market Street/Seventh Street	14.4	B	14.4	B	15.7	B
Mission Street/Fifth Street	22.0	C	22.5	C	58.4	**E**

Source: CHS Consulting Group, 2008.
Notes:
1. Delay presented in seconds per vehicle, based on Option 4 as analyzed in the transportation study.
2. Bold-face indicates unacceptable level of service (LOS E).

At two of the seven study intersections at (Market Street/Sixth Street) and (Mission/Fifth Street) there would be significant traffic impacts due to anticipated background traffic growth that would cause the LOS at these intersections to deteriorate to LOS E under 2030 cumulative conditions. The proposed project's share of future traffic growth at the intersections that would operate at LOS E under 2030 cumulative conditions would be 0.8 percent and 0.6 percent, respectively, but the proposed project's traffic contributions to these intersections would not be considered significant under cumulative conditions. Therefore, the proposed project's traffic would not represent a cumulatively considerable contribution to the adverse cumulative conditions at the intersection of Mission/Fifth Street, and the proposed project would not have a significant cumulative traffic impact.

The project would not adversely affect any LOS standards established by the San Francisco County Transportation Authority.

Transit. The proposed project would generate about 177 net-new p.m. peak-hour transit trips, most of which would utilize the nearby 25 Muni lines, BART, SamTrans, Caltrain, AC Transit, and Golden Gate Transit. Some of these transit trips would be in the non-peak direction because project residents working in the Civic Center area would use Muni in the non-peak direction to reach the project site. Residents employed in the downtown east of Powell Street or Fifth Street would be travelling in the outbound peak-direction. However, the maximum load point for many of the transit lines (e.g., all Muni Metro bus lines, #5, #6, #7, etc.) connecting downtown and the project site occur in the Civic Center area in the outbound direction; thus, the project would have limited effects on the outbound transit capacity. Of the 25 Muni lines currently serving the study area, 14 operate below Muni's 85 percent capacity standard at the maximum load point during p.m. peak-hour. Therefore, the project would have less-than-significant effects on transit service.

The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

Parking. The project site is currently used as parking lot with about 120 parking spaces. On average, 100 parking spaces are occupied during the midday and 83 spaces are occupied during the evenings. The proposed project would remove the existing parking lot. Some of the cars currently parked at the project site would likely park in other off-street parking facilities in the area. There are approximately 1,000 spaces available during weekday midday and 1,700 spaces in the evenings. Parking demand displaced from the project site could be accommodated in nearby facilities. With the shift of cars from project site to nearby facilities (100 cars during midday and 83 cars in the evenings), the off-street parking occupancy in the study area would increase from 66 percent to 69 percent during the midday period. It should be noted that the proposed project is located in a transit-rich area; a shortage of parking and convenient access to transit could potentially reduce overall auto-ownership and thus parking demand.

Based on the Planning Code for the RC-4 Zoning District, the proposed project would be required to provide 45 spaces for the residential units (one per four units) and 23 spaces for the commercial uses (one per 500 gsf). The proposed project would not meet the Planning Code requirement and the Project Sponsor would request an exemption from this requirement under Planning Code Section 161(h). Planning Code Section 161(h) states that because the project site is located in the North of Market Residential Special Use District No. 1 (NOMRSUD), off-street parking requirements for dwelling units may be reduced by the Planning Commission pursuant to the procedures for Conditional Use authorization. Therefore, the proposed project would not

meet this requirement and the Project Sponsor would request a variance per Planning Code Section 161(h).

Based on the Planning Department guidelines, the proposed project would generate a parking demand for 303 spaces: residential demand for about 63 spaces, 120 spaces for grocery/supermarket demand, and 120 spaces from displaced parking. The project does not propose parking spaces, resulting in a shortfall of 303 spaces in the context of project demand; there would be unmet parking demand for both residential and grocery/supermarket uses.

The unmet demand would require residents to find parking either on the street or in the off-street parking lots/garages in the vicinity of the proposed project. The results of the on-street parking survey conducted by CHS Consulting Group shows that the on-street parking occupancy in the evenings is full at 98 percent capacity. The off-street parking survey conducted during the midday and evening periods shows that the residents should be able to find available spaces in the adjacent parking lots and garages (approximately 1,000 spaces are available during the midday and 1,700 spaces during the evenings). Eight out of the 19 parking garages in the study area operate 24 hours. Residents requiring parking spaces would be able to find overnight parking in the vicinity.

Under California Public Resources Code Section 21060.5, "environment" is defined as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance." San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA.

Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines Section 15131 (a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxies, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find

alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service, in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is not available. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the project site would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

In addition, the proposed project would include implementation of Improvement Measure 1, p. 103, to reduce parking impacts. Improvement Measure 1 would further reduce the project's less-than-significant parking impacts by having the Project Sponsor set up arrangements with nearby garages to allocate parking spaces to be leased to residents for overnight parking.

Pedestrian and Bicycle Conditions. Pedestrian trips generated by the project would include walk trips to and from the residential and grocery/supermarket uses as well as walk trips to and from the local and regional transit providers. The proposed project would generate about 204 p.m. peak-hour trips by walking and 52 p.m. peak-hour trips by other modes to and from the site. The additional pedestrian trips generated by the proposed project would not result in any significant pedestrian impacts because existing sidewalks have ample capacity to accommodate those trips.

For residential buildings with more than 50 dwelling units, Section 155.5 of the *Planning Code* requires that 25 Class I bicycle spaces be provided for the first 50 units and for development over 50 units, one Class I bicycle parking space be provided for every four dwelling units over 50, to a maximum of 400 spaces. The proposed project would meet the requirement to provide 57 bicycle parking spaces by providing a double-decker rack in a storage room behind the residential lobby that would accommodate up to 57 bicycles. The project site is within bicycling distance of office and retail buildings in downtown San Francisco and the Financial District and major transit hubs (Ferry Building, Transbay Terminal, BART, and Caltrain). As such, it is anticipated that a portion of the 52 "other" trips generated by the proposed project would be

bicycle trips. As noted above, there are several bicycle routes and proposed bicycle routes nearby to the project site, including along Market Street, Seventh Street, Fifth Street, and McAllister Street. Bicycle volumes on most of the study area streets are relatively low with the exception of Market Street, which is heavily used by bicycle commuters and bike messengers. The proposed project is not anticipated to have a significant negative impact on bicycle conditions in the study area. Most bicyclists are expected to continue using the existing bike lanes and routes in the study area, and this impact would, therefore, be less than significant.

Loading. Loading requirements for the proposed project were calculated based on the *San Francisco Planning Code*, Section 152.1 and 153 (1). For residential land use, the *San Francisco Planning Code* requires one loading space for an area between 100,001 gsf and 200,000 gsf. For retail use, one loading space is required for an area with 10,001 gsf to 30,000 gsf. Based on the *San Francisco Planning Code*, the proposed project would be required to provide two new off-street loading spaces. The proposed project would provide one off-street loading space (35′ x 12′ in size). Therefore, the proposed project would not satisfy *Planning Code* requirements. The Project Sponsor would have to apply for a variance under Section 304 of the *San Francisco Planning Code.*

The project would generate six daily truck trips and its total estimated loading demand (peak and average) would be less than one space per hour. According to the survey conducted by CHS Consulting for two markets in San Francisco, the total daily delivery could be substantially higher, ranging from 10 daily deliveries if the grocery/supermarket is operated by a national chain or up to 47 daily deliveries if a local operator would run the grocery/supermarket. Average duration of deliveries for a grocery market is approximately 19 minutes and for a national chain supermarket was 37 minutes as compared to the *San Francisco Guidelines* which suggest an average duration of 25 minutes for a typical retail use. This indicates that with a local grocery market operation, there would be up to six loading spaces needed for delivery trucks during the peak loading period between 9:00 a.m. and 10:00 a.m. With a national chain supermarket, there would be just over one loading space needed during the peak period between 9:00 a.m. and 10:00 a.m. Loading demand would gradually lessen in the later hours of the day.

As stated above, the peak loading demand for the worst-case condition would be six spaces from 9:00 a.m. to 10:00 a.m. for a locally run grocery/supermarket. Since only one off-street loading space is proposed, additional trucks would likely double-park if the loading space were occupied.

Since both Eddy Street and Taylor Street have three travel lanes, double-parking conditions along these streets would adversely affect traffic flows and could potentially affect transit operations for the Muni #31 along Eddy Street. However, since the traffic volumes on both of these streets are generally light to moderate, especially during midday, impacts caused by double parking for loading activities would not be significant.

If yellow zones were designated along Taylor Street and/or Eddy Street, the project frontage would have sufficient length to accommodate 11 to 13 standard size parking spaces, and the on-street loading spaces would be sufficient to accommodate the loading demand generated by the proposed project.

Therefore, the proposed project would include implementation of Improvement Measure 2, p. 103 to reduce loading impacts. Improvement Measure 2 would further reduce the severity of project's less-than-significant loading impacts.

Traffic Hazards; Emergency Access. There are no unusual design features or uses proposed as part of the project that would substantially increase traffic hazards. Likewise, the proposed project would not result in a significant impact with regard to emergency access, as the project site is accessible from major streets, including Eddy and Taylor Streets.

Construction. Project construction is expected to take place in five phases spanning approximately 22 months and would typically occur Monday through Friday, between 7:00 a.m. and 3:30 p.m. as well as possibly on weekends. During the construction period, temporary and intermittent transportation impacts would result from truck movements to and from the project site. Peak truck movements during construction are anticipated to occur during the foundation and structure building phases, with approximately 10 to 50 trucks per day. During the construction period the Project Sponsor would potentially need to use the sidewalks and parking lanes adjacent to the site on Taylor Street and Eddy Street. The exact dimension and streets needed during the construction period has not been determined. Any of these temporary sidewalk closures would be subject to review and approval by the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) and the Department of Public Works (DPW). The construction truck traffic would be managed to avoid peak period so that they do not affect peak-hour traffic and transit operations along Eddy and Taylor Streets. Given the concentrated transit services in the study area, the Project Sponsor would consider subsidizing transit costs for the construction workers and/or could provide an off-site parking and shuttle the workers to the project site to reduce localized traffic (Improvement Measure 4). The Project Sponsor would be required to develop a traffic management plan for approval by the Traffic

Engineering and Muni Planning Divisions of the SFMTA, the Police Department, the Fire Department, and the Public Works Department.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the site. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect both traffic and transit operations. However, construction-related impacts to traffic and transit would be temporary and, therefore, less-than-significant.

During project construction, the construction workers would have to compete for on-street and off-street parking in the project vicinity. The peak number of construction workers anticipated on-site at any time is approximately 110. Temporary parking demand from construction workers' vehicles and impacts on local intersections from construction worker traffic would occur in proportion to the number of construction workers who would use automobiles, but would not be expected to substantially affect parking conditions in the project vicinity. This impact would be limited to the estimated 22-month construction period during which time the overall numbers of onsite workers would fluctuate, and would not be considered significant.

In addition, the proposed project would include implementation of Improvement Measures 3-6, p. 103 to further reduce the project's less-than-significant construction impacts.

In summary, the project would not result in significant project or cumulative effects with regard to transportation.

Effects of Variants. Variant 2 would include the same number of units and a similar amount of retail space as the proposed project, but would not include an off-street loading space. Variant 3 would have about 40 percent less retail space than the proposed project and would not include a loading space. Variants 2 and 3 would have the same number of residential units and slightly different square footages for the retail use. As a result, trip-generation for Variants 2 and 3 would not be substantially different than with the proposed project. Traffic effects on intersection conditions would be the same, and would be less than significant. Transit trips and associated impacts would also be virtually the same as with the proposed project and impacts would be less than significant. Variants 2 and 3 would not provide off-street parking; parking demand would be almost identical to parking demand under the proposed project, less-than-significant. Improvement Measure 1 would be incorporated to further reduce parking impacts. Pedestrian and bicycle effects with Variants 2 and 3 would be similar to those with the proposed project and would be less than significant.

Without off-street loading, retail delivery and loading activities would be accommodated on the street. The proposed project would have approximately 138 feet of frontage along Eddy Street. This space would accommodate approximately six standard size parking spaces for vehicles such as commercial vans. Large size trucks may take more than one space. The proposed project would potentially require up to six loading spaces during the morning period, and the yellow zone along Eddy Street would be sufficient to accommodate the peak loading demand. These spaces would be made available for shoppers after 1:00 p.m. when the peak loading period is over. The project site has approximately 173 feet of frontage along Taylor Street, which is relatively steep. The Taylor Street frontage is sufficient for five to eight standard size parking spaces. As with the proposed project, the Project Sponsor would request designation of yellow loading spaces on the Eddy and/or Taylor Street frontage to accommodate loading demand. The variants would not have significant adverse loading impacts. Improvement Measure 2 would be incorporated to reduce impacts from double-parking.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
6. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local *General Plan* or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☒	☐	☐

The proposed project is not within an airport land use plan area or within two miles of an airport and would not be affected by noise created by air traffic. As such, topics 6e and f are not discussed in detail below.

Construction Noise. Demolition, excavation, and project construction would temporarily increase noise in the project vicinity. Construction would take about 24 months. During the majority of construction activity, noise levels would be above existing levels in the project area. Construction noise would fluctuate depending on the construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. The proposed project may require pile-driving. Construction noise would be intermittent and limited to the period of construction. There are residences in the vicinity of the project site which would be considered sensitive to construction noise.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 decibels (dBA) at a distance of 100 feet from the source.[18] Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of the Department of Public Works (DPW) or Director of Building Inspection (DBI). Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property plane, unless a special permit is authorized by the Director of the DPW or Director of the Department of DBI. Compliance with the Noise Ordinance would reduce potential construction noise impacts to a less-than-significant level.

Construction Vibration. The proposed project may require pile-driving, which could create substantial noise and vibration and that could create a significant impact. Construction noise would be intermittent and limited to the period of construction. If a pile-driven foundation is used, the Project Sponsor would implement Mitigation Measure 2, p. 102, to reduce pile-driving noise and vibration effects on nearby structures and residences to a less-than-significant level.

Traffic Noise. The project area's existing noise environment is typical of noise levels in San Francisco, and traffic is the existing noise source that makes the greatest contribution to ambient noise levels throughout most of the city. The primary source of noise in the vicinity of the subject property is traffic on Eddy and Taylor Streets. Traffic noise created by the project

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[18] A decibel (dB) is the unit of measurement used to express the intensity of loudness of sound. A decibel is one-tenth of a unit called a bel. Sound is composed of various frequencies. The human ear does not hear all sound frequencies. Normal hearing is within the range of 20 to 20,000 vibrations per second. As a result, an adjustment of weighting of sound frequencies is made to approximate the way that the average person hears sounds. This weighting system assigns a weight that is related to how sensitive the human ear is to each sound frequency. Frequencies that are less sensitive to the human ear are weighted less than those for which the ear is more sensitive. The adjusted sounds are called A-weighted levels (dBA).

would be attributable to additional automobiles and limited truck deliveries, and the general coming and going of residents, employees, and other visitors.

Based on published scientific acoustic studies, traffic volumes would have to double before an attendant noise increase in ambient noise levels would be noticeable to most people. The increase of approximately 178 residential units and ground-floor grocery uses would add, as indicated in the transportation analysis, about 79 p.m. peak-hour vehicle trips to existing traffic levels. This increase in vehicle trips would not represent a doubling of traffic volumes in the project area and would, therefore, not substantially increase ambient noise levels related to traffic.

Building Mechanical Equipment Noise. The project building's occupancy and operation would generate noise from ventilators and other mechanical equipment. The project would comply with the San Francisco Noise Ordinance, San Francisco Police Code Section 2909, Fixed Source Levels, which regulates mechanical equipment noise. Project compliance with this Noise Ordinance section would ensure that the buildings' mechanical equipment noise would not substantially increase the ambient noise level of the surrounding area. As such, noise from building mechanical equipment would be less than significant.

Residential Interior and Exterior Noise Levels. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects. The Department of Building Inspection (DBI) would review the final building plans to ensure that the building wall, window, and floor/ceiling assemblies meet state standards regarding sound transmission. Hence, the project would not be substantially impacted by existing noise levels. The above-grade units on the interior side of the building would face toward the interior of the block, and thus would not be significantly affected by noise from Eddy and Taylor Streets on the other sides of the tower. This would result in a less than significant impact.

Effects of Variants. Variant 2 and 3 would include the same number of housing units and the same range of retail space; the noise associated with traffic would be substantially the same as with the proposed project. Similarly, construction period noise and noise from mechanical equipment would the same. As retail loading with Variant 2 and Variant 3 would be from the street rather than from a loading facility with the proposed project, the noise associated with loading would be slightly greater under Variant 2 and 3. However noise impacts from street loading would be intermittent and would not be a significant adverse effect. All noise impacts would be less than significant.

Cumulative Noise Impacts. Project construction activities would be temporary and intermittent in nature; project construction-related noise would not substantially increase

ambient noise levels at locations greater than a few hundred feet from the project site; and as stated above, required construction noise reduction measures would be implemented as required by the City's Noise Ordinance. The 125 Mason Street project is ready for occupancy. The 149 Mason Street project is under construction and could generate construction noise at the same time as the proposed project. However, this project, if approved, would be governed by the same code requirements and factors discussed above. The contribution of project construction noise in the project site vicinity would not be considerable.

Localized traffic noise would increase as a result of cumulative growth in the project vicinity, such as the 125 Mason Street and 149 Mason Street projects. However, the increase under the project would not be a cumulatively considerable traffic noise increase. Therefore, the proposed project would not have significant cumulative noise impacts.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
7. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐
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)?	☐	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

The Federal Clean Air Act (CAA), as amended and the California Clean Air Act (CCAA) legislate ambient air standards and related air quality reporting systems for regional regulatory agencies to then develop mobile and stationary source control measures to meet the standards. The Bay Area Air Quality Management District (BAAQMD) is the primary responsible regulatory agency in the Bay Area for planning, implementing, and enforcing the federal and state ambient standards for criteria pollutants.[19] Criteria air pollutants include ozone, carbon monoxide (CO), nitrogen oxide (NO_2) sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$) and lead.

[19] State and Federal air quality standards for the Bay Area's attainment status can be viewed on the BAAQMD website at http://www.baaqmd.gov.

The San Francisco Bay Area Air Basin encompasses many counties including San Francisco, Alameda, Contra Costa, Marin, San Mateo, Napa, and parts of Solano and Sonoma counties. The San Francisco Air Basin has a history of air quality violations for ozone, carbon monoxide, and particulate matter. The basin currently does not meet the State ambient air quality standards for ozone, PM_{10} and $PM_{2.5}$. BAAQMD has adopted air quality management plans over the years to address control methods and strategies to meet air quality standards, the latest plan being the *Bay Area 2000 Clean Air Plan, 2001 Ozone Attainment Plan,* and *2005 Bay Area Ozone Strategy.*

Emissions from Traffic. The BAAQMD has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size project which the BAAQMD considers capable of generating emissions with the potential to exceed the thresholds of 80 pounds per day each of reactive organic gases (ROG), nitrogen oxides (NO_x), and particulate matter with a diameter of less than 10 microns (PM_{10}). The BAAQMD considers residential projects greater than 510 apartment units, office projects greater than 280,000 gsf, retail development greater than 87,000 square feet, and projects that would generate more than 2,000 vehicle trips per day as candidates for potentially significant vehicular emissions. Since the project would include up to 178 units and up to about 13,000 sf of retail space and would result in approximately 818 daily vehicle trips under the proposed project variant, it would not exceed the BAAQMD threshold and no significant air quality impacts due to vehicular emissions are anticipated from the project.

Also, traffic related to the project would add more vehicle to area roadways, which could cause existing non-project traffic to travel at slower, less pollution-efficient travel speeds. The BAAQMD recommends analysis for study intersections that would operate at Level of Service (LOS) D, LOS E, or LOS F (these intersections have high congestion and, therefore, high localized concentrations of carbon monoxide (CO)). Based on preliminary review, no intersections in the project area currently operate at LOS D or worse during the p.m. peak-hour under existing conditions. Under future cumulative conditions (year 2030) with implementation of the project, service at the intersection of Mission Street and Fifth Street would be reduced to LOS E during the p.m. peak-hour.[20] A CALINE4 screening model was used to determine if a CO impact would occur at this location.[21] Calculations using the

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[20] CHS Consulting, Eddy/Taylor Family Housing Transportation Study, Memorandum to PBS&J, January 26, 2009. This document is available for public review by appointment at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2007.1342E.

[21] PBS&J, Memorandum re: Eddy and Taylor Family Housing Air Quality Calculations, January 21, 2009. This document is available for public review by appointment at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2007.1342E.

simplified CALINE4 model indicated that the proposed project would not result in CO levels above the 1-hour national standard of 35 parts per million (ppm), the 1-hour state standard of 20 ppm, or the 8-hour national and state standards of 9 ppm, at the intersection; thus, the project would not be expected to result in CO hot spots and would not contribute to a significant cumulative impact on air quality.

