



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: APRIL 23, 2015

*Date:* April 16, 2015  
*Case No.:* **2013.1407CE**  
*Project Address:* **2501 CALIFORNIA STREET**  
*Zoning:* Upper Fillmore Street NCD (Neighborhood Commercial, Cluster)  
40-X Height and Bulk District  
*Block/Lot:* 0655/001, 002 and 034  
*Project Sponsor:* Muthana Ibrahim  
2221 Olympic Boulevard, Ste 100  
Walnut Creek, CA 94595  
*Staff Contact:* Sharon Lai – (415) 575-9087  
[sharon.w.lai@sfgov.org](mailto:sharon.w.lai@sfgov.org)  
*Recommendation:* **Approve with Conditions**

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### PROJECT DESCRIPTION

The Project proposes to demolish the existing gas station (including the underground storage tanks and pipes), auto repair shop and convenience store, and to develop the site with a new one-story over basement 4,608 square foot formula retail convenience store with storage space (d.b.a. Loop), a new canopy with 10 fueling pumps and underground storage tanks for the replacement gas station (d.b.a. Shell), and three accessory parking spaces. The proposed Loop convenience store proposes to feature fresh food items. Other project features include perimeter fencing and landscaping, the reduction of the California Street curb cut width from approximately 32 feet to 28 feet, the elimination of one 33 foot wide curb cut along Steiner Street, and the relocation and reduction of the remaining curb cut width along Steiner Street from approximately 30 feet, 6 inches to 28 feet. The proposed hours of operation for the convenience store and gas station will be between 6:00 a.m. to 2:00 a.m., daily.

### SITE DESCRIPTION AND PRESENT USE

The Property is located at the southwest corner of California and Steiner Streets in the Upper Fillmore Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. The three parcels (lots 01, 02, and 034) have a combined lot area of approximately 14,180 square feet and the site is currently developed with a 2,372 square foot one-story building that contains automotive repair service bays and a convenience store, six fuel dispenser pumps under a canopy, and eight uncovered parking spaces. An independent operator, separate from the gas station operator, operates the automotive service station. The site contains approximately 103 feet of frontage along California Street and 137 feet, 6 inches of frontage along Steiner Street. The Shell Gas station was constructed circa 1932 and is a legal nonconforming use pursuant to Planning Code (PC) Section 180. There is one curb cut (31 feet, 10 inches wide) located along the California street frontage and two curb cuts (30 feet, 8 inches and 33 feet wide) located along the Steiner Street frontage.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The Project site is located within the northern bounds of the Western Addition neighborhood and borders the south side of the Pacific Heights neighborhood. The site is located one block west of the Fillmore Street corridor, and is on the western edge of the Upper Fillmore Street NCD. The Upper Fillmore Street NCD is characterized as a medium-scaled, multi-purpose commercial district that provides convenience goods to its immediate neighborhood as well as specialized goods and services to a wider area. Commercial businesses are active during both day and evening hours and include a number of bars, restaurants, specialty groceries, and specialty clothing stores.

The subject block contains parcels zoned Upper Fillmore Street NCD and RH-2 (Residential House, Two-Family). To the east across Steiner Street is a grocery store (d.b.a. Mollie Stones) and to the north across California Street is another gas station (d.b.a. Chevron). The adjacent south side parcel is a parking lot, which operates in connection with the California Pacific Medical Center office building at the southeast corner of the subject block. The adjacent parcel to the west contains a four-story mixed-use building with 17 dwelling units over ground floor commercial space.

## **ENVIRONMENTAL REVIEW**

On February 11, 2015, the Department published the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project under Case No. 2013.1407E. This environmental document was subsequently finalized on March 12, 2015.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 3, 2015	April 3, 2015	20 days
Posted Notice	20 days	April 3, 2015	April 3, 2015	20 days
Mailed Notice	20 days	April 3, 2015	April 3, 2015	20days

## **PUBLIC COMMENT**

- As of April 13, 2015, 38 emails in opposition and a petition of support with 20 signatures have been forwarded to the Department. Supervisor Mark Farrell has stated opposition to the previously proposed 24 hour nature of the project under the "Save Our Fillmore Neighborhood" petition at change.org. The petition includes 249 in opposition to the Project. The comments in opposition include the previously proposed 24 hour operation of the convenience store (the convenience store is currently proposed to operate between 6a.m. and 2a.m. daily), the displacement of the auto repair service station, and the increase in traffic due to addition of refueling pumps.

## **ISSUES AND OTHER CONSIDERATIONS**

- The public has expressed concern over the proposed hours of operation of the convenience store.

- The existing Automotive Repair use is operated independently and will be displaced.
- The proposed formula retail convenience store is approximately 4,200 square feet, which is in excess of the permitted use size of 2,499 square feet. The project is seeking a Conditional Use Authorization for exceeding the use size limit in the subject zoning district and the establishment of a new formula retail use.
- The proposed lot merger will result in a lot size above the 5,000 square foot lot size limit.
- The existing gas station, formula retail convenience store and automotive repair shop are developed on three separate parcels. The proposed project proposes to remove all existing structures and to reconstruct the gas station and convenience store on a single parcel. The proposed lot merger will result in a lot size of 14,180 square feet, which is in excess of the permitted lot size of 5,000 square feet and will require a Conditional Use Authorization.