Construction Emissions. During project construction, air quality could potentially be affected. Heavy-duty construction equipment would emit NO_x, carbon monoxide (CO), sulfur dioxide (SO_2), hydrocarbons (HC), and PM_{10} as a result of diesel fuel combustion. PM_{10} also would be generated from construction activities such as excavation or soil movement.

Construction Dust Abatement. On July 22, 2008, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building Code generally referred to as the Construction Dust Control Ordinance (Dust Ordinance). Demolition, excavation, grading and other construction activities can cause wind-blown dust to add to particulate matter in the local atmosphere. The Ordinance codifies dust control measures for San Francisco construction projects to mitigate their potential impact on air quality.

The ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 sf of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection (DBI). The requirement may be waived by the Director of DBI for activities on sites less than one half-acre that are unlikely to result in any visible windblown dust.

The project site is approximately 0.51 acres. For projects over one half-acre, the ordinance requires that the Project Sponsor submit a Dust Control Plan for approval by the San Francisco Department of Health (DPH). The Department of Building Inspection 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 or the project qualifies as an interior-only tenant improvement project that will not produce exterior visible dust.

The Project Sponsor would be required to designate an individual to monitor compliance with dust control requirements. These requirements include watering all area of exposed soil sufficiently to prevent dust from becoming airborne, wet sweeping or vacuuming affected areas of the adjacent streets at the end of the workday, and covering any inactive stockpiles greater than ten cubic yards or 500 square feet of excavated materials.

Site-specific Dust Control Plans shall include the following:

- Submission of a map to the Director of Health showing all sensitive receptors within 1000 feet of the site.
- Wetting down areas of soil at least three times per shift per day.
- Analysis of wind direction and placement of upwind and downwind particulate dust monitors.
- Record keeping for particulate monitoring results.
- Hiring of an independent third party to conduct inspections and keep a record of those inspections.
- Requirements for shut-down conditions based on wind, soil migration, etc.
- Establishing a hotline for surrounding community members who may be potentially affected by project-related dust.
- Limiting the area subject to construction activities at any one time.
- Installing dust curtains and windbreaks on the property lines, as necessary.
- Limiting the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin.
- Enforcing a 15 mph speed limit for vehicles entering and exiting construction areas.
- Sweeping affected streets with water sweepers at the end of the day.
- Installing and using wheel washers to clean truck tires.
- Terminating construction activities when winds exceed 25 miles per hour.
- Applying soil stabilizers to inactive areas.
- Sweeping off adjacent streets to reduce particulate emissions.

The Director of Public Health is authorized under the ordinance to charge fees to the Project Sponsor to defray the costs of document processing and review.

Compliance with the Dust Control Ordinance would ensure that dust generated by project construction would be less than significant.

Operational Emissions. Project occupancy would result in a small amount of emissions from the use of electricity and natural gas for building heating, cooling, ventilation, and lighting. However, these stationary source emissions would not be significant. The proposed project would not violate any BAAQMD ambient air quality standard or contribute substantially to an existing or projected air quality violation. For all of the above reasons, the proposed project would not generate significant operational air quality impacts.

Greenhouse Gases. Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as a driving force for global climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities which alter the composition of the global atmosphere.

Individual projects contribute to the cumulative effects of climate change by emitting GHGs during demolition, construction and operational phases. The principal GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. (Ozone—not directly emitted, but formed from other gases—in the troposphere, the lowest level of the earth's atmosphere, also contributes to the retention of heat.) While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Carbon dioxide is the "reference gas" for climate change, meaning that emissions of GHGs are typically reported in "carbon dioxide-equivalent" measures. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs, with much greater heat-absorption potential than carbon dioxide, include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is uncertainty concerning the magnitude and rate of the warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years.[22] Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

The California Energy Commission (CEC) estimated that in 2004 California produced 500 million gross metric tons (about 550 million U.S. tons) of carbon dioxide-equivalent GHG emissions.[23] The CEC found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 23 percent and

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[22] California Air Resources Board (ARB), 2006a. Climate Change website http://www.arb.ca.gov/cc/120106workshop/intropres12106.pdf, accessed December 4, 2007.

[23] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

industrial sources at 13 percent.[24] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of the Bay Area's GHG emissions, accounting for just over half of the Bay Area's 85 million tons of GHG emissions in 2002. Industrial and commercial sources were the second largest contributors of GHG emissions with about one-fourth of total emissions. Domestic sources (e.g., home water heaters, furnaces, etc.) account for about 11 percent of the Bay Area's GHG emissions, followed by power plants at seven percent. Oil refining currently accounts for approximately six percent of the total Bay Area GHG emissions.[25]

Statewide Actions

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of greenhouse gases (GHG) would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels.[26]

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

AB 32 establishes a timetable for the CARB to adopt emission limits, rules, and regulations designed to achieve the intent of the Act. CARB staff is preparing a scoping plan to meet the 2020 greenhouse gas reduction limits outlined in AB 32. In order to meet these goals, California must reduce their greenhouse gases by 30 percent below projected 2020 business as usual emissions levels, or about 10 percent from today's levels. In June 2008, CARB released their Draft Scoping Plan, which estimates a reduction of 169 million metric tons of CO_2-eq ($MMTCO_2$-eq). Approximately one-third of the emissions reductions strategies fall within the transportation sector and include the following: California Light-Duty Vehicle GHG standards,

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[24] California Energy Commission, Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004 -
Final Staff Report, publication # CEC-600-2006-013-SF, December 22, 2006; and January 23, 2007 update to that report. Available on the internet at: http://www.arb.ca.gov/cc/ccei/emsinv/emsinv.htm.

[25] BAAQMD, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2002, November 2006. Available on the internet at: http://www.baaqmd.gov/pln/ghg_emission_inventory.pdf.

[26] California Air Resources Board (CARB), Climate Change Draft Scoping Plan: A Framework for Change, June 2008 Discussion Draft. Available on the internet at: http://www.climatechange.ca.gov/index.php. Accessed July 29, 2008.

the Low Carbon Fuel Standard, Heavy-Duty Vehicle GHG emission reductions and energy efficiency, and medium and heavy-duty vehicle hybridization, high speed rail, and efficiency improvements in goods movement. These measures are expected to reduce GHG emissions by 60.2 $MMTCO_2$-eq. Emissions from the electricity sector are expected to reduce another 49.7 $MMTCO_2$-eq. Reductions from the electricity sector include building and appliance energy efficiency and conservation, increased combined heat and power, solar water heating (AB 1470), the renewable energy portfolio standard (33 percent renewable energy by 2020), and the existing million solar roofs program. Other reductions are expected from industrial sources, agriculture, forestry, recycling and waste, water, and emissions reductions from cap-and-trade programs. Local government actions and regional GHG targets are also expected to yield a reduction of 2 $MMTCO_2$-eq.[27] Measures that could become effective during implementation pertain to construction-related equipment and building and appliance energy efficiency. Some proposed measures will require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA). Applicable measures that are ultimately adopted will become effective during implementation of proposed project and the proposed project could be subject to these requirements, depending on the proposed project's timeline.

Local Actions

San Francisco has a history of environmental protection policies and programs aimed at improving the quality of life for San Francisco's residents and reducing impacts on the environment. The following plans, policies and legislation demonstrate San Francisco's continued commitment to environmental protection.

Transit First Policy. In 1973 San Francisco instituted the Transit First Policy which added Section 16.102 to the City Charter with the goal of reducing the City's reliance on freeways and meeting transportation needs by emphasizing mass transportation. The Transit First Policy gives priority to public transit investments; adopts street capacity and parking policies to discourage increased automobile traffic; and encourages the use of transit, bicycling and walking rather than use of single-occupant vehicles.

San Francisco Sustainability Plan. In July 1997 the Board of Supervisors approved the Sustainability Plan for the City of San Francisco establishing sustainable development as a fundamental goal of municipal public policy.

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[27] Ibid.

The Electricity Resource Plan (Revised December 2002). San Francisco adopted the Electricity Resource Plan to help address growing environmental health concerns in San Francisco's southeast community, home of two power plants. The plan presents a framework for assuring a reliable, affordable, and renewable source of energy for the future of San Francisco.

The Climate Action Plan for San Francisco. In February 2002, the San Francisco Board of Supervisors passed the Greenhouse Gas Emissions Reduction Resolution (Number 158-02) committing the City and County of San Francisco to a GHG emissions reduction goal of 20 percent below 1990 levels by the year 2012. In September 2004, the San Francisco Department of the Environment and the Public Utilities Commission published the Climate Action Plan for San Francisco: Local Actions to Reduce Greenhouse Gas Emissions.[28] The Climate Action Plan provides the context of climate change in San Francisco and examines strategies to meet the 20 percent greenhouse gas reduction target. Although the Board of Supervisors has not formally committed the City to perform the actions addressed in the Plan, and many of the actions require further development and commitment of resources, the Plan serves as a blueprint for GHG emission reductions, and several actions have been implemented or are now in progress.

San Francisco Municipal Transportation Agency's Zero Emissions 2020 Plan. The SFMTA's Zero Emissions 2020 plan focuses on the purchase of cleaner transit buses including hybrid diesel-electric buses. Under this plan hybrid buses will replace the oldest diesel buses, some dating back to 1988. The hybrid buses emit 95 percent less particle matter (PM, or soot) than the buses they replace, the produce 40 percent less oxides of nitrogen (NOx), and they reduce greenhouse gases by 30 percent.

LEED® Silver for Municipal Buildings. In 2004, the City amended Chapter 7 of the Environment code, requiring all new municipal construction and major renovation projects to achieve LEED® Silver Certification from the US Green Building Council.

Zero Waste. In 2004, the City of San Francisco committed to a goal of diverting 75 percent of its' waste from landfills by 2010, with the ultimate goal of zero waste by 2020. San Francisco currently recovers 69 percent of discarded material.

Construction and Demolition Debris Recovery Ordinance. In 2006 the City of San Francisco adopted Ordinance No. 27-06, requiring all construction and demolition debris to be transported to a registered facility that can divert a minimum of 65 percent of the material from landfills. This ordinance applies to all construction, demolition and remodeling projects within the City.

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[28] San Francisco Department of the Environment and San Francisco Public Utilities Commission, Climate Action Plan for San Francisco, Local Actions to Reduce Greenhouse Emissions, September 2004.

Greenhouse Gas Reduction Ordinance. In May 2008, the City of San Francisco adopted an ordinance amending the San Francisco Environment Code to establish City greenhouse gas emission targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings. The ordinance establishes the following greenhouse gas emission reduction limits for San Francisco and the target dates to achieve them:

- Determine 1990 City greenhouse gas emissions by 2008, the baseline level with reference to which target reductions are set;
- Reduce greenhouse gas emissions by 25 percent below 1990 levels by 2017;
- Reduce greenhouse gas emissions by 40 percent below 1990 levels by 2025; and
- Reduce greenhouse gas emissions by 80 percent below 1990 levels by 2050.

The ordinance also specifies requirements for City departments to prepare departmental Climate Action Plans that assess, and report to the Department of the Environment, GHG emissions associated with their department's activities and activities regulated by them, and prepare recommendations to reduce emissions. As part of this, the San Francisco Planning Department is required to: (1) update and amend the City's applicable General Plan elements to include the emissions reduction limits set forth in this ordinance and policies to achieve those targets; (2) consider a project's impact on the City's GHG reduction limits specified in this ordinance as part of its review under CEQA; and (3) work with other City departments to enhance the "transit first" policy to encourage a shift to sustainable modes of transportation thereby reducing emissions and helping to achieve the targets set forth by this ordinance.

Go Solar SF. On July 1, 2008, the San Francisco Public Utilities Commission (SFPUC) launched their "GoSolarSF" program to San Francisco's businesses and residents, offering incentives in the form of a rebate program that could pay for approximately half the cost of installation of a solar power system, and more to those qualifying as low-income residents.

City of San Francisco's Green Building Ordinance. On August 4, 2008, Mayor Gavin Newsom signed into law San Francisco's Green Building Ordinance for newly constructed residential and commercial buildings and renovations to existing buildings. The ordinance specifically requires newly constructed commercial buildings over 5,000 square feet (sq. ft.), residential buildings over 75 feet in height, and renovations on buildings over 25,000 sq. ft. to be subject to an unprecedented level of LEED® and green building certifications, which makes San Francisco the city with the most stringent green building requirements in the nation. Cumulative benefits of this ordinance includes reducing CO_2 emissions by 60,000 tons, saving 220,000 megawatt hours of power, saving 100 million gallons of drinking water, reducing waste and storm water by 90 million gallons of water, reducing construction and demolition waste by 700 million

pounds, increasing the valuations of recycled materials by $200 million, reducing automobile trips by 540,000, and increasing green power generation by 37,000 megawatt hours.[29]

The Green Building Ordinance also continues San Francisco's efforts to reduce the City's greenhouse gas emissions to 20 percent below 1990 levels by the year 2012, a goal outlined in the City's 2004 Climate Action Plan. In addition, by reducing San Francisco's emissions, this ordinance also furthers the State's efforts to reduce greenhouse gas emissions statewide as mandated by the California Global Warming Solutions Act of 2006.

The City has also passed ordinances to reduce waste from retail and commercial operations. Ordinance 295-06, the Food Waste Reduction Ordinance, prohibits the use of polystyrene foam disposable food service ware and requires biodegradable/compostable or recyclable food service ware by restaurants, retail food vendors, City Departments and City contractors. Ordinance 81-07, the Plastic Bag Reduction Ordinance, requires stores located within the City and County of San Francisco to use compostable plastic, recyclable paper and/or reusable checkout bags.

The San Francisco Planning Department and Department of Building Inspection have also developed a streamlining process for Solar Photovoltaic (PV) Permits and priority permitting mechanisms for projects pursuing LEED® Gold Certification.

The City's *Planning Code* reflects the latest smart growth policies and includes: electric vehicle refueling stations in city parking garages, bicycle storage facilities for commercial and office buildings, and zoning that is supportive of high density mixed-use infill development. The City's more recent area plans, such as Rincon Hill and the Market and Octavia Area Plan, provide transit-oriented development policies. At the same time there is also a community-wide focus on ensuring San Francisco's neighborhoods as "livable" neighborhoods, including the Better Streets Plan that would improve streetscape policies throughout the City, the Transit Effectiveness Plan, that aims to improve transit service, and the Bicycle Plan, all of which promote alternative transportation options. The City also provides incentives to City employees to use alternative commute modes and the City recently introduced legislation that would require almost all employers to have comparable programs.

Each of the policies and ordinances discussed above include measures that would decrease the amount of greenhouse gases emitted into the atmosphere and decrease San Francisco's overall contribution to climate change.

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[29] These findings are contained within the final Green Building Ordinance, signed by the Mayor August 4, 2008.

Although neither the Bay Area Air Quality Management District (BAAQMD) or any other agency has adopted significance criteria for evaluating a project's contribution to climate change, the Office of Planning and Research (OPR) has asked the California Air Resources Board to "recommend a method for setting thresholds of significance to encourage consistency and uniformity in the CEQA analysis of GHG emissions" throughout the state because OPR has recognized that "the global nature of climate change warrants investigation of a statewide threshold for GHG emissions."[30] In the interim, on June 19, 2008 OPR released a Technical Advisory for addressing climate change through CEQA review. OPR's technical advisory offers informal guidance on the steps that lead agencies should take to address climate changes in their CEQA documents, in the absence of statewide thresholds. OPR will develop, and the California Resources Agency will certify and adopt amendments to the CEQA guidelines on or before January 1, 2010, pursuant to Senate Bill 97.

The informal guidelines in OPR's technical advisory provide the basis for determining proposed project's contribution of greenhouse gas emissions and the project's contribution to global climate change. In the absence of adopted statewide thresholds, OPR recommends the following approach for analyzing greenhouse gas emissions:

- Identify and quantify the project's greenhouse gas emissions;
- Assess the significance of the impact on climate change; and
- If the impact is found to be significant, identify alternatives and/ or mitigation measures that would reduce the impact to less than significant levels.

The following analysis is based on OPR's recommended approach for determining a project's contribution to and impact on climate change.

Identifying and quantifying a project's greenhouse gas emissions. OPR's technical advisory states that "the most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide." State law defines GHG to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project, however, the GHG calculation does include emissions from CO_2, N_2O, and CH_4, as recommended by OPR. The informal guidelines also advise that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water usage and construction activities. The calculation presented below includes construction emissions in terms of CO_2 and annual CO_2-eq GHG

[30] Governor's Office of Planning and Research. Technical Advisory- CEQA and Climate Change: Addressing Climate Change to the California Environmental Quality Act (CEQA) Review. June 19, 2008. This document is available online at the Office of Planning and Research's website at: www.opr.gov. Accessed 07/24/2008.

emissions from increased vehicular traffic, energy consumption, as well as estimated GHG emissions from solid waste disposal. While San Francisco's population and businesses are expected to increase, overall projected water demand for San Francisco in 2030 is expected to decrease from current water demand due to improvements in plumbing code requirements and additional water conservation measures implemented by the San Francisco Pubic Utilities Commission (SFPUC).[31] Given the anticipated degree of water conservation, GHG emissions associated with the transport and treatment of water usage would similarly decrease through 2030, and therefore increased GHG emissions from water usage is not expected.

The proposed project would increase the activity onsite through a change of use by replacing the site's commercial parking uses with a mixed-use residential building. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of traffic increases (mobile sources) and residential and commercial operations associated with heating, energy use, water usage and wastewater treatment, and solid waste disposal (area sources). Construction of the proposed project would emit 13,234 tons CO_2-eq.[32] Direct project emissions of carbon dioxide equivalents (CO_2-eq) (including CO_2, NOx, and CH_4 emissions) include 1,163 tons of CO_2-eq/year from transportation, and 1,747 tons of CO_2-eq /year from heating, for a total of 2,910 tons of CO_2-eq/year of project-emitted GHGs. The project would also indirectly result in GHG emissions from off-site electricity generation at power plants (approximately 370 tons of CO_2-eq/year) and from anaerobic decomposition of solid waste disposal at landfills, mostly in the form of methane (approximately 17 tons of CO_2-eq/year), for a GHG emissions total of approximately 3,297 tons of CO_2-eq/year. Construction emissions represent approximately 0.004 percent of Bay Area GHGs emitted in 2002.[33]

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[31] The San Francisco Public Utilities Commission's (SFPUC) City and County of San Francisco Retail Water Demands and Conservation Potential, November 2004, documents the current and projected water demand given population and housing projections from Citywide Planning. This document is available at the SFPUC's website at: http://sfwater.org/detail.cfm/MC_ID/13/MSC_ID/165/C_ID/2281. Accessed 07/28/2008. The analysis provides projections of future (2030) water demand given anticipated water conservation measures from plumbing code changes, measures the SFPUC currently implements, and other measures the SFPUC anticipates on implementing. Conservation measures the SFPUC currently implements results in an overall reduction of 0.64 million gallons of water per day (mgd).

[32] Construction emissions and annual emissions are not intended to be additive as they occur at different points in the project's lifecycle. Construction emissions are one-time emissions that occur prior to building occupancy. Annual emissions are incurred only after construction of the proposed project and are expected to occur annually for the life of the project.

[33] The Bay Area Air Quality Management District reported regional Bay Area GHGs emissions in 2002 at approximately 85 million CO2-eq tons. Bay Area 2002 GHG emissions are used as the baseline for determining whether a project's contributions are significant as these are the most recent emissions inventory for the bay area.

Assessing the significance of the impact on climate change. The project's incremental increases in GHG emissions associated with construction, traffic increases and residential/commercial heating, electricity use, and solid waste disposal would contribute to regional and global increases in GHG emissions and associated climate change effects.

OPR encourages public agencies to adopt thresholds of significance, but notes that public agencies are not required to do so. Until a statewide threshold has been adopted, the Department analyzes a proposed project's contribution to climate change against the following significance criteria:

1. Does the project conflict with the state goal of reducing GHG emissions in California to 1990 levels by 2020, as set forth by the timetable established in AB 32 (California Global Warming Solutions Act of 2006), such that the project's GHG emissions would result in a substantial contribution to global climate change?
2. Does the proposed project conflict with San Francisco's Climate Action Plan such that it would impede implementation of the local greenhouse gas reduction goals established by San Francisco's Greenhouse Gas Reduction Ordinance?

The 2020 GHG emissions limit for California, as adopted by CARB in December of 2007 is approximately 427 $MMTCO_2$-eq. The proposed project's annual contribution would be less than 0.001 percent of this total 2020 emissions limit, and therefore the proposed project would not generate sufficient emissions of GHGs to contribute considerably to the cumulative effects of GHG emissions such that it would impair the state's ability to implement AB32, nor would the proposed project conflict with San Francisco's local actions to reduce GHG emissions.

OPR's guidance states that, "Although climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment. CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project". And, "In determining whether a proposed project's emissions are cumulatively considerable, the lead agency must consider the impact of the project when viewed in connection with the effects of "past, current and probable future projects."

As discussed previously, San Francisco has been actively pursuing cleaner energy, transportation and solid waste policies. In an independent review of San Francisco's community wide emissions it was reported that San Francisco has achieved a five percent reduction in communitywide greenhouse gas emissions below the Kyoto Protocol 1990 baseline levels. The 1997 Kyoto Protocol sets a greenhouse gas reduction target of seven percent below 1990 levels by 2012. The "community-wide inventory" includes greenhouse gas emissions

generated by San Francisco by residents, businesses, and commuters, as well as municipal operations. The inventory also includes emissions from both transportation sources and from building energy sources.

Probable future greenhouse gas reductions will be realized by implementation of San Francisco's recently approved Green Building Ordinance. Additionally, the recommendations outlined in the Draft AB 32 Scoping Plan will likely realize major reductions in vehicle emissions.

Further, the State of California Attorney General's office has compiled a list of greenhouse gas reduction measures that could be applied to a diverse range of projects.[34] The proposed project would meet the intent of many of the greenhouse gas reduction measures identified by the Attorney General's office: (1) As infill development, the project would be constructed in an urban area with good transit access, reducing vehicle trips and vehicle miles traveled, and therefore the project's transportation-related GHG emissions would tend to be less relative to the same amount of population and employment growth elsewhere in the Bay Area, where transit service is generally less available than in the central city of San Francisco;[35] (2) As new construction, the proposed project would be required to meet California Energy Efficiency Standards for Residential and Nonresidential Buildings, helping to reduce future energy demand as well as reduce the project's contribution to cumulative regional GHG emissions; (3) the proposed project would also be required to comply with the Construction Demolition and Debris Recovery Ordinance (Ordinance No. 27-06), requiring at least 65 percent of all construction and demolition material to be diverted from landfills; and (4) the proposed project would plant eight street trees. Trees would be Gingko Biloba, "Fairmount" or "Autumn Gold" variety regulating outdoor temperatures and aiding in carbon sequestration.[36]

Given that: (1) the proposed project would not contribute significantly to global climate change such that it would impede the State's ability to meet its greenhouse gas reduction targets under AB 32, or impede San Francisco's ability to meet its greenhouse gas reduction targets under the Greenhouse Gas Reduction Ordinance; (2) San Francisco has implemented programs to reduce

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[34] State of California, Department of Justice, "The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level." Updated 3/11/08. Available at: http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf. Accessed 04/11/2008.

[35] The California Air Pollution Control Officer's, CEQA and Climate Change (January 2008) white paper identifies infill development as yielding a "high" emissions reduction score (between 3-30%). This paper is available online at: http://www.capcoa.org/ceqa/CAPCOA%20White%20Paper%20-%20CEQA%20and%20Climate%20Change.pdf. Accessed April 15, 2008.

[36] Carbon sequestration is the capture and long-term storage of carbon dioxide before it is emitted into the atmosphere.

greenhouse gas emissions specific to new construction and renovations of residential and commercial developments; (3) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels, and (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change, the proposed project would not contribute significantly, either individually or cumulatively, to global climate change.

Toxic Air Contaminants / Roadway Particulate Exposure. The California Air Resources Board (CARB) established its statewide comprehensive air toxics program in the early 1980s. CARB created California's program in response to the Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner 1983) to reduce exposure to air toxics. CARB identifies 244 substances as Toxic Air Contaminants (TACs) that are known or suspected to be emitted in California and have potential adverse health effects. Public health research consistently demonstrates that pollutant levels are significantly higher near freeways and busy roadway and human health studies demonstrate that children living within 100 to 200 meters of freeways or busy roadways have poor lung function and more respiratory disease; both chronic and acute health effects may result from exposure to TACs. In 2005, CARB issued guidance on preventing roadway related air quality conflicts, suggesting localities "avoid siting new sensitive land uses within 500 feet of a freeway [or other] urban roads with volumes of more than 100,000 vehicles/day."[37] However, there are no existing federal or state regulations to protect sensitive residential uses from roadway air pollutants.

The San Francisco Department of Public Health (DPH) has issued guidance for the identification and assessment of potential air quality hazards and methods for assessing the associated health risks.[38] Consistent with CARB guidance, DPH has identified that a potential public health hazard for sensitive land uses exists when such uses are located within a 150-meter (approximately 500-foot) radius of any boundary of a project site that experiences 100,000 vehicles per day. The project site, at 168 Eddy Street is not located within 500 feet of roadways with traffic in excess of 100,000 vehicles per day. The major roadways within 500 feet of the project site, including Eddy, Ellis, Turk, Mason and Taylor Streets carry a total of approximately

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[37] California Air Resources Board, *2005 Air Quality and Land Use Handbook: A Community Health Perspective*, http://www.arb.ca.gov/ch/landuse.htm, accessed September 8, 2008.

[38] San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008, http://dphwww.sfdph.org/phes/publications/Mitigating_Roadway_AQLU_Conflicts.pdf, accessed September 8, 2008.

57,100 vehicles/day.[39] Thus, the proposed project is not expected to result in a significant impact from exposure of sensitive receptors to TACs.

Odors. The project would include residential and retail uses, neither of which are expected to generate substantial objectionable odors. The project would not expose sensitive receptors to objectionable odors.

Effects of Variants. Variants 2 and 3 would be similar buildings as with the proposed project, and the construction period would be the same; thus, the construction emissions would be comparable. Since the proposed project and the variants would employ the same energy, heating, cooling, and lighting designs and generate comparable vehicular emissions, emissions from operations (including GHGs) would also be the same, all impacts would less than significant.

Cumulative Air Quality. The proposed project would be generally consistent with the *General Plan* and air quality management plans such as the *Bay Area 2000 Clean Air Plan,* and the *Bay Area 2005 Ozone Strategy.* Additionally, the *General Plan, Planning Code* and the City Charter implement various transportation control measures identified in the City's Transit First Program, bicycle parking requirements, transit development fees and other actions. Accordingly, the proposed project would not contribute considerably to cumulative air quality impacts, including potential climate change impacts, nor would it interfere with implementation of the *Bay Area 2005 Ozone Strategy* or *2001 Ozone Attainment Plan,* which are the applicable regional air quality plans developed to improve air quality towards attaining the state and federal air quality standards. As such, operational characteristics of the proposed project would not result in cumulatively considerable increases in regional air pollutants.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
8. WIND AND SHADOW					
Would the project:					
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☒	☐	☐
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☒	☐	☐

Wind. In order to provide a comfortable wind environment for people in San Francisco, the City has established specific comfort criteria to be used in the evaluation of wind generation

[39] State of California, Environmental Health Investigations Branch, California Environmental Health Tracking Program Distance-Weighted Traffic Volume Tool, http://www.ehib.org/traffic_tool.jsp, accessed September 8, 2008.

associated with large buildings in certain areas of the City. Large structures can affect street-level wind conditions. Such effects can occur when a new massive building extends above neighboring buildings, or contributes to the creation of a large wall facing into prevailing winds. Such potential impacts can be reduced or avoided by building articulation, such that winds are not diverted to the street by a large, flat building facade. Prevailing winds in the City are from the west and northwest.

The San Francisco *Planning Code* establishes wind criteria for C-3 Districts under *Planning Code* Section 148. While the project site is not in a C-3 District, these wind criteria are applied to the current analysis to evaluate potential wind impacts associated with proposed project. Section 148 sets comfort levels of seven miles-per-hour (mph) equivalent wind speed for public seating areas and 11 mph equivalent wind speed for areas of substantial pedestrian use, each not to be exceeded more than 10 percent of the time from 7 am to 6 pm. In addition to the comfort criteria, *Planning Code* establishes a wind hazard criterion. The hazard criterion is set at an hourly averaged wind speed of 26 mph, which is not to be exceeded for a single hour of the year. Exceedence of the wind hazard criterion would constitute a significant impact.

To assess the proposed project's wind impacts, a wind study was completed in June 2008.[40] The study used a one inch: 50 foot scale model of the City and wind generators to simulate real-world wind patterns. A total of 25 velocity measurement locations were selected for this study located along public sidewalk areas adjacent to and near the project site (see Figure 13 p. 72). One measurement was taken at the rooftop of the proposed building, where a terraced open space for residents is proposed. The wind study tested existing and existing plus project conditions. The "existing conditions" included the under-construction buildings at 125 Mason Street and 149 Mason Street. The Planning Department did not identify other proposed or approved projects in the vicinity that would require testing of project plus cumulative wind conditions.

Comfort Criterion

Based on the model, the existing conditions in the proposed project vicinity would be considered windy. The average wind speed for the 25 sidewalk test point locations is approximately 12.2 mph. The highest wind speed in the vicinity (23 mph) occurs near the northeast corner of Taylor Street and Ellis Street. Eleven of the 25 sidewalk locations currently meet the *Planning Code's* pedestrian-comfort criterion value of 11 mph.

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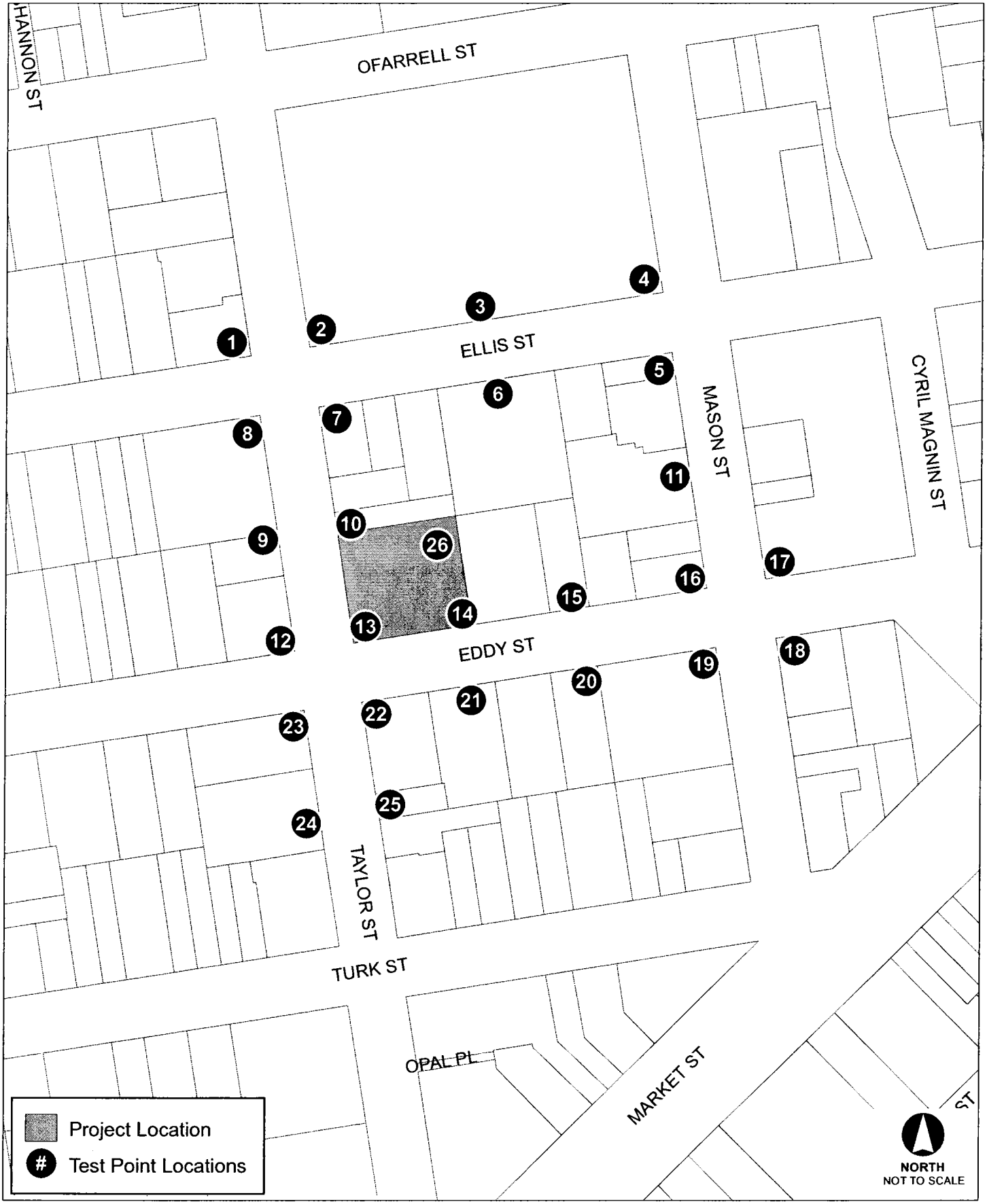
[40] Donald J. Ballanti, Certified Consulting Meteorologist, Wind Tunnel Analysis for the Proposed Eddy/Taylor Street Project, July 2008. This report is available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400 in Case File No. 2007.1342E.



SOURCE: Donald J. Ballanti, Certified Consulting Meteorologist, 2008.

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 13: WIND STUDY TEST POINT LOCATIONS

Fourteen of the 25 sidewalk test points exceed the *Planning Code's* pedestrian comfort value of 11 mph (more than 10 percent of the time) under existing conditions. These exceedances are generally located along Ellis Street and Eddy Street, and at the intersections of Taylor Street with Ellis Street and Eddy Street.

The addition of the proposed project building to the area would cause a general reduction in winds. The average wind speed for all test points would decrease to 11.6 mph under project conditions. Wind speeds in sidewalk pedestrian areas would range from seven mph to 22 mph, compared with a range of six to 23 mph under existing conditions. As shown in Table 5, p. 74, the project would eliminate three existing pedestrian comfort criterion exceedances (at points 19, 22 and 23), while creating one new exceedance at point 21, just to the east of the southeast corner of Eddy and Taylor Streets on the south side of the street. Twelve of the 25 sidewalk test points would exceed the comfort criterion. The test point on the project rooftop terrace would meet the comfort criterion.

Wind Hazard Criterion

As shown in Table 6, p. 75, the hazard criterion is set at an hourly averaged wind speed of 26 mph, which is not to be exceeded for a single hour of the year; 24 of the 25 sidewalk test locations currently meet the wind hazard criterion. The northeast corner of the intersection of Taylor and Ellis Streets currently exceeds the wind hazard criterion. The calculated exceedance under existing conditions is 29 hours per year.

With the proposed project, the existing exceedance of the wind hazard criterion would continue at the northeast corner of the Taylor and Ellis Street intersection. However, total hours of exceedance would be reduced, from the 29 hours per year to 15 hours per year with the project. Thus, the proposed project would cause an overall reduction in wind speeds in the project vicinity, including a reduction in hours per years of an existing exceedance of the wind hazard criterion.

Shadow. Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect certain public open spaces from additional shadowing by new structures in all zoning districts. Section 295 restricts new shadow upon public parks and open spaces under the jurisdiction of the Recreation and Park Commission by any structure exceeding 40 feet in height, unless the Planning Commission, in consultation with the General Manager of the Recreation and Park Department and the Recreation and Park Commission, finds the impact of the new shadows on the use of the park property to be insignificant. Boeddeker Park, one-half block west of the project site, falls within the jurisdiction of the Recreation and Park Commission and is therefore subject to *Planning Code* Section 295.

TABLE 5
WIND STUDY COMFORT CRITERION CONDITIONS

		Existing		Project	
Location	Criterion (MPH)	Velocity (MPH)	% Time Above Criterion	Velocity (MPH)	% Time Above Criterion
1	11	14	19	14	21
2	11	23	54	22	51
3	11	17	33	18	34
4	11	14	19	12	15
5	11	11	8	9	4
6	11	12	15	13	20
7	11	12	13	13	18
8	11	12	17	12	13
9	11	11	10	10	9
10	11	15	18	12	13
11	11	9	5	9	4
12	11	12	15	10	7
13	11	13	20	14	18
14	11	14	17	9	6
15	11	9	3	9	3
16	11	8	2	7	0
17	11	11	11	11	10
18	11	11	11	9	3
19	11	13	18	10	6
20	11	11	11	8	4
21	11	11	9	13	17
22	11	13	18	12	18
23	11	15	27	16	30
24	11	6	0	7	1
25	11	8	3	11	10
26	11	-	-	10	8

Source: Donald Ballanti, 2008.
Notes: Exceedances of the comfort criterion are shaded in grey.

TABLE 6
WIND STUDY HAZARD CRITERION RESULTS

Location	Existing		Project	
	Measured Equivalent Wind Speed	Hours Per Year Above Hazard Criterion	Measured Equivalent Wind Speed	Hours Per Year Above Hazard Criterion
1	23		24	
2	43	29	41	15
3	30		30	
4	25		23	
5	18		18	
6	23		26	
7	26		27	
8	21		21	
9	23		22	
10	32		25	
11	20		17	
12	21		19	
13	23		29	
14	31		20	
15	16		16	
16	16		13	
17	23		21	
18	29		16	
19	32		22	
20	24		19	
21	22		25	
22	22		23	
23	29		31	
24	11		15	
25	18		24	
26	-		19	
Total Hours		29		15

Source: Donald Ballanti, 2008.
Notes: Exceedances of hazard criterion shaded in grey.

Boeddeker Park is divided into two connected sections: there is a southern section located at the intersection of Jones and Eddy Streets, and a northern section which is located mid-block on the northern side of the block along Ellis Street. Boeddeker Park contains landscaped areas, walkways and plazas for active and passive uses. Boeddeker Park is enclosed by an eight-foot fence and locked at night. The stated hours of operation for Boeddeker Park are from 9:00 a.m. to 6:00 p.m., 365 days per year.[41]

A shadow study of the proposed building was completed by CADP, Inc. in June 2008.[42] CADP, Inc. used computer models to calculate the net increase in square feet, and square-foot-hours of shade on the park, from one hour after sunrise to one hour before sunset. The project would shade a portion of Boeddeker Park from mid-January to late November in the first 30 to 75 minutes after sunrise plus one hour cutoff specified by Section 295. Shadow impacts would be restricted to the northern leg of the park, generally south of the Ellis Street entrance to the park. The southern portion of the park would not be affected during any time of the day regulated by Section 295. (Figure 14, p. 77, illustrates shadow effects on the park.) The maximum shadowing would occur in March and September, when the proposed project would shade a portion of the northern part of Boeddeker Park from 8:00 to 9:15 a.m. The proposed project would add about 369,410 net new annual square foot-hours of shadow to the theoretical potential of approximately 94,156,390 square foot-hours of sun[43], increasing shade gsf-hours by 0.39 percent. The Recreation and Park Department has set a tolerance level of zero percent for additional cumulative shadow impacts on Boeddeker Park. The majority of the proposed project's shadow effects would occur before the park opens at 9:00 a.m. The maximum project shadowing on the park would cover an area of approximately 3,111 square feet at about 8:45 a.m. on September 12 and March 30 and no new shadow would occur on any day after 9:30 a.m. (See Figure 14, p. 77)

Given the time of day when the project-related shadowing would occur, the closed hours of the park before 9:00 a.m., and the small amount of shadow cast, it is unlikely that the addition of new project-related shadow would adversely affect use or enjoyment of the park during the hours of shadowing (before 9:30 a.m.). Therefore, the proposed project would not create new

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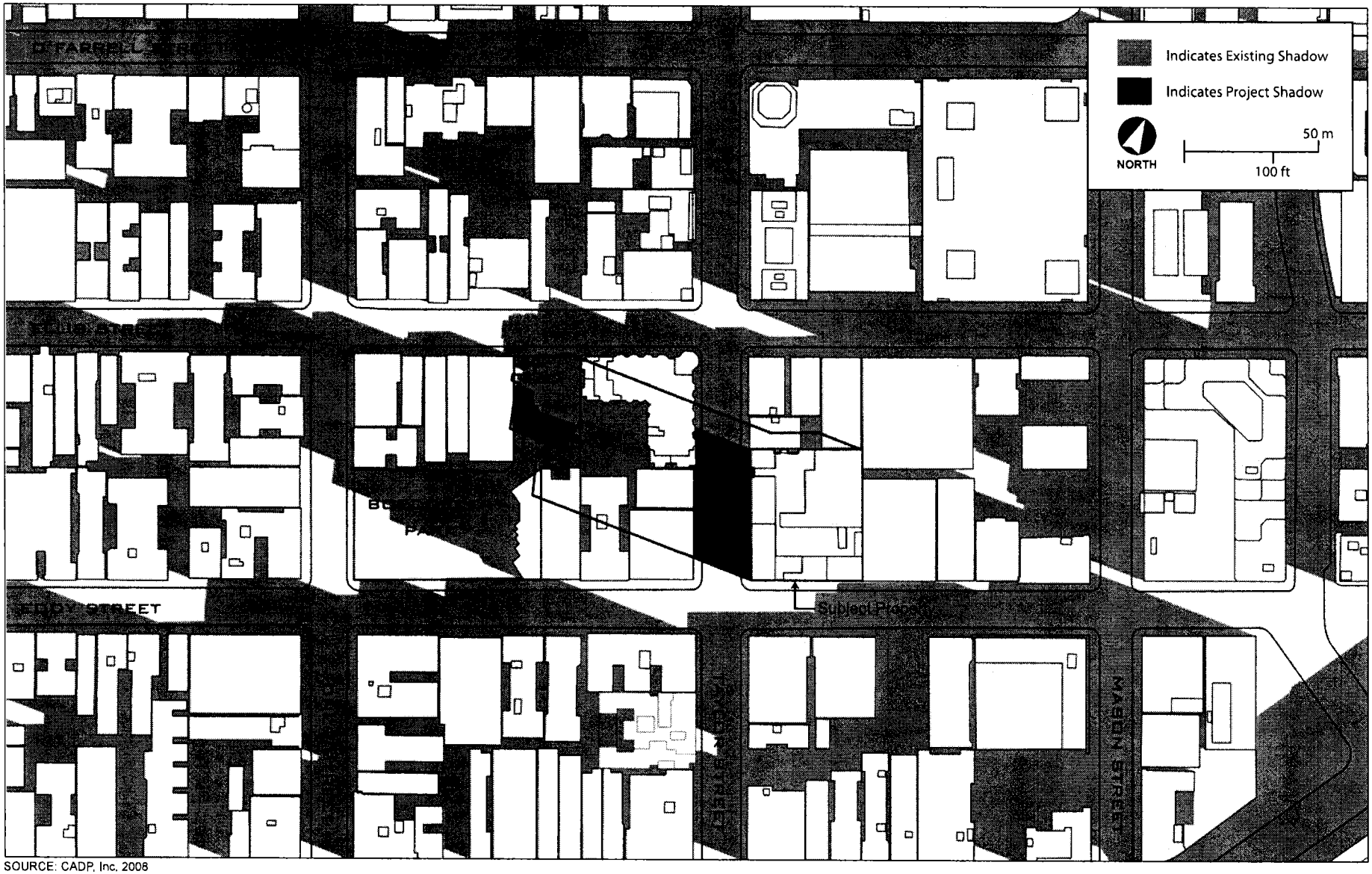
41 San Francisco Recreation and Park Department. http://www.parks.sfgov.org/site/recpark_index.asp?id=27327, accessed July 8, 2008.

42 Technical Memorandum, July 1, 2008, Evaluation of Potential Section 295 Shadows, Proposed Eddy and Taylor Family Housing. This report is available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400 in Case File No. 2007.1342E

43 Shadow limits and theoretical sunlight potential established by Proposition K. Memorandum to Planning Commission from the Recreation and Park Department and the Planning Department, February 3, 1989.



SOURCE: CADP, Inc. 2008

EDDY & TAYLOR FAMILY HOUSING PROJECT

FIGURE 14: MAXIMUM SHADOW ON BOEDDEKER PARK (SEPTEMBER 12, 8:45 A.M. PDT)

shadow in a manner that would substantially affect outdoor recreational facilities or other public areas.

On December 4, 2008, the Planning Commission and the Recreation and Park Commission, in a joint meeting, each approved a resolution of intent to increase the absolute cumulative shadow for Boeddeker Park by 0.24 percent, in order to accommodate the new shadow cast by the proposed project. The Recreation and Park Commission and the Planning Commission will make findings regarding project shadow effects on Boeddeker Park as part of the subsequent approval processes.

Effects of Variants. Variant 2 and 3 would have the same building design as the proposed project; the wind and shadow impacts would be the same as with the proposed project, and would be less than significant.

Cumulative Wind and Shadow. The under-construction 125 Mason Street and 149 Mason Street projects were considered as part of cumulative conditions evaluated for wind and shadow effects with the proposed project. Those two projects will have less-than-significant wind and shadow effects: thus, the proposed project, when considered with the other cumulative development and surrounding uses, would not result in a cumulatively considerable contribution to wind and shadow effects.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
9. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☒	☐	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐	☐
c) Physically degrade existing recreational resources?	☐	☐	☒	☐	☐

Parks and Recreation. In 1998, the City of San Francisco initiated the Great Parks for a Great City Assessment Project to determine the conditions of the park system, as well as to determine future needs. In August of 2004, the San Francisco Recreation and Park Department published a Recreation Assessment Report (Report) that evaluates the recreational needs of San Francisco residents.[44] Nine service area maps were developed for the report. The service area maps were

[44] San Francisco Recreation and Park Department, *Recreation Assessment Report*, August 2004. Accessed at http://www.parks.sfgov.org/site/recpark_index.asp?id=27310 on July 2, 2008.

intended to help Recreation and Park Department staff and key leadership assess where services are offered, how equitable the service delivery is across the City, and how effective the service is as it applies to participating levels overlaid against the demographics of where the service is provided. Parks and recreational facilities in the area include Boeddeker Park, one-half block west of the project site, Tenderloin Recreation Center, three-and-one-half blocks northwest, Hyde & Turk Mini-Park, three blocks west, Sgt. John Macauley Park, five blocks northwest, Civic Center Plaza, eight blocks west, Hallidie Plaza, one-and-one-half blocks east, and Union Square, five blocks northeast of the project site. The addition of 280 and 706 projected residents from the project would incrementally increase the demand for park and recreation services and facilities in the Tenderloin, but not in excess of the amounts provided for in the project vicinity. Residents would likely use Boeddeker Park, which includes landscaped areas, seating, a children's play structure, and a recreation building. Based on overall current use of that park, the park would accommodate that demand. Residents could also use other parks in the vicinity noted above.

The project would provide 6,635 gsf of open space in an above-grade courtyard, and 5,028 gsf of open space in five rooftop gardens on levels nine, 11, 12, and 13. The total open space of 11,661 gsf would exceed *Planning Code* requirements.[45] The provision of open space through the courtyard and rooftop gardens would provide recreation and outdoor opportunities on site, reducing impact of the project on surrounding recreation areas.

The proposed project would not increase use of nearby recreation facilities such that physical deterioration or degrading of the facilities would occur, and the proposed project would provide on-site open space. Moreover, the project's estimated resident population would not require the construction of new parks or open spaces to accommodate demand for such facilities. Therefore, the project would not have significant adverse effects on recreation facilities.

Effects of Variants. Variants 2 and 3 would have similar residential population as with the proposed project, and effects on recreation services would be less than significant.

Cumulative Recreation Facility Impacts. Recreation facility use would also increase with completion of the 125 Mason Street and 149 Mason Street projects. Those projects would also meet *Planning Code* requirements for provision of common/open space, and would provide

[45] Section 135 of the *Planning Code* requires that a minimum of 48 gsf of common usable open space per unit be provided in the RC-4 zoning district, or 8,544 gsf for the proposed 178 units. The proposed project would provide 62 gsf of common usable space per unit, or 30 percent more than required by the *Planning Code*.

recreation and community facilities on-site for residents. Residents of existing and planned development in the vicinity would use the parks and recreation facilities listed above. The cumulative demand would not be expected to increase use of recreation facilities such that physical deterioration or degrading would occur. Thus, the proposed project would not have a significant impact on recreation or community facility resources, nor would the project contribute to any significant cumulative impacts on recreational resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
10. UTILITIES AND SERVICE SYSTEMS—Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

The subject property is served by existing utilities and public services including wastewater collection and transfer, stormwater drainage, solid waste collection and disposal, police and fire services, and power, water, and communication facilities. The project would increase demand for and use of public services and utilities on the site and would add to cumulative water and energy consumption but not in excess of amounts projected by agencies responsible for management of those services and utilities.

Water Service. All proposed large-scale projects in California subject to CEQA are required to obtain an assessment from a regional or local jurisdiction water agency to determine the availability of a long-term water supply sufficient to satisfy project-generated water demand

under Senate Bill 610 and Senate Bill 221.[46] Under Senate Bill 610, a Water Supply Assessment (WSA) is required if a proposed project is subject to CEQA review in an EIR or negative declaration and is any of the following: (1) a residential development of more than 500 dwelling units; (2) a shopping center or business employing more than 1,000 persons or having more than 500,000 square feet (sf) of floor space; (3) a commercial office building employing more than 1,000 persons or having more than 250,000 v; (4) a hotel or motel with more than 500 rooms; (5) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 sf or 40 acres; (6) a mixed-use project containing any of the foregoing; or (7) any other project that would have a water demand at least equal to a 500 dwelling unit project. The proposed project would not exceed any of these thresholds and therefore, would not be required to prepare a WSA.

In May 2002, the San Francisco Public Utilities Commission (SFPUC) adopted a resolution finding that the SFPUC's Urban Water Management Plan (UWMP) adequately fulfills the requirements of the water assessment for water quality and wastewater treatment and capacity as long as a project is covered by the demand projections identified in the UWMP,[47] which includes all known or expected development projects and projected development in San Francisco at that time through 2020. The UWMP utilizes ABAG projections in determining projected growth for the area, and as discussed above in Population and Housing on p. 30, the project would be within the projected population growth for the City of San Francisco. Therefore, the project would not exceed the UWMP's water supply projections.

The proposed project would require water connections per the SFPUC. The proposed project would use existing wastewater and storm drainage infrastructure unless the SFPUC recommends changes to the size and design of this infrastructure. No additional construction of water supply infrastructure would be required to serve the project.

Water Supply Facilities. The proposed project, with an estimated 280 to 706 residents, would consume an additional 17,360 to 43,772 gallons of water per day.[48] The project's retail use would result in an estimated demand for 4,598 gallons per day.[49] In sum, the proposed project's

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46 California Department of Water Resources (2003). *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001.* Accessed at: www.owue.water.ca.gov/Guidebook_101003.pdf on January 4, 2007.

47 City and County of San Francisco, Public Utilities Commission, Resolution No. 02-0084, May 14, 2002.

48 Based on current residential use in San Francisco of 62 gallons per capita per day (SFPUC, *2005 Urban Water Management Plan for the City and County of San Francisco,* December 2005, p 40. Available for viewing at www.sfwater.org, accessed for this report on October 1, 2008.

49 Water consumption for retail grocery stores = 0.35 gallons per/sq. ft./day (13,137 sq. ft. * 0.35 gallons = 4,598 gallons/day). Mazzetti & Associates, June 2005 for PAMF-SCC Sutter Health Foundation.

overall estimated water demand would be about 21,958 to 48,370 gallons per day. Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase could be accommodated within the City's anticipated water use and supply projections. The new building would be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the *California State Building Code* Section 402.0(c). Since the proposed water demand could be accommodated by existing and planned anticipated under the SFPUC's *2005 Urban Water Management Plan* and would include water conservation devices, it would not result in a substantial increase in water use and could be served from existing water supply entitlements and resources. Considering all of the above, the proposed project would result in less-than-significant project-specific and cumulative water impacts.

Wastewater/Stormwater. Project-related wastewater and stormwater would flow to the City's combined stormwater and sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into the Bay. Because the NPDES standards are set and regulated by the Bay Area Regional Water Quality Control Board (RWQCB), the project would not conflict with RWQCB requirements. The proposed project would not require substantial expansion of wastewater/stormwater treatment facilities or an extension of a sewer trunk line as the site is currently served by existing facilities. As no new wastewater/stormwater infrastructure would be required to serve the project, no impact would result from new construction.

Solid Waste. Solid waste generated in San Francisco is transported to and disposed of at the Altamont Landfill. The Altamont Landfill has an annual solid waste capacity of 2,226,500 tons for the City of San Francisco. However, the City is well below its allowed capacity, generating approximately 550,000 tons of solid waste in 2005.[50] Recycling, composting, and waste reduction efforts are expected to increasingly divert waste from the landfill. The City Board of Supervisors adopted a plan in 2002 to recycle 75 percent of annual wastes generated by 2010. The project's residents and commercial occupants would be expected to participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. The Altamont Landfill is expected to remain operational for 20 or more years, and has current plans to increase capacity by adding 250 additional acres of fill area. With the City's increase in recycling efforts and the Altamont Landfill expansion, the City's solid waste disposal demand could be met through at least 2026. Given the existing and anticipated increase in solid waste

[50] Drda, Brad, Environmental Services Manager, Sanitary Fill Company, Personal communication with PBS&J, March 14, 2006.

recycling and the proposed landfill expansion in size and capacity, the impacts on solid waste facilities from the project would be less than significant.

Effects of Variants. Variants 2 and 3 would accommodate the same number of residents as with the proposed project, and would also have less than significant impacts on those services. Similarly, with the same building design, stormwater impacts would be less-than significant for all variants. Variant 3 would include less retail space than Variant 2 or the proposed project; therefore, solid waste generation associated with the retail use in Variant 3 would be reduced. Utility and services effects would be less than significant.

Cumulative Utilities and Service Systems Impacts. Cumulative development in the project area, including the 125 Mason Street and 149 Mason Street projects, would increase demand on utilities and service systems. Given that existing service management plans address anticipated growth in the region, however, the projects would not have a significant cumulative effect on utility service provision or facilities.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐

Police Protection Services. The closest police station to the proposed project is the Tenderloin Station at 301 Eddy Street, one block west of the project site. Development of the project would bring new residential and retail uses to the project area. These future residents, employees and customers generated by the project's land uses could potentially increase the service calls to the San Francisco Police Department (SFPD) and could require increased crime prevention activities and additional policing of the project area. However, the project would help improve the project area, reduce prevalent blight and provide community services. These physical improvements are expected to lessen illegal activities in the project area through the introduction of new residents, community services, and an improved pedestrian environment.

The Mayor's *Proposed 2008-2009 Budget* includes an eight percent funding increase for policing services, including the hiring of up to 130 additional police officers.[51] Given staffing and funding increases, the SFPD has sufficient resources to accommodate a project of this size. With the planned increases in citywide personnel, the Tenderloin Station would be able to provide the necessary police services and crime prevention programs for the project area. No new stations are proposed in the project vicinity. Hence, the project would have less-than-significant impacts on the need for new policing facilities.

Fire Protection Services. San Francisco ensures fire safety through provisions of the Building Code and Fire Code. Existing buildings are required to meet standards contained in these codes. The proposed project would also conform to these standards, which may include development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be addressed during the permit review process.

Occupants of the proposed building would contribute to congestion if an emergency evacuation of the area were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes, which require additional life safety protections for high-rise buildings.

The project area is served by Fire Station 3 at 1067 Post Street, Station 41 at 1325 Leavenworth Street, and Station 1 at 676 Howard Street. The project would increase the demand for fire protection services within the project area, but not beyond the demand projected by the Fire Department. Hence, the project would not result in the need for new fire protection facilities, resulting in impacts to the physical environment.

Community Facilities. The addition of residents from the project would increase the demand for libraries, community centers, and recreational facilities. The San Francisco Public Library Main Branch at 100 Larkin Street is eight blocks southwest of the project site. A variety of community centers/facilities are also available in the vicinity of the project site, including the Tenderloin After School Program, Glide Memorial Methodist Church, the YMCA, DeMarillac Academy, and the San Francisco Boys and Girls Club. Other organizations include: arts facilities

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[51] Newsom, Gavin, City and County of San Francisco. *Mayor's Proposed Budget 2008-2009.* Accessed online at http://www.sfgov.org/site/uploadedfiles/mayor/policy /0809_BUDGETBOOK_06-1-08_5 pm.pdf, on June 5, 2008.

and performance spaces, public gardens, youth and family centers, health services, employment offices, legal services, language and cultural centers, housing offices, programs for the elderly, crime prevention groups, and museums. Demand for various community services generated by the project would be distributed to various community organizations. Due to these factors, library services and community centers would not be significantly affected by the project.

Schools. The San Francisco Unified School District (SFUSD) provides public primary and secondary education in the City and County of San Francisco. The nearest elementary school would be Tenderloin Elementary at 627 Turk Street, about six blocks southwest of the project site. The nearest middle school is Francisco Middle School at 2190 Powell Street, about 1.5 miles north of the project site. The nearest high school is Galileo High School located at 1150 Francisco Street, about two miles northwest of the project site.[52] The SFUSD is currently not a growth district and facilities throughout the City and County are underutilized. No construction of schools is planned near the project site.[53] An increase in students associated with the proposed project would not substantially change the demand for schools. Underutilized schools may require rehabilitation to accommodate these additional students. No new facilities are expected to be needed to accommodate the students. The proposed project would thus result in a less-than-significant impact to schools.

Effects of Variants. Variants 2 and 3 would accommodate the same number of residents as with proposed project, and Variants 2 and 3 would also have less than significant impacts on those services. Impacts to public services would be less than significant.

Cumulative Public Services Impacts. Cumulative development in the project area, including the 125 and 149 Mason Street projects, would increase demand for public services. Public service providers accommodate growth within their service areas by responding to forecasted population growth and land use changes. Therefore, the project in conjunction with the 125 and 149 Mason Street is not expected to result in substantial adverse physical impacts associated with the provision of new public services, because public service providers have incorporated project-related growth in their projections. Thus, the project's contribution to cumulative impacts to public services would not be considerable.

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[52] San Francisco Unified School District website, http://portal.sfusd.edu/template/sfusd.cfm, accessed January 15, 2003.

[53] San Francisco Redevelopment Agency and the City and County of San Francisco Planning Department, *Mid-Market Redevelopment Plan Draft EIR*, September 28, 2002, 2002.0805E, page 180. This document is available for public review by appointment at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
12. BIOLOGICAL RESOURCES— Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒

The project site is not within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As such, topic 12 f is not discussed below.

The project site is currently occupied by a paved parking lot. The subject property does not support or provide habitat for any rare or endangered wildlife or plant species. There are no trees on the lot and no special-status bird species are known to nest in the area. There are no riparian or wetland areas on the project site. There are no street trees adjacent to the project site. The project vicinity is an urban environment and with high levels of human activity, and only common bird species are likely to nest in the area. The project would not substantially affect any rare or endangered animal or plant species or the habitat of such species, nor substantially diminish habitat for fish, wildlife or plants, or substantially interfere with the movement of migratory fish or wildlife species. Therefore, the project would have no impact on biological resources.

Effects of Variants. No biological resources exist on the project site; the development of Variants 2 or 3 would have no impact on biological resources.

Cumulative Biological Resources Impacts. As described above, the project site does not contain biological resources, and the project would have no impact. Subsequently, cumulative development in the project vicinity would not combine with the project to impact biological resources. Thus, the proposed project would not have a significant cumulative impact on biological resources.

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

The project site is not located on expansive soil and septic tanks and/or alternative waste water disposal systems would not be required. As such, topics 13d and e are not discussed in detail below.

Seismic and Geologic Hazards. The Community Safety Element of the *San Francisco General Plan* contains maps that show areas subject to geologic hazards. The project site is located in an area subject to groundshaking from earthquakes along the San Andreas and Northern Hayward

Faults and other faults in the San Francisco Bay Area (Maps 2 and 3 in the Community Safety Element), but no major faults are located within one mile of the subject property. The project site is also within an area of liquefaction potential (Map 4 in the Community Safety Element), a Seismic Hazards Study Zone designated by the California Division of Mines and Geology.

A Geotechnical Investigation of the project site was completed by Treadwell & Rollo, Inc. in October 2007.[54] Based on subsurface investigations, the site is underlain by five to 11 feet of fill that consists of very loose to medium dense sand and some stiff clay pockets, with varying amounts of brick fragments. The fill material is underlain by approximately eight to 14 feet of medium dense clayey sand. The clayey sand is underlain by very dense sand to the maximum depths explored. The geotechnical investigation was not able to determine the groundwater level because of the type of drilling equipment used for the study. However, based on surrounding locations, the study estimated high groundwater for the site to be about 32 feet below the ground surface.

The report identified two characteristics of the site that present a potential stability hazard: the presence of very loose to medium dense sandy fill/medium dense clayey sand within the upper 16 to 24 feet (that are weak, unpredictable, and susceptible to cyclic densification) and the lens of medium dense to dense clayey sand nine feet below the surface. Foundation recommendations to mitigate these hazards are included under 'Building Considerations', below. Construction of a deep foundation system would reduce the stability hazard at the site to a less-than-significant level.

Topography. The project site slopes down from the north to the south, with approximately nine feet in grade difference across the site, from a maximum elevation of approximately 44 feet above San Francisco Datum (SFD) at the northwest corner of the project site, to a minimum elevation of approximately 35 feet above SFD at the southeast corner of the project site. The proposed project may include a pile foundation and excavations of five and eight feet in the northeast and northwest areas of the site. Approximately 3,500 cubic yards of soil would be excavated for offsite disposal. The site is a paved lot and has no unique topography. Thus, the proposed project would have a less-than-significant impact with respect to the erosion or loss of topsoil.

Erosion. Because the Project Sponsor is required to implement construction Best Management Practices listed on the Stormwater Pollution Prevention Program "Checklist for Construction

[54] Treadwell & Rollo, *Geotechnical Investigation, Eddy and Taylor Streets, California.* October 16, 2007. This report is available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400 in Case File No. 2007.1342E

Requirements," implementation of erosion and sedimentation control measures, as required by the City and/or resource agencies, would minimize short-term construction-related impacts to a less-than-significant level.

Dewatering. As groundwater is estimated to be at least 32 feet below the ground surface, it is unlikely that excavation for the proposed project could reach groundwater during pile driving. The geotechnical report did not indicate that the proposed project might require dewatering. However, if perched groundwater is encountered on-site then dewatering activities may be necessary. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance No. 199.77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment, and Compliance of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. At the time of the building permit application process, the Department of Building Inspection (DBI) would require the Project Sponsor to prepare a geotechnical report pursuant to the State Seismic Hazards Mapping Act.

Building Considerations. The geotechnical report identified surface and subsurface conditions, and made recommendations for construction of features and project design to reduce hazards on site. The report recommends that the project construct a deep building foundation to avoid any issues relating to soil stability. The Project Sponsor has agreed to follow the recommendations of this report in constructing the project.

In reviewing the final building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for development. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspector's working knowledge of areas of special geologic concern. During the DBI's review of building permits for the site, they would require the preparation of an updated geotechnical report. In addition, the DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Potential damage to structures from geologic hazards would be mitigated through the DBI review of the building permit application and implementation of the *Building Code.*

In view of the above discussion, the proposed project would not have a significant effect related to geology and soils.

Effects of Variants. Based on the conditions at the project site, geological hazards would be less-than-significant with the incorporation of proper foundation design for Variants 2 and 3,

Cumulative Geologic and Soil Impacts. Geology impacts are generally site-specific and do not have cumulative effects with other projects. Cumulative development, including the 149 Mason Street project, would be subject to the same design review and safety measures as the proposed project. These measures would render the geologic effects of cumulative projects to less-than-significant levels. Thus, the project would not have a significant impact on geology or soil resources, nor would the project contribute to any significant cumulative effects on geology or soils.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
14. HYDROLOGY AND WATER QUALITY— Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	☐
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)?	☐	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☒	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐

The project site is not located within a 100-year flood hazard area. As such, topics 14g and h are not discussed in detail below.

Drainage. The project would replace a surface parking lot with a residential and retail development on site. Due to the presence of the existing surface parking lot, the project site is currently impervious. The project would reduce impervious area on the site. The courtyard would include landscaping elements and it is contemplated that the roofs would have gardens. The courtyard would serve as a bioswale, filtering stormwater discharge from the roof. A reduction in impervious area associated with the landscaping and vegetated roof would result in a reduced rate of flow and net volume of stormwater runoff from the site. Thus, the project would not adversely affect drainage.

Water Quality. Based on the geotechnical investigation report, groundwater beneath the project site is approximately 32 feet below the ground surface. Since the maximum depth of excavation proposed for the project is eight feet, it is unlikely that groundwater will be encountered. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199 77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system.

Therefore, groundwater resources would not be substantially degraded or depleted, and the project would not substantially interfere with groundwater recharge.

Any exposure of soil during site preparation would occur below street grade, and since the project site is relatively level, there would be low potential for flooding, erosion, or siltation resulting from the project. Therefore, the project would not substantially degrade the public water supply or groundwater quality, or cause substantial flooding, erosion, or siltation.

Flood Hazard. The site is not within a flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Maps. The site is not subject to flooding by failure of a levee or dam.

Seiche, Tsunami, Mudflow. The site is not on the San Francisco 20-foot Tsunami Runup Map, so no significant tsunami hazard exists at the site. A seiche is an oscillation of a water body, such as a bay, which may cause local flooding. A seiche may occur on the San Francisco Bay due to seismic or atmospheric activity. However, based on the historical record, seiches are rare and there is no significant seiche hazard at the site. There is no mudslide hazard at the project site because the site and vicinity are fully-developed with no erosion-prone slopes.

Effects of Variants. Based on the conditions at the project site, Variants 2 and 3 would have the same excavation as with the proposed project. Impacts would be less than significant.

Cumulative Hydrology Impacts. Cumulative development in the project area, including the 149 Mason Street project, could result in intensified uses and wastewater effects. The San Francisco Public Utilities Commission, which services wastewater in the City, has accounted for such growth in its service projections. Thus, the project would not have a significant impact on hydrology or water quality, nor would the project contribute to any potential significant cumulative impacts on hydrology or water quality.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
15. HAZARDS AND HAZARDOUS MATERIALS Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☒	☐	☐

The project site is not located within an airport land use plan area or in the vicinity of a public or private airstrip. As such, topics 15 d, e, and f are not discussed in detail below.

Hazardous Materials Use. The project would involve the development of up to 178 residential units with retail use, open space, and parking spaces, which would result in use of relatively small quantities of hazardous materials for routine purposes. Activities within the proposed building could entail the handling of common types of hazardous materials, such as cleaners and disinfectants. These commercial products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed

through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials.

Hazardous Materials Site List. A Phase I Environmental Site Assessment (ESA) was prepared for the project site in June 2007 by Geologica Inc.[55] The ESA concluded that no current or historical evidence of underground storage tanks (UST)s was found. Thus, USTs are not expected to represent a significant environmental concern to the project.

Soil and Groundwater. The Phase I ESA lists current and past operations, reviews environmental agency databases and records, identifies site reconnaissance observations, and summarizes potential contamination issues at the project site. The report concluded that there are no hazardous substances or petroleum products on the property from current or historical uses. As the Phase I ESA report did not identify potential soil and groundwater effects resulting from past and existing uses, impacts from contamination would be considered less than significant.

Asbestos. There are no structures on the site except for the parking lot kiosk. The date of construction for the parking kiosk is unknown. As such, it is possible that asbestos-containing materials may be found within the structures that would be removed as part of the project. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD, vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement is to be notified ten days in advance of any proposed demolition or abatement work in accordance with State regulations.

BAAQMD notification includes: listing the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age, and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and

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[55] Geologica, Inc., *Phase One Environmental Site 168 – 186 Eddy St / 238 Taylor St, San Francisco, California.* June 15, 2007. This report is available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2007.1342E

location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations and will inspect any removal operation upon which a complaint has been received.

The local office of the state Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement activities. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the DBI would not issue the demolition permit until the Project Sponsor has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would ensure that there would be no significant impacts from asbestos on the project site.

Fire Safety and Emergency Access. San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The proposed project is considered a "high rise" as defined by *Building Code* Chapter 2, Section 202, because its top floor would be greater than 75 feet tall. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed development. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections for the residential structures. Consequently, the project would not create a substantial fire hazard nor interfere with emergency access plans.

Effects of Variants. Variants 2 and 3 would encounter the same conditions at the project site. Variants 2 and 3 would accommodate the same number of residents as with proposed project, and Variants 2 and 3 would also have less than significant impacts on those services. Impacts would be less than significant.

Cumulative Hazards. Impacts from hazards are generally site-specific, and do not result in cumulative impacts. Any hazards at the site of the other development in the vicinity would be subject to the same safety requirements discussed above, which would reduce any hazard to

less than significant. Thus the proposed project would not have a cumulatively significant impact on these resources. The project would not have a significant impact on hazardous material conditions on the project site or vicinity, nor would the project contribute to any potential significant effects.

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

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and II). This designation indicates that there is not adequate information available for assignment to any other MRZ and thus the site in not a designated area of significant mineral deposits. However, since the project site is already developed, future evaluation or designation of the site would not affect or be affected by the project. There are no operational mineral resource recovery sites in the project vicinity whose operations or accessibility would be affected by the construction or operation of the project.

Mineral Resources. No known mineral deposits exist at the project site. Thus, the project would not result in the loss of availability of a locally- or regionally-important mineral resource.

Energy. The project would meet current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulation as enforced by the DBI. In addition, the project would meet LEED Silver standards for energy efficient design, as required by the San Francisco Building Code. A study of buildings in the U.S. Department of Energy's Commercial Buildings Energy Consumption Survey (CBECS) database found that LEED buildings are, on average, 25 percent to 30 percent more energy-efficient than non-LEED buildings.[56] Other than

[56] Environmental Building News, Nadav Malin, LEED Delivers on Predicted Energy Savings, December 2007. http://www.buildinggreen.com/auth/article.cfm?fileName =161201b.xml, accessed on January 7, 2008.

natural gas and coal fuel used to generate the electricity for the project, the project would not have a substantial effect on the use, extraction, or depletion of a natural resource.

San Francisco's 2002 *Electricity Resource Plan* discusses sources for electricity and projected citywide demand.[57] The PG&E peak load forecast is approximately 1200 megawatts, while the available capacity is over 1700 megawatts. The City plans to reduce consumption by 107 megawatts by 2012 through various energy efficiency strategies. Any new developments, including the project, would be expected to conform to new City policies designed to reduce energy consumption. While the project would increase new demand for electricity services, the project-generated demand for electricity would be negligible in the context of the overall consumer demand in San Francisco and the state. Therefore, the project would not, in and of itself, generate a significant demand for energy and a major expansion of power facilities. For this reason, the project would not cause a wasteful use of energy and would not have a significant effect on natural resources.

Effects of Variants. Variants 2 and 3 would encounter the same conditions at the project site. Impacts would be less than significant.

Cumulative Energy Resources. San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem may be that the state does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area, and elsewhere in the state. These facilities could supply additional energy to the power supply "grid" within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the project would not result in a significant physical environmental effect or contribute to a cumulative impact.

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[57] San Francisco Public Utilities Commission and San Francisco Department of the Environment. *The Electricity Resource Plan*, 2002. http://sfwater.org/detail.cfm/MC_ID/12/MSC_ID/138/ MTO_ID239/ C_ID/1346, accessed on January 15, 2008.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. **Would the project:**					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland of Statewide Importance, to non-agricultural use?	☐	☐	☐	☐	☒

The project site is located within an urbanized area of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as "Urban and Built-up Land".[58] Because the site does not contain agricultural uses and is not zoned for such uses, the project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or Williamson Act contract, nor would is involve any changes to the environment that could result in the conversion of farmland. Therefore, the proposed project would not result in a significant effect on agricultural resources.

Effects of Variants. Based on the conditions at the proposed project site, Variants 2 and 3 would have the same excavation as with the proposed project. Impacts would be less than significant.

Cumulative Agricultural Resource Impacts. There would be no cumulative impacts on agricultural resources resulting from the development of project or other projects in the vicinity.

[58] Department of Conservation, Farmland Mapping and Monitoring Program, 2002.

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

As discussed in the above text, the project is anticipated to have only less-than-significant impacts in the areas discussed. The foregoing analysis also identifies potentially significant impacts to, archaeological resources, and construction noise and vibration, which would be mitigated through implementation of Mitigation Measures 1 and 2, described in Section F, below.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

Mitigation Measures

Mitigation Measure 1: Archaeological Resources

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The Project Sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Archeo-Tec. *Archaeological Research Design and Treatment Plan Pavilion Mixed-Use Development Project,* May 19, 2003) at the direction of the Environmental

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

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

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

A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;

- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing

activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, Project Sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

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

Mitigation Measure 2: Construction Noise and Vibration

If a pile-driven foundation is used, the Project Sponsor shall require its geotechnical engineering contractor to conduct a pre-construction assessment of existing subsurface conditions and the structural integrity of nearby buildings subject to pile driving impacts prior to receiving a building permit. If recommended by the geotechnical engineer, for structures or facilities within 50 feet of pile driving, the Project Sponsor shall require ground-borne vibration monitoring of nearby structures. The Project Sponsor shall also require its construction contractor to use noise-reducing pile driving techniques if nearby structures are subject to pile driving noise and vibration (e.g. sonic or vibrating sheet pile drivers rather than impact

drivers). These techniques include pre-drilling pile holes (if feasible, based on soils) to the maximum feasible depth, installing intake and exhaust mufflers on pile driving equipment, vibrating piles into place when feasible, and installing shrouds around the pile driving hammer where feasible.

Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices. In addition, at least 48 hours prior to pile-driving activities, the Project Sponsor shall notify building owners and occupants within 500 feet of the project site of the dates, hours, and expected duration of such activities.

Improvement Measures

Improvement Measure 1: The Project Sponsor would seek to set up arrangements with nearby garages to allocate parking spaces to be leased to residents for overnight parking.

Improvement Measure 2: The Project Sponsor would apply for on-street yellow zones that would avoid adverse impacts on traffic and transit operation and pedestrian and bicycle safety and would also avoid double–parking conditions.

Improvement Measure 3: The project contractor should, to the extent possible, limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. to minimize disruption of the general traffic flow on adjacent streets during peak-hours.

Improvement Measure 4: The Project Sponsor should consider subsidizing transit costs for the construction worker or could provide an off-site parking and shuttle the workers into the project site.

Improvement Measure 5: The Project Sponsor should meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, and the Planning Department to determine feasible mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the project.

Improvement Measure 6: The Project Sponsor should coordinate with Muni's Chief Inspector prior to construction to avoid impacts on transit.

G. DETERMINATION

On the basis of this initial study:

☐ I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, no further environmental documentation is required.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE February 3, 2009

H. INITIAL STUDY AUTHORS, CONSULTANTS, AND PROJECT SPONSOR TEAM

INITIAL STUDY AUTHORS

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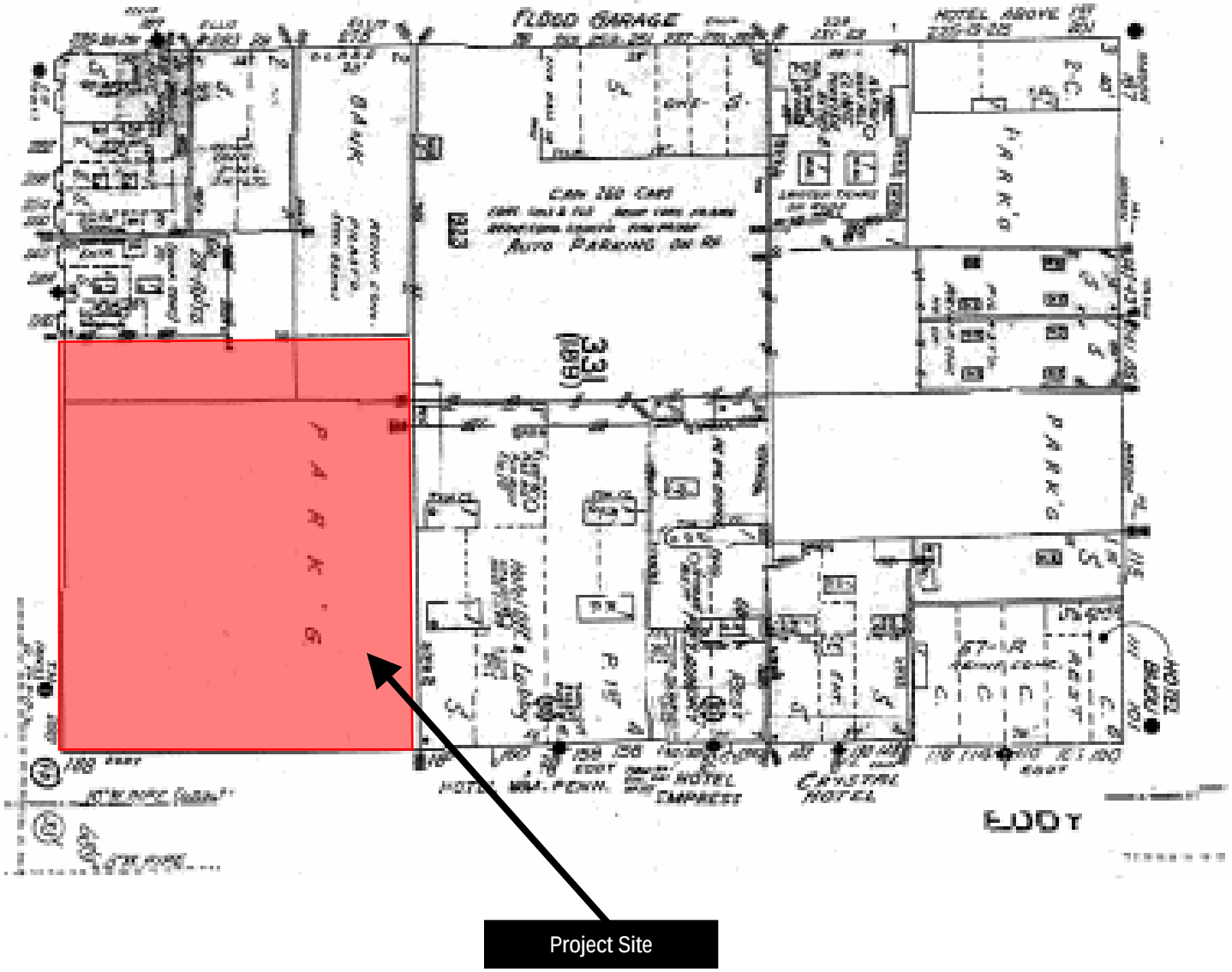
Steve Vettel

Parcel Map

Case No. 2015-001077CUA
168-186 Eddy Street
Conditional Use/Planned Unit Development

SAN FRANCISCO
PLANNING DEPARTMENT

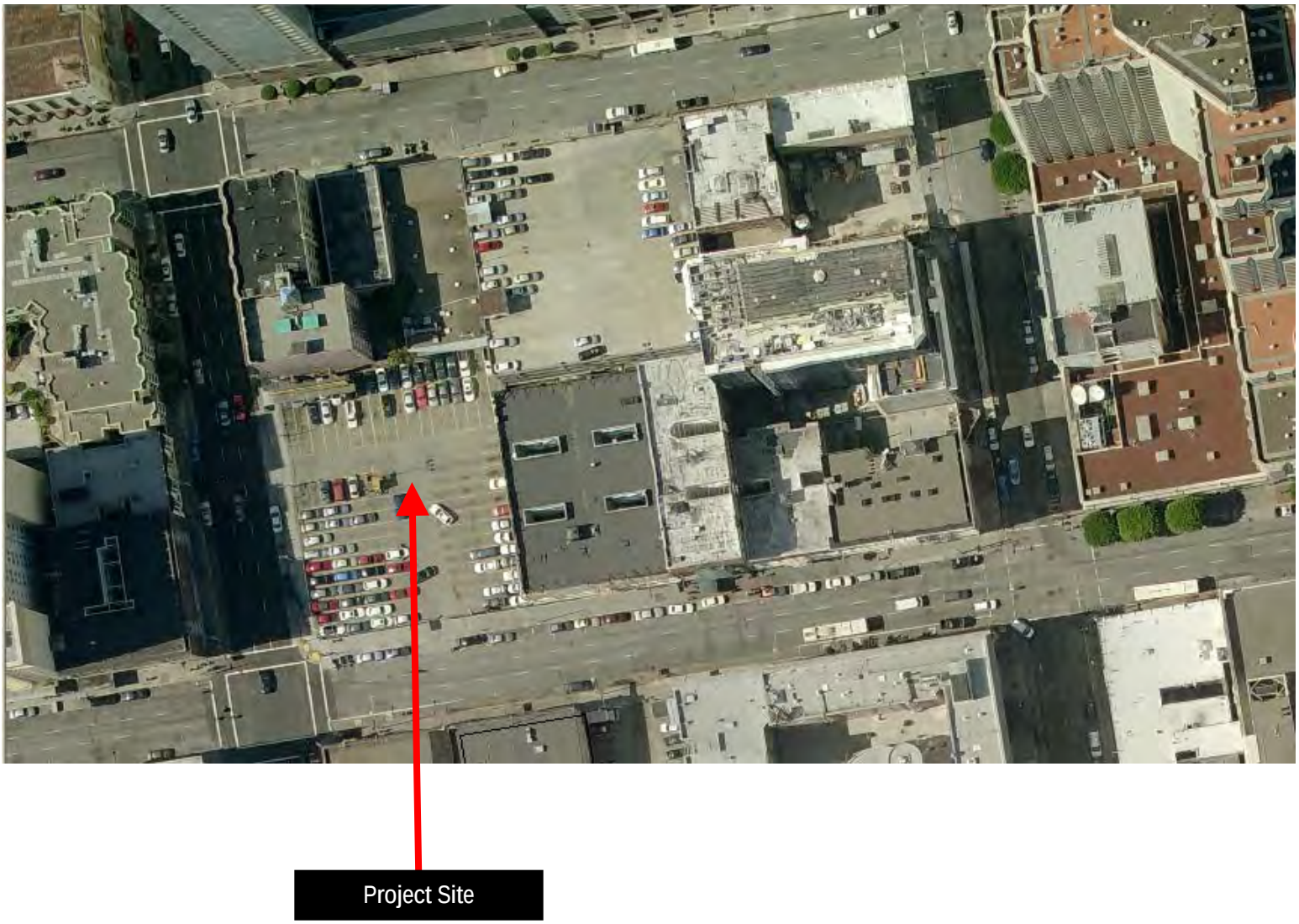
Sanborn Map*



**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*

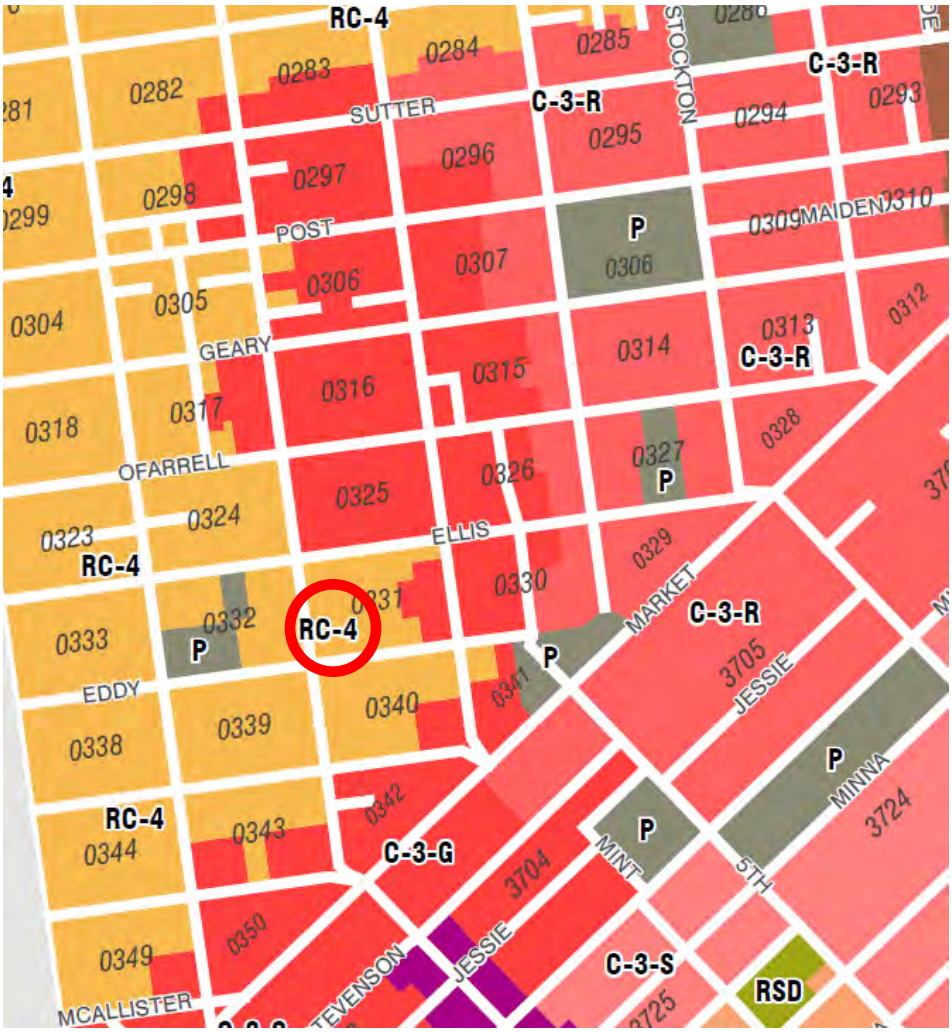
Case No. 2015-001077CUA
168-186 Eddy Street
Conditional Use/Planned Unit Development

Aerial Photo



Case No. 2015-001077CUA
168-186 Eddy Street
Conditional Use/Planned Unit Development

Zoning Map



Case No. 2015-001077CUA
168-186 Eddy Street
Conditional Use/Planned Unit Development

VICINITY MAP

PROJECT TEAM

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DRAWING LIST

PROJECT INFORMATION

PROJECT LOCATION

THE SITE IS LOCATED AT THE SOUTHWEST CORNER OF EDDY AND TAYLOR STREETS IN SAN FRANCISCO, CALIFORNIA.

PROPOSED USE IS FOR AN, 8 STORY MIXED-USE RESIDENTIAL WITH RETAIL DEVELOPMENT. THE PROJECT WILL PROVIDE 103 UNITS, COMPRISED OF STUDIOS, ONE, TWO, AND THREE BEDROOM UNITS WITH ONE, LARGE ON-GRADE COURTYARD. ADDITIONALLY, THE DEVELOPMENT WILL CONTAIN GROUND FLOOR COMMERCIAL SPACE, WHICH COULD ACCOMMODATE A SMALL PRIVATE GROCERY (APPROXIMATELY 6,000 SF)

THIS PROJECT IS A REVISION OF A PROPOSAL PUT BEFORE THE PLANNING COMMISSION IN 2009.

PROJECT BLOCK & LOT

Name	Area	Acreage
BLOCK 0331/LOTS 10 & 11	22343 SF	0.51

BUILDING HEIGHT

PLANNING CODE BUILDING HEIGHT

HEIGHT/BULK DISTRICT = **80-T-130-T**

DEVELOPER CHOOSES TO MEASURE HEIGHT BASED ON THE TAYLOR STREET FRONTAGE. CHOICE IS ALLOWED PER 102.12(d).

MIDPOINT OF THE PROPERTY LINE ALONG TAYLOR AT +40.00 BASED ON EXISTING SURVEY. ROOF DECK AT +122.00 ELEVATION.

PLANNING CODE BUILDING HEIGHT = 122.00 - 40.00 = 82 FT.

BUILDING CODE BUILDING HEIGHT

PER CBC SECTION 502: BUILDING HEIGHT IS THE VERTICAL DISTANCE FROM THE GRADE PLANE TO THE AVERAGE HEIGHT OF THE HIGHEST ROOF SURFACE.

SE LOW POINT = 32.95 | SW CORNER: 35.05
NE CORNER: 40.40 | NW HIGH POINT = 44.27

GRADE PLANE = **38.16 (38'-2")**
MAX. BUILDING HEIGHT ABOVE GRADE PLANE **=85'-0** (CBC TABLE 503)
ELEVATION AT HIGHEST ROOF SURFACE = **123.16** = 38.16 + 85

BUILDING AREA

RETAIL	5444 SF
RESIDENTIAL	87877 SF
ELEVATOR/STAIR	6383 SF
COMMON SPACE + PROGRAMS	3473 SF
SERVICE	3108 SF
CIRCULATION	16937 SF
COURTYARD	7283 SF
Grand total	130506 SF

UNIT TABULATION

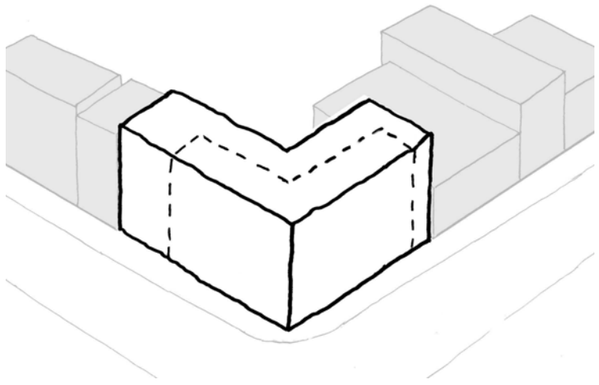
STUDIO	15
1 BR	10
2 BR	64
3 BR	14
TOTAL	103

OPEN SPACE CALCULATION

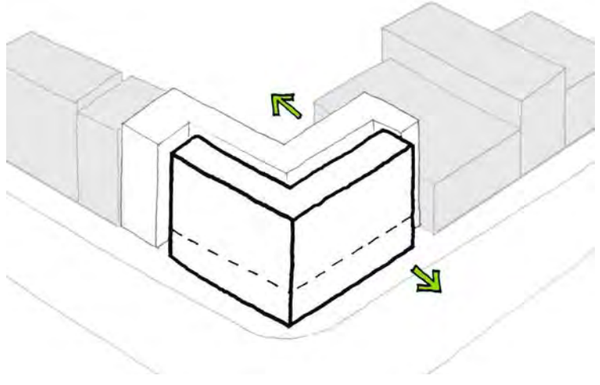
District	Square feet of private usable open space per unit	Ratio of common usable open space that may be substituted for private
RC-4	36	1.33

FOR 103 UNITS: 3708 s.f. x 1.33 = 4944 S.F. TOTAL REQUIRED

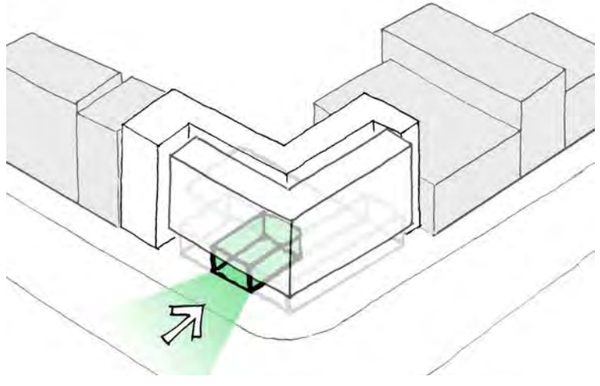
PROVIDED: 7,082 S.F. ON-GRADE COURTYARD



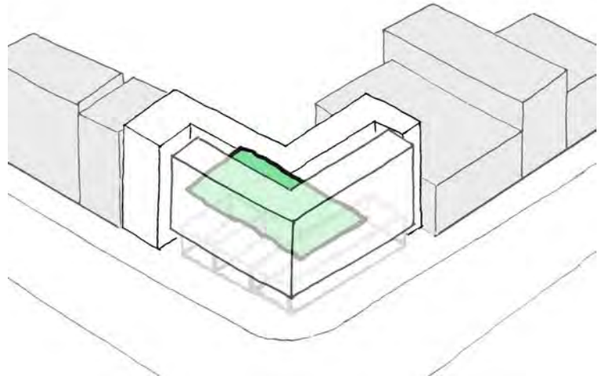
MASS



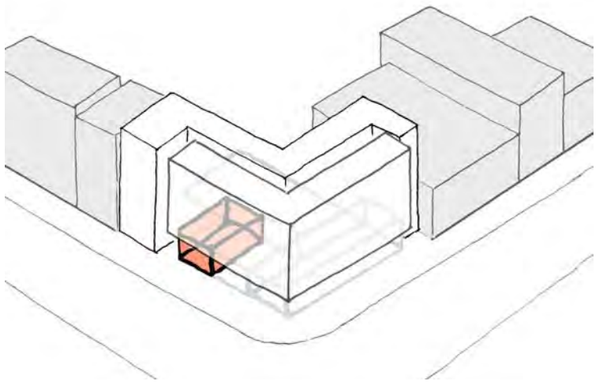
BREAK-UP



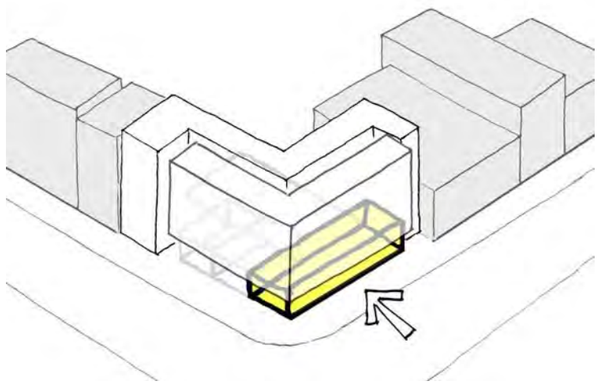
RESIDENTIAL
ENTRY



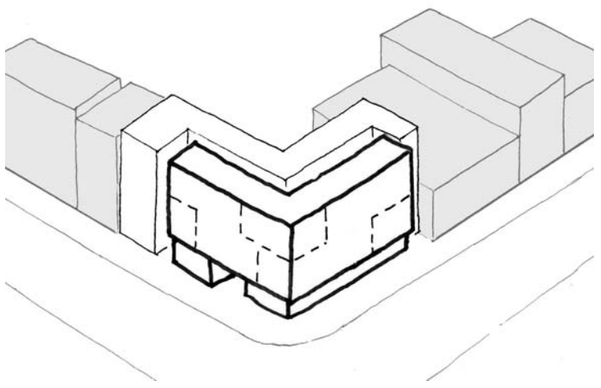
COURTYARD



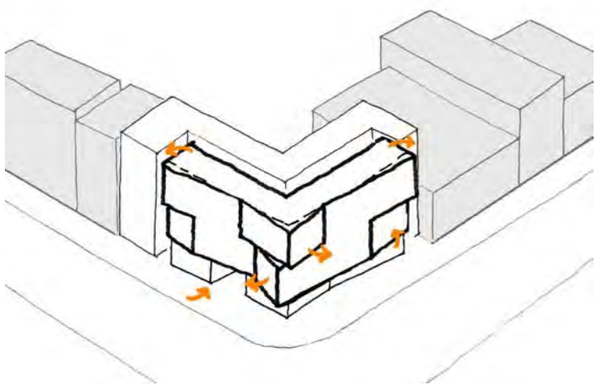
COMMON



RETAIL



SCALE



BAYS

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TENDERLOIN
NEIGHBORHOOD
DEVELOPMENT
CORPORATION

Eddy + Taylor

CONCEPT DIAGRAMS

job #: 20618
date: 2015-03-17
scale:

G.01

1 AA | Eddy Street North Elevation
12" = 1'-0"

2 BB | Eddy Street South Elevation
12" = 1'-0"

3 CC | Taylor Street West Elevation
12" = 1'-0"

4 DD | Taylor Street East Elevation
12" = 1'-0"

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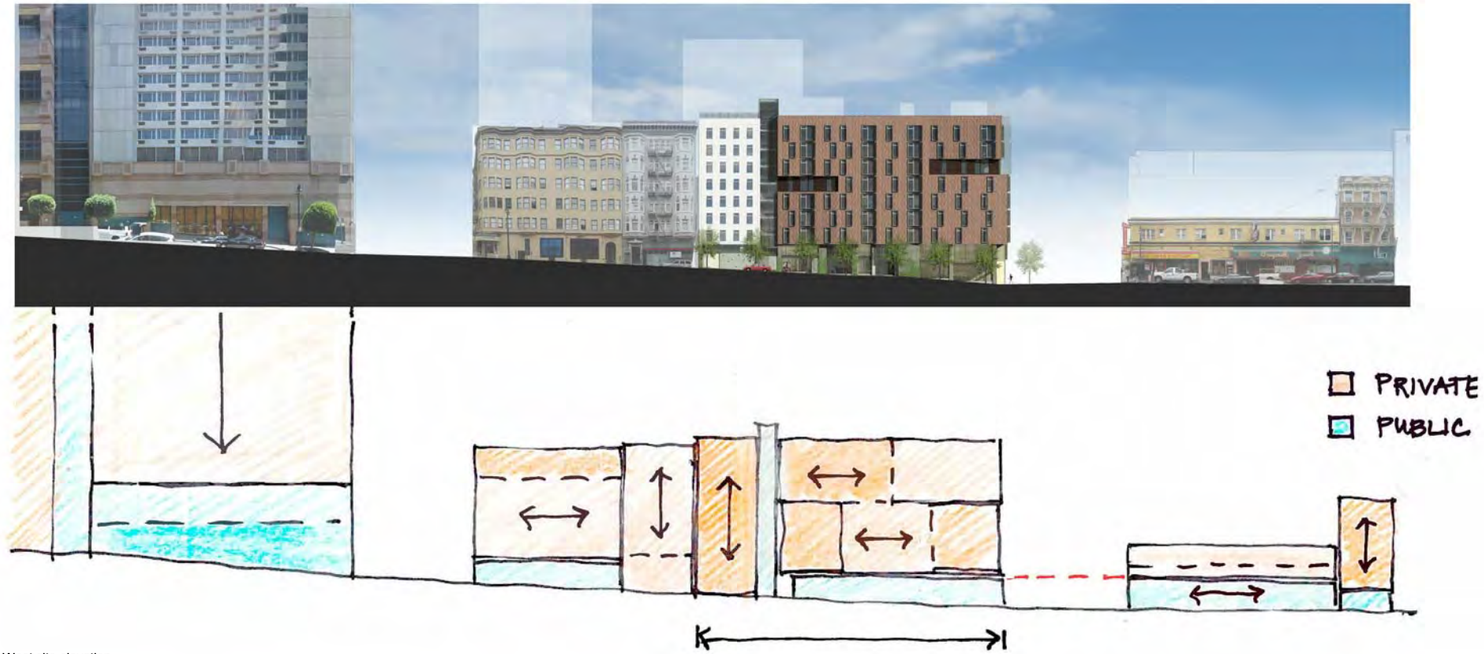
CONTEXT PHOTOS

job #: 20618
date: 2015-03-17
scale: 12" = 1'-0"

G.02

1 South site elevation
1" = 40'-0"



2 West site elevation
1" = 40'-0"

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SITE ELEVATIONS

job #: 20618
date: 2015-03-17
scale: 1" = 40'-0"

G.03

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RESIDENTIAL BAY DIAGRAM

job #: 20618
date: 2015-03-17
scale: 3/32" = 1'-0"

G.04

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PERSPECTIVE - TAYLOR STREET

job #: 20618
date: 2015-03-17
scale:

G.10


Taylor
Cool
DISCOUNT
ATM
EDDY
LOCAL MARKET

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NEIGHBORHOOD
DEVELOPMENT
CORPORATION

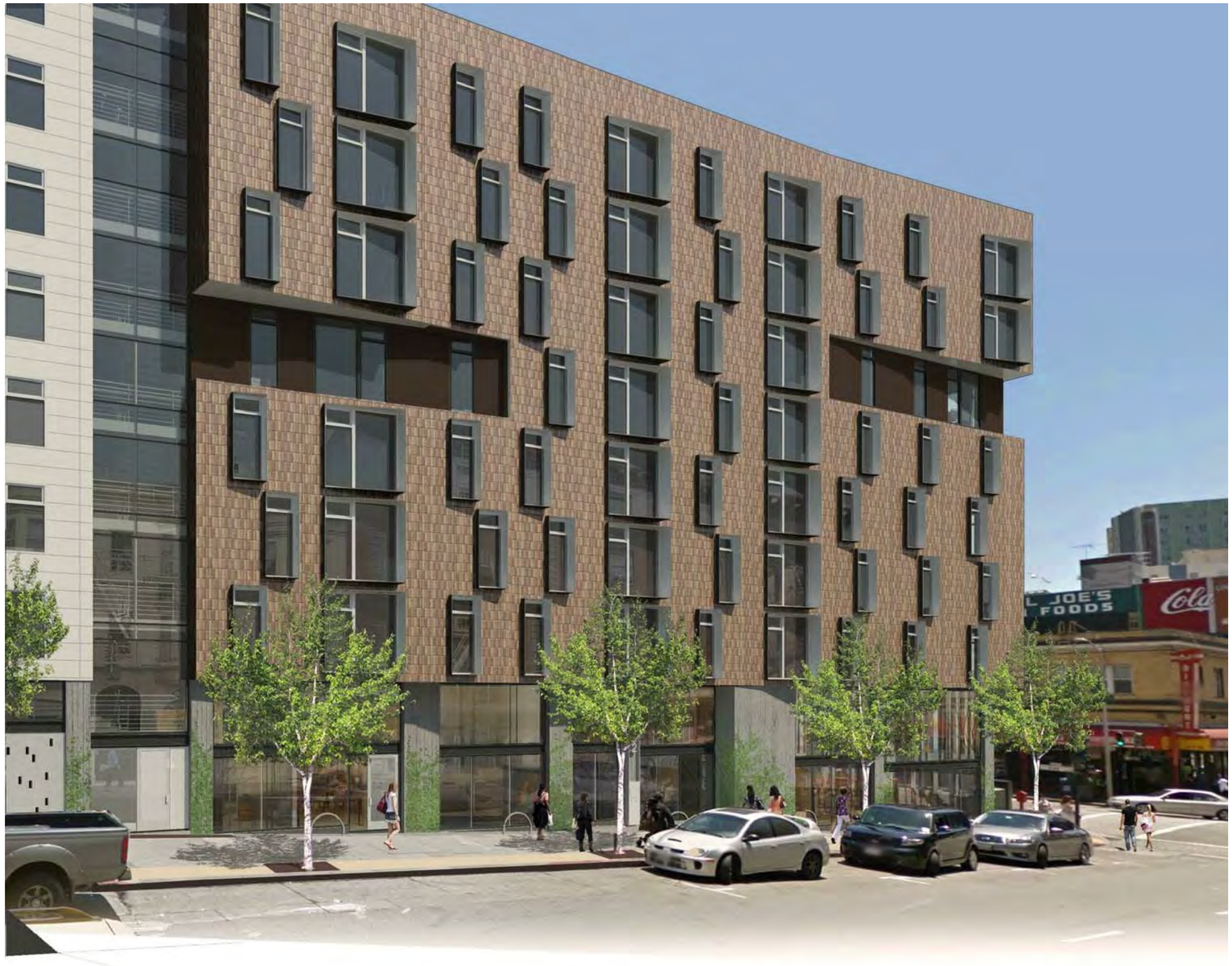
Eddy + Taylor

PERSPECTIVE - TOWARD MARKET STREET

job #: 20618
date: 2015-03-17
scale:

G.12


222



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PERSPECTIVE - ACROSS TAYLOR

job #: 20618
date: 2015-03-17
scale:

G.14

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DEVELOPMENT
CORPORATION

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PERSPECTIVE - ACROSS TAYLOR

job #: 20618
date: 2015-03-17
scale:

G.15


DALDAS
grocerie
delicatessen
DALDAS
grocerie
delicatessen
DISCOUNT
Taylor
PARKING

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TENDERLOIN
NEIGHBORHOOD
DEVELOPMENT
CORPORATION

Eddy + Taylor

PERSPECTIVE - MARKET VIGNETTE

job #: 20618
date: 2015-03-17
scale:

G.17

Project North True North

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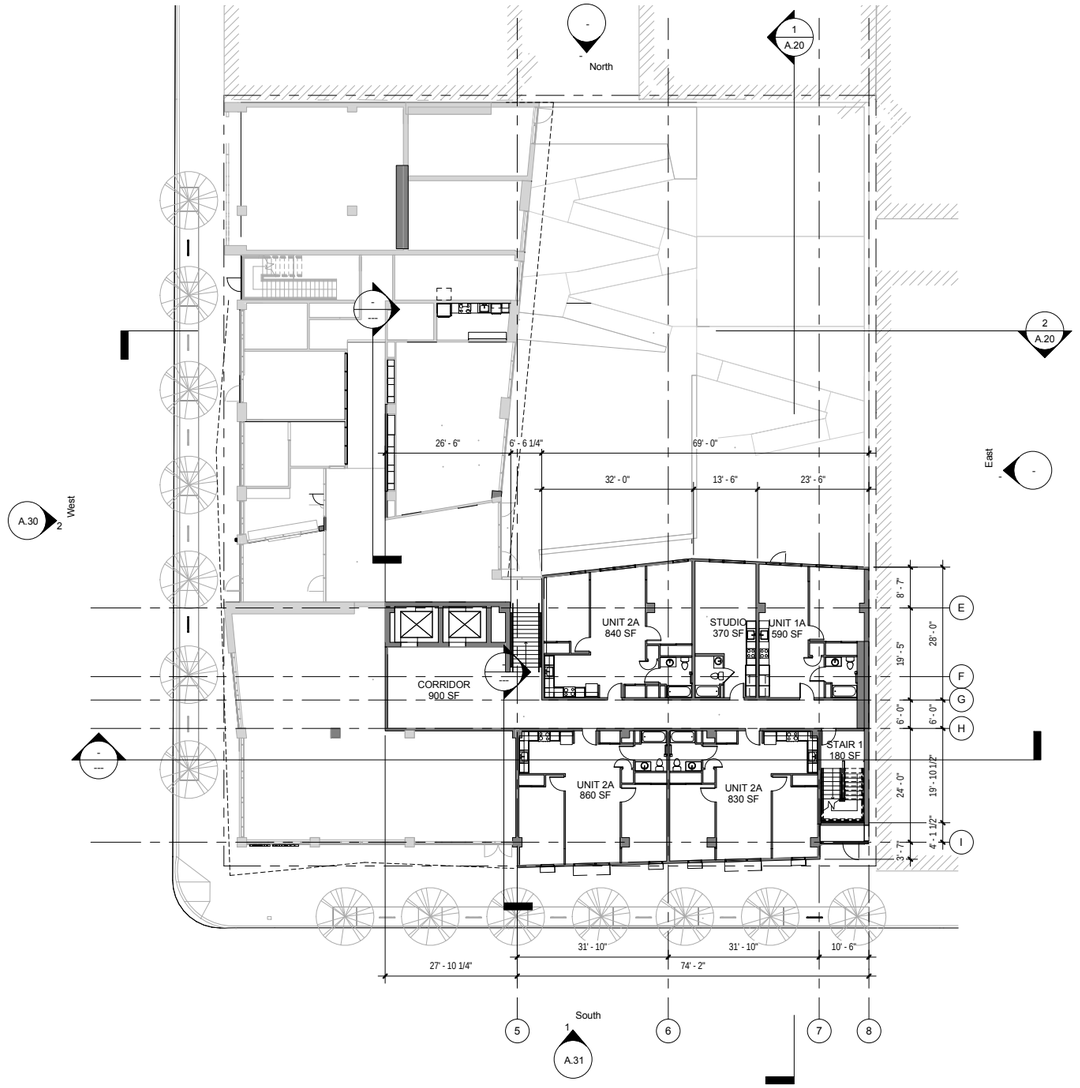
Eddy + Taylor

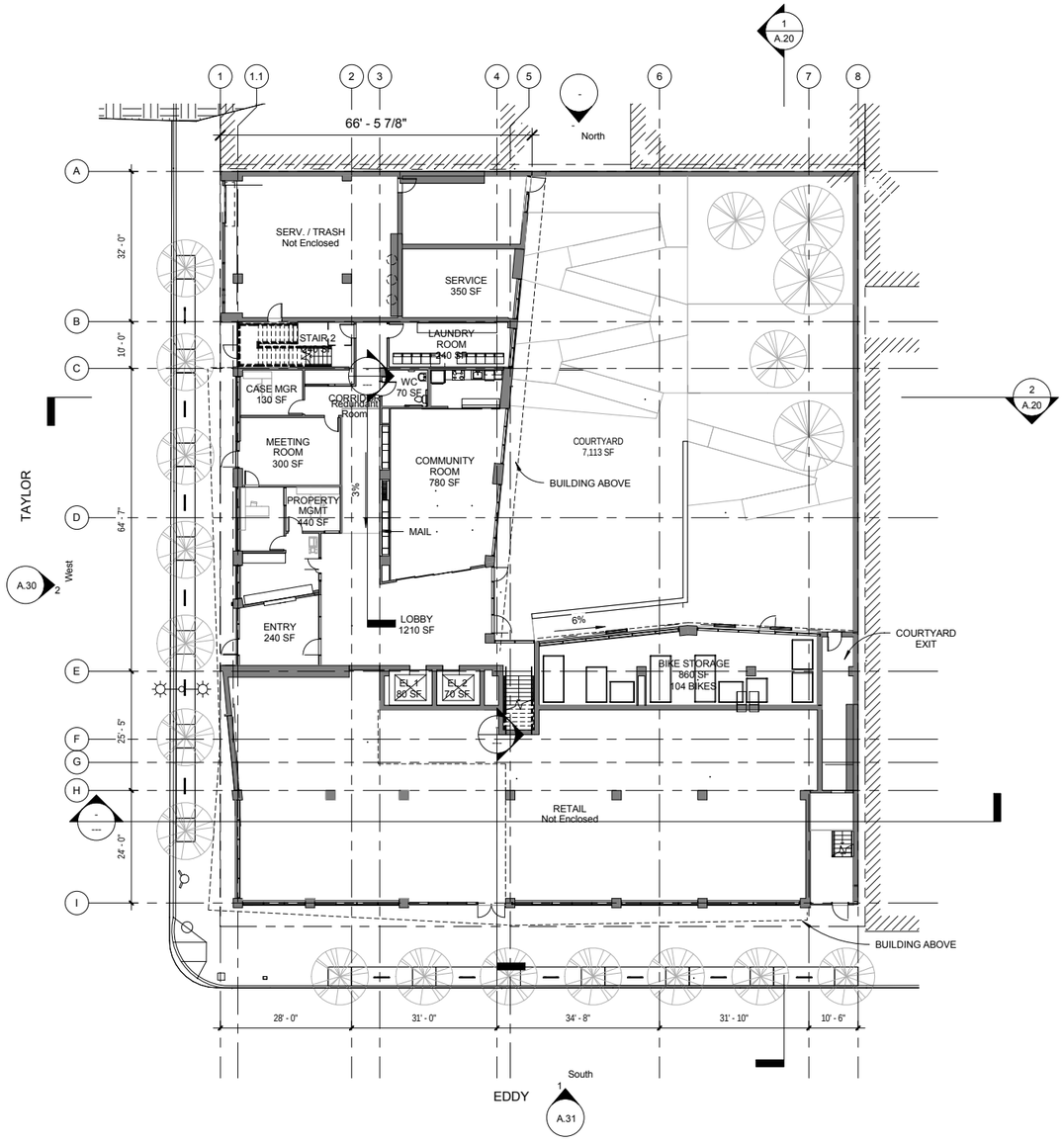
SITE PLAN

job #: 20618
date: 2015-03-17
scale: 1" = 50'-0"

A.01



2 Level 1.5
1/16" = 1'-0"



1 GROUND FLOOR PLAN
1/16" = 1'-0"

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CORPORATION

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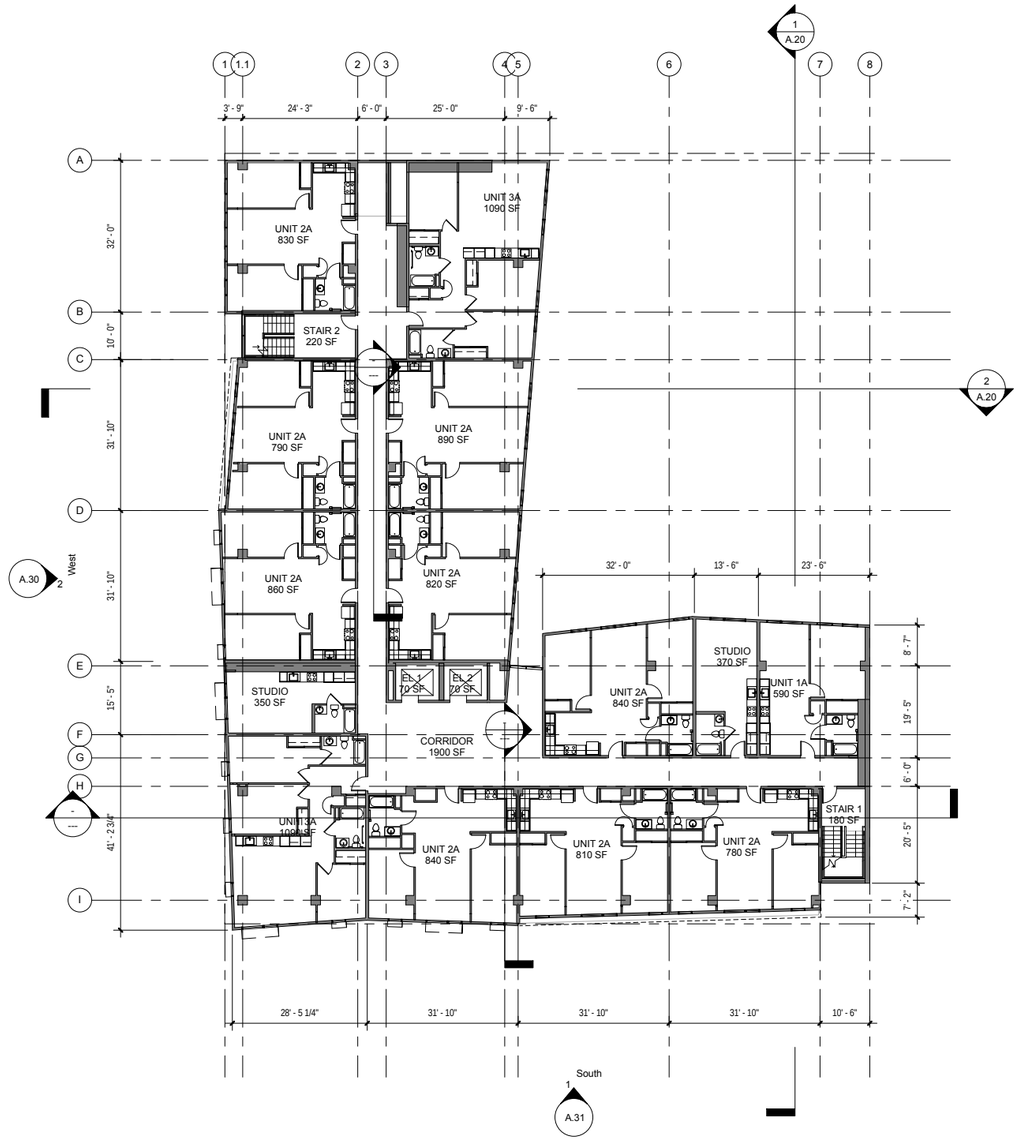
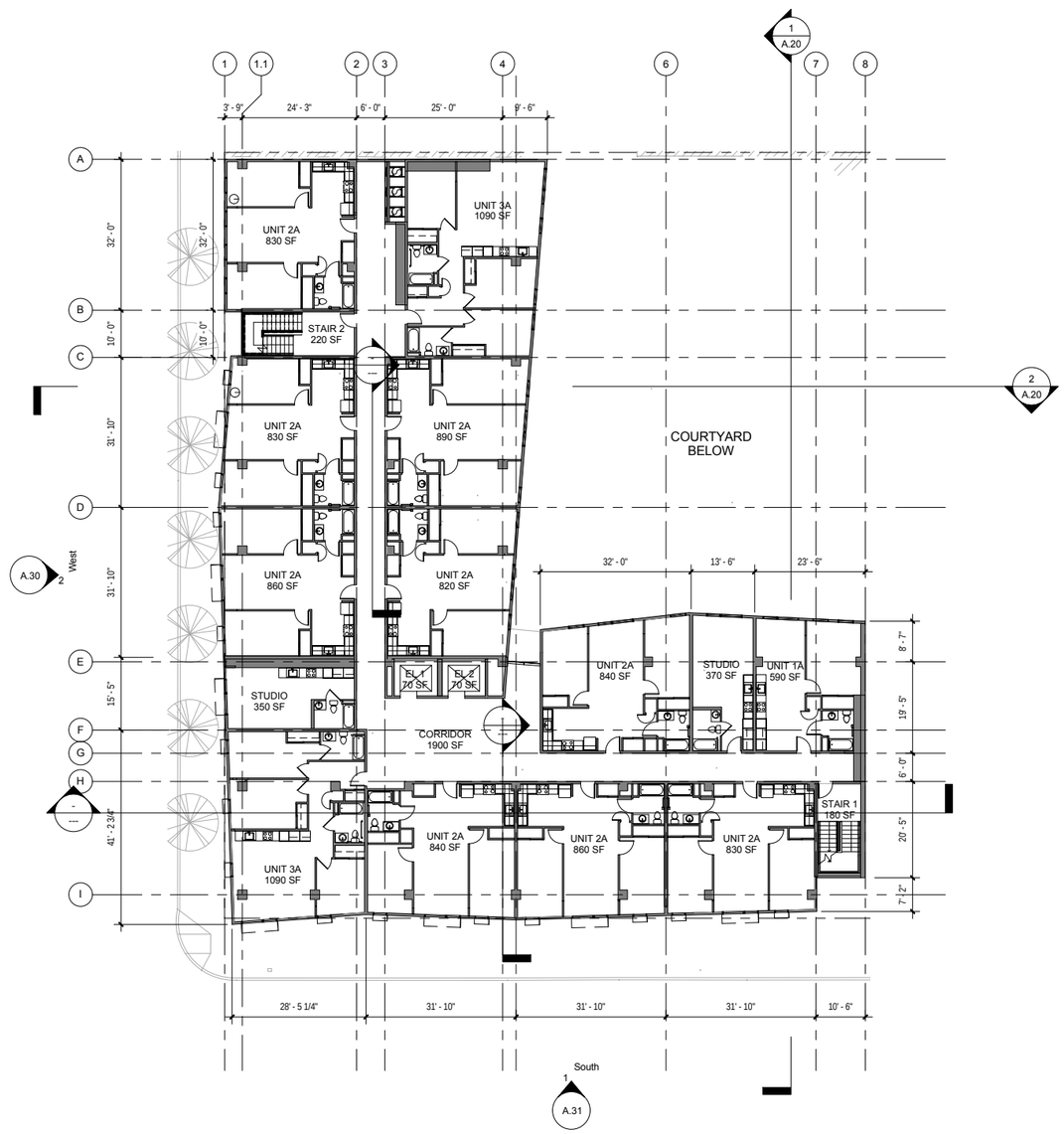
GROUND FLOOR AND MEZZANINE PLANS

job #: 20618
date: 2015-03-17
scale: 1/16" = 1'-0"

A.10



2 Level 5
1/16" = 1'-0"



1 Levels 2-4
1/16" = 1'-0"

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DEVELOPMENT
CORPORATION

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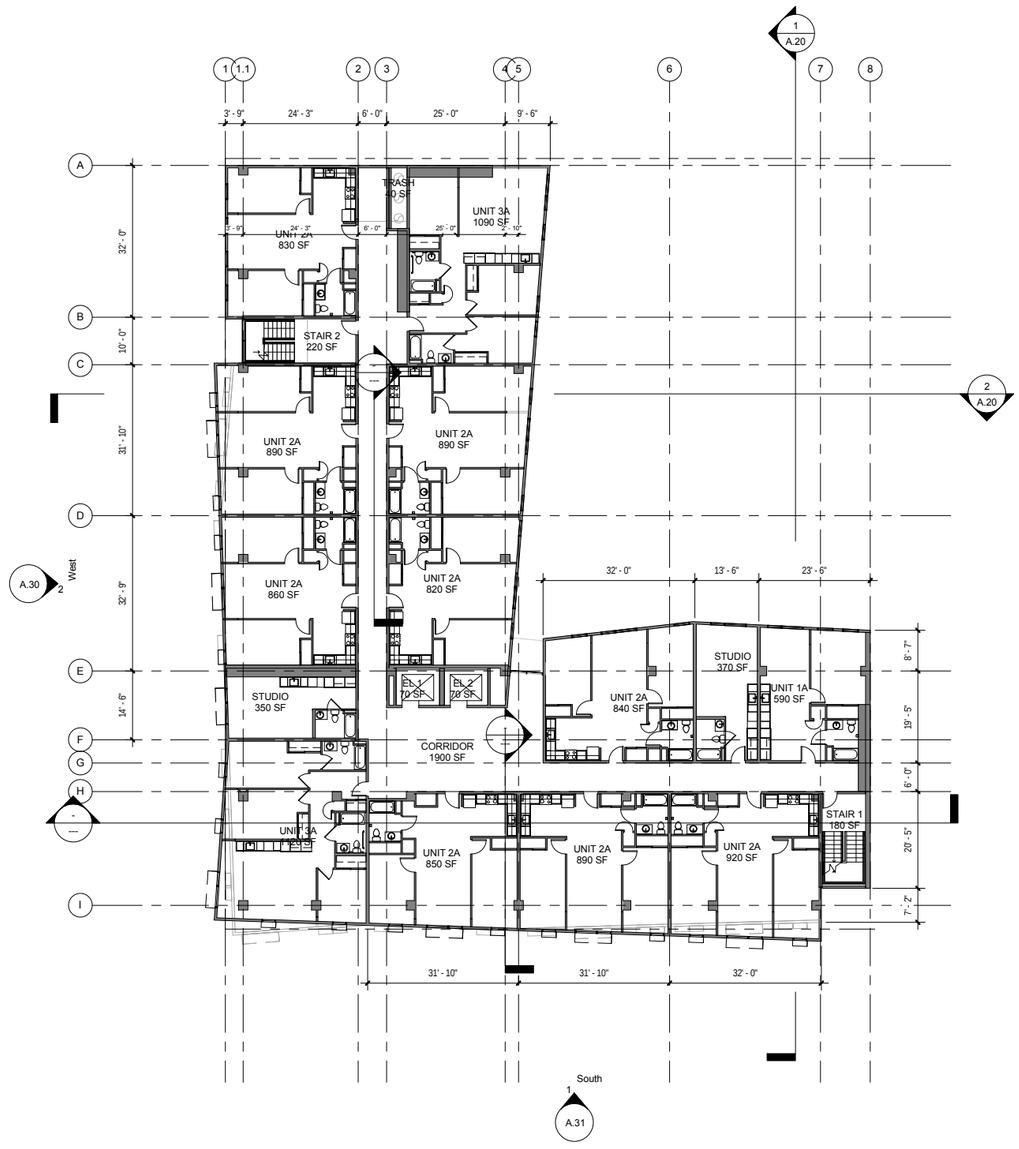
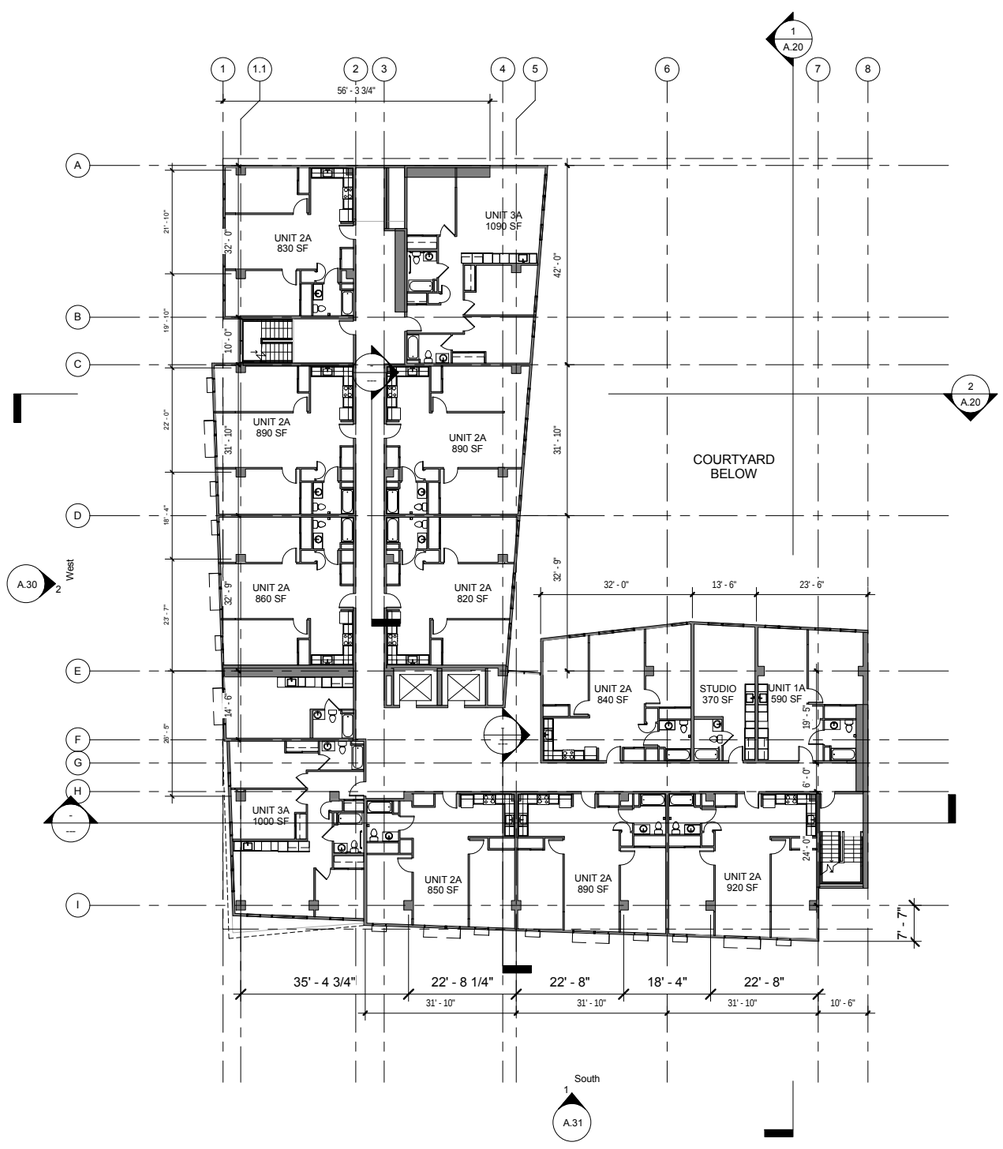
FLOOR PLANS - LEVELS 2-5

job #: 20618
date: 2015-03-17
scale: 1/16" = 1'-0"

A.11



1 Levels 7-8
1/16" = 1'-0"



2 Level 6-8
1/16" = 1'-0"

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DEVELOPMENT
CORPORATION

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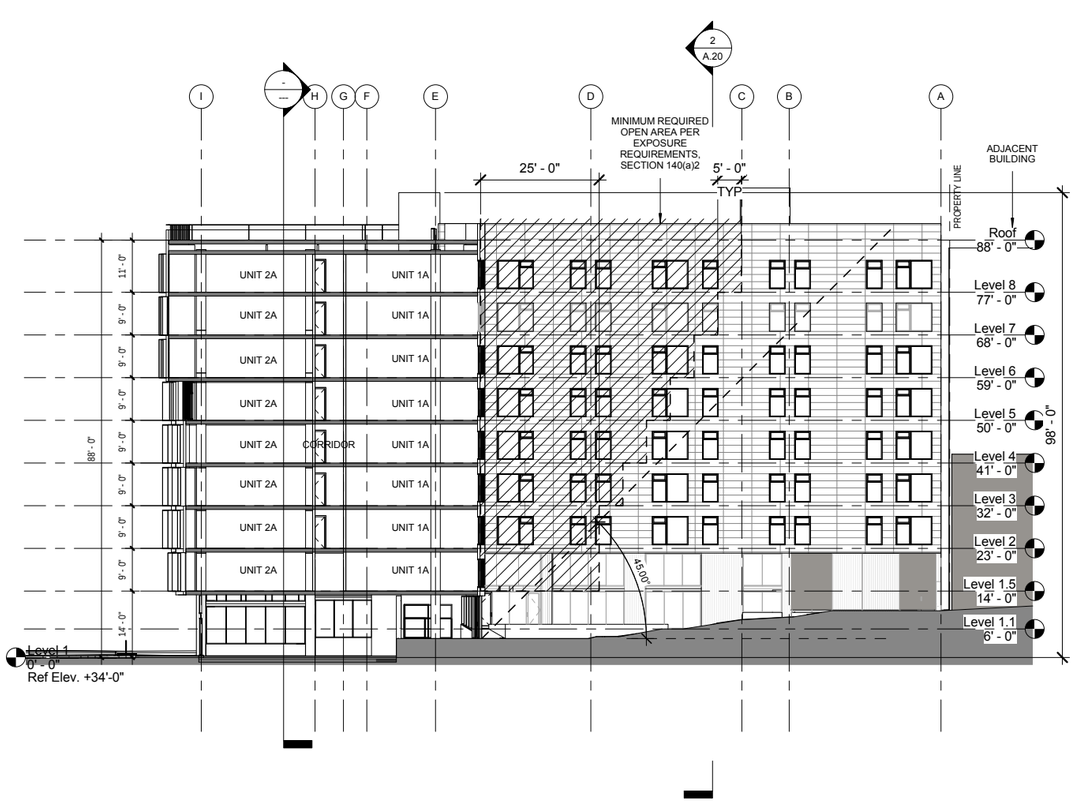
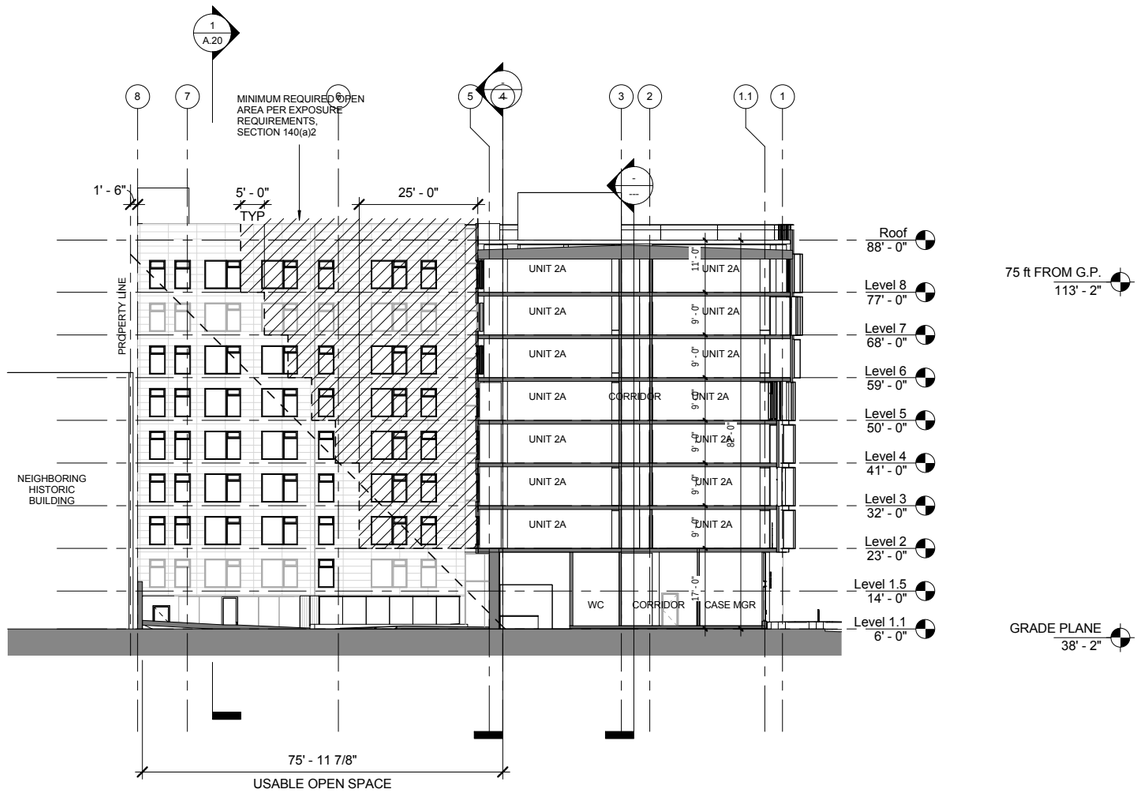
FLOOR PLANS - LEVELS 6-8

job #: 20618
date: 2015-03-17
scale: 1/16" = 1'-0"

A.12



1 NORTH-SOUTH SECTION
1/16" = 1'-0"



2 EAST-WEST SECTION
1/16" = 1'-0"

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BUILDING SECTIONS

job #: 20618
date: 2015-03-17
scale: 1/16" = 1'-0"

A.20

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DEVELOPMENT
CORPORATION

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WEST ELEVATION - TAYLOR

job #: 20618
date: 2015-03-17
scale: 1/8" = 1'-0"

A.30

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Eddy + Taylor

SOUTH ELEVATION - EDDY

job #: 20618
date: 2015-03-17
scale: 1/8" = 1'-0"

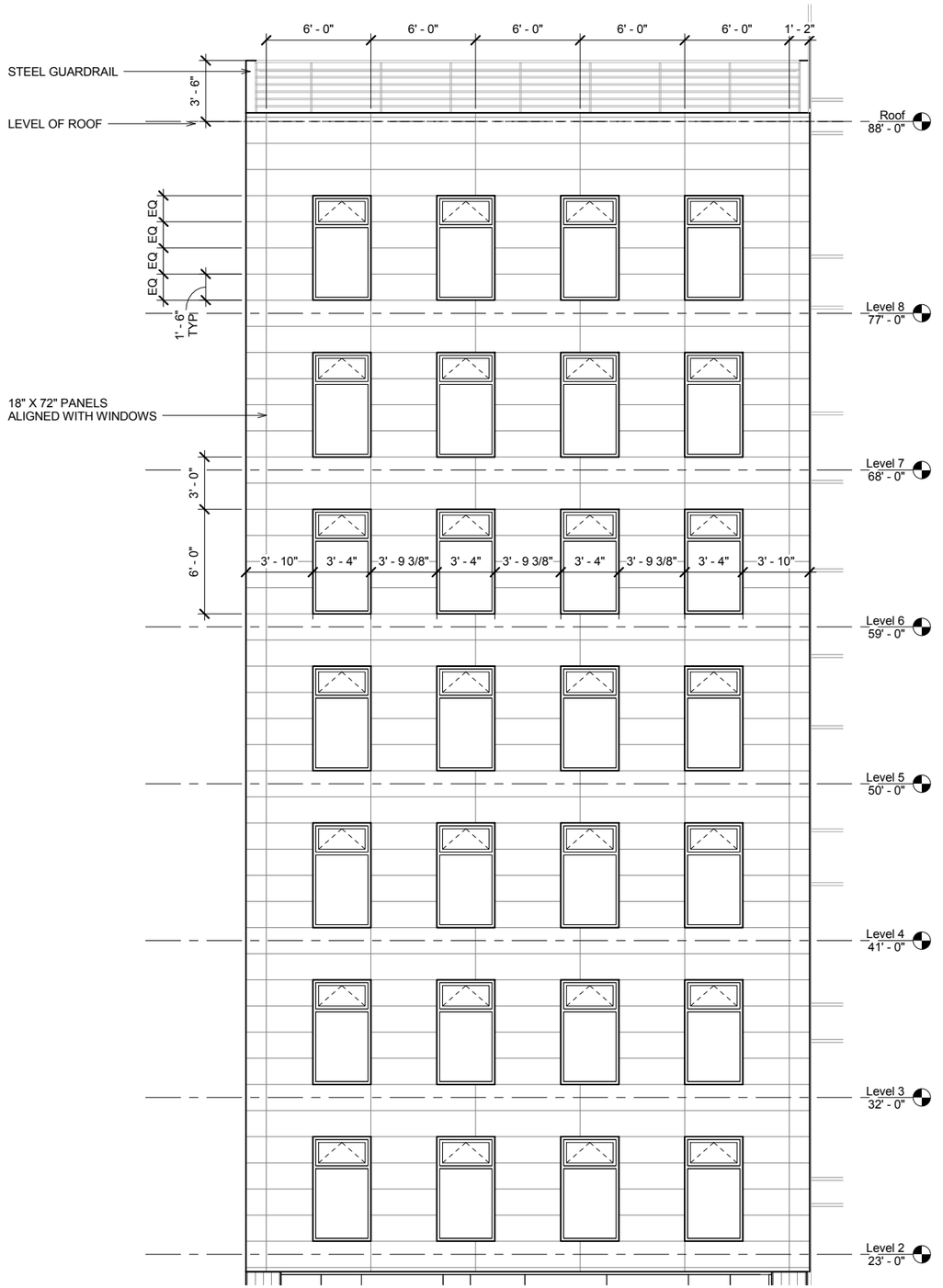
A.31

PAINTED ALUMINUM SUNSHADE
OUTSIDE COLOR: "CHARLESTON GREEN"

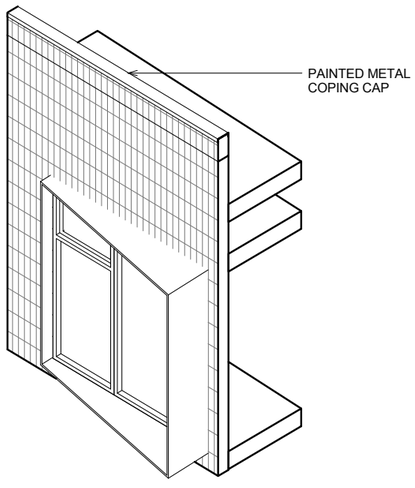
MIDDLE-TONE BRICK
PATTERN; VARIEGATED
REDS AND BROWNS

PAINTED ALUMINUM SUNSHADE
INSIDE COLOR: WHITE

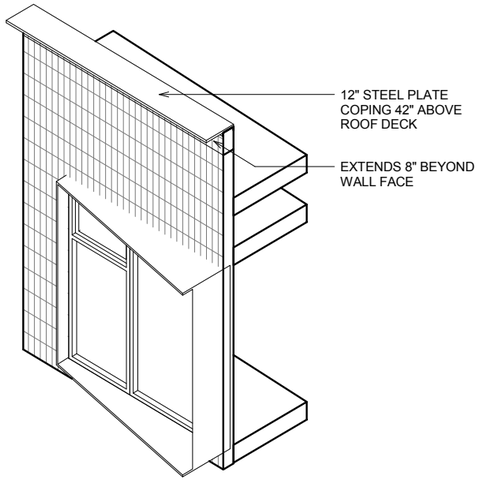
③ SUNSHADE MATERIAL - DETAIL PERSPECTIVE
12" = 1'-0"



① DETAIL ELEV. - RAINSCREEN PANELS
1/4" = 1'-0"



3 STANDARD COPING TERMINATION



1 EXTENDED CAP TERMINATION

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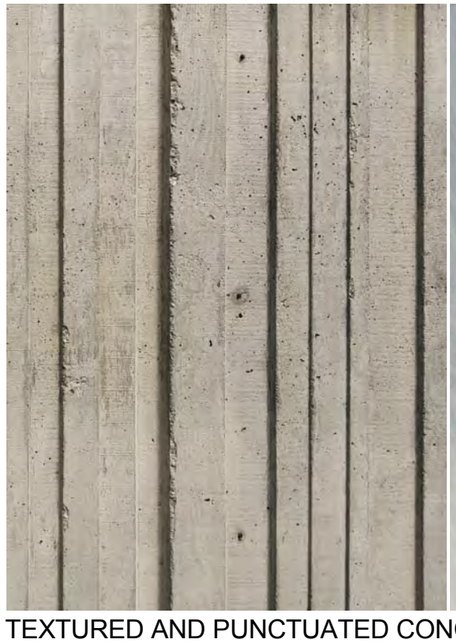
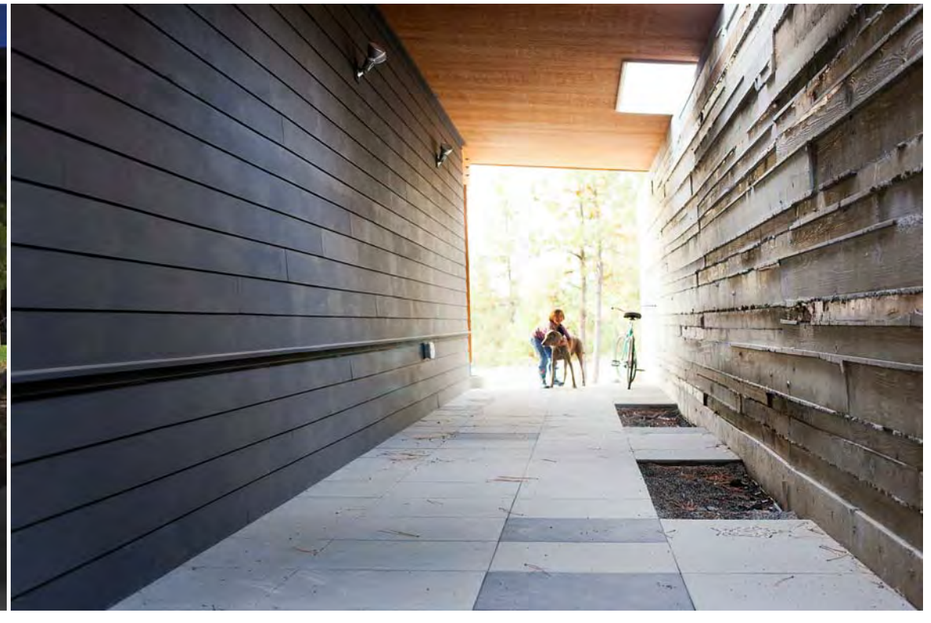
A.33

ALUMINUM STOREFRONT AT GROUND FLOOR

PATTERNED GLASS AND TEXTURED CONCRETE

PATTERNED GLASS





TEXTURED AND PUNCTUATED CONCRETE

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Eddy + Taylor

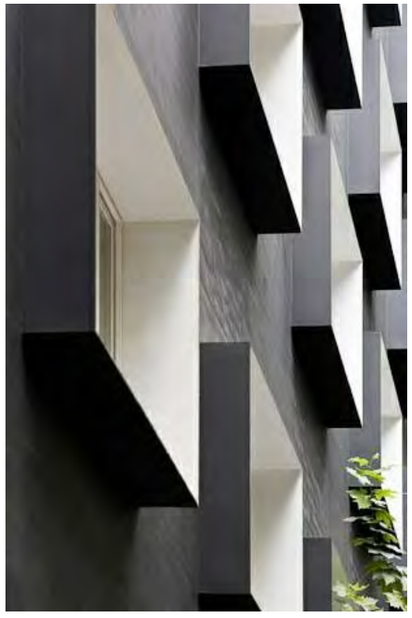
MATERIALS - GROUND FLOOR

job #: 20618
date: 2015-03-17
scale:

A.40

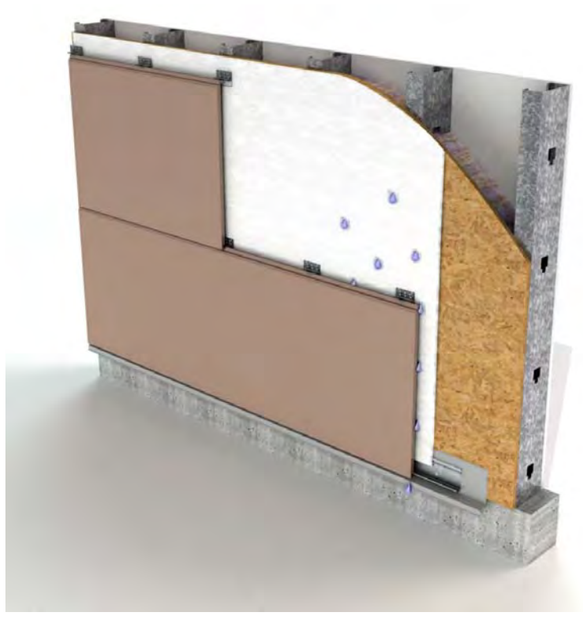
LOW-CONTRAST VARIED-COLOR THIN BRICK

SOLDIER-COURSE VARIED-COLOR THIN BRICK



TWO-TONE BOX SUNSHADE

TAPERED BOX SUNSHADE



PRE-FINISHED FIBER-CEMENT RAINSCREEN, 18" X 72" PANELS

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Eddy + Taylor

MATERIALS - RESIDENTIAL FLOORS

job #: 20618
date: 2015-03-17
scale:

A.41