## **REQUIRED COMMISSION ACTION**

In order for the Project to proceed, the Commission must grant Conditional Use authorization to allow the demolition of the existing nonconforming gas station, and nonconforming automotive service station and convenience store building and the construction of a new formula retail convenience store in excess of the size limit and gas station in one lot in excess of the lot size limit, pursuant to Planning Code Sections 121.1, 121.2, 186.1, 303, 303.1, 718.11, and 718.21.

## **BASIS FOR RECOMMENDATION**

- Pursuant to PC Section 228, the Board of Supervisors has recognized that service station operators and those who own property on which such stations are located are entitled to earn a fair rate of return on their investment. Where a fair rate of return is not being earned, service stations should be allowed to expand or intensify if it would benefit the public.
- In response to public concern, the sponsor has reduced the proposed hours of operation to the permitted hours of 6a.m. to 2a.m. daily in the Upper Fillmore NCD.
- Although the proposed convenience store use size is above the permitted limit in the district, the above grade and publicly accessible portion of the retail store (2,295 square feet) is below the use size limit. The basement level is intended as accessory storage for the convenience store.
- The proposed formula retail establishment will be the 13<sup>th</sup> location. Although the convenience store qualifies as a new formula retail establishment, it is replacing an existing formula retail convenience store (d.b.a. Shell Food Mart). The existing formula retail concentration within the vicinity is approximately 19 percent.
- The existing facility occupies three separate parcels that are proposed to merge. The proposed lot merger will not result in an increase in the size of the development site and the project is a reconstruction of an existing gas station facility.
- The Project has been designed to better integrate with the neighborhood context. The proposed perimeter fencing with built-in public seating is an improvement for the existing site and will

provide an appropriate transition between the public right-of-way and the vehicular oriented use. The reduction of curb cuts will reduce the points of modal conflict and increase safety for the public. Furthermore, the relocation of the convenience store structure to the Steiner Street property line and the increase of fenestration will provide a more consistent street wall and development pattern for the block.

<b>RECOMMENDATION:</b>	<b>Approval with Conditions</b>
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**Attachments:**

Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Site Photographs  
Reduced Plans  
Formula Retail Map  
Formula Retail Affidavit



Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal                                 |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Existing Conditions</u>  |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility                                      |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u>   |
| <input type="checkbox"/> Height & Bulk Map              | <input type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Parcel Map          | <input type="checkbox"/> Health Dept. review of RF levels                                     |
| <input checked="" type="checkbox"/> Sanborn Map         | <input type="checkbox"/> RF Report  |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Community Meeting Notice   |
| <input type="checkbox"/> Context Photos                 | <input type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos         |   |
| <input checked="" type="checkbox"/> Formula Retail Map  |   |

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

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SL  
Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415)           | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)            | <input type="checkbox"/> Other                             |

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## Planning Commission Draft Motion

HEARING DATE: APRIL 23, 2015

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.1, 121.2, 186.1, 303, 303.1, 718.11 AND 718.21 OF THE PLANNING CODE TO ALLOW THE DEMOLITION OF THE NON-CONFORMING AUTOMOTIVE GAS STATION (D.B.A. SHELL) THAT INCLUDES A NON-CONFORMING AUTOMOTIVE SERVICE USE AND A CONVENIENCE STORE, AND TO ALLOW A LOT MERGER AND THE RECONSTRUCTION OF THE NON-CONFORMING AUTOMOTIVE GAS STATION (D.B.A. SHELL) AND A FORMULA RETAIL CONVENIENCE STORE (D.B.A. LOOP), WITHIN THE UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND 40-X HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On December 10, 2013, Muthana Ibrahim (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 121.1, 121.2, 186.1, 303, 303.1, 718.11, and 718.21 to allow the demolition of the non-conforming automotive gas station (d.b.a. Shell) that includes a non-conforming automotive service use and a retail convenience store, and to allow a lot merger and the reconstruction of the non-conforming automotive gas station (d.b.a. Shell) and a formula retail

convenience store (d.b.a. Loop) located at Assessor's Lots 001, 002, and 034 in Block 0655 (hereinafter "Property"), within the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District.

On February 11, 2015, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until March 4, 2015; and

On March 12, 2015, the Finalized Mitigated Negative Declaration for the Project was published.

On April 23, 2015, 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), Title 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 that the summary of comments and responses contained no significant revisions to the Draft IS/MND,] 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. 2013.1407E at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

On April 23, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1407CE.

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.

As determined by the Planning Department, nothing about the proposed project as revised or its surrounding circumstances have changed in a way to require additional environmental review.

**MOVED,** that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.0386C, 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 Property is located at the southwest corner of California and Steiner Streets in the Upper Fillmore Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. The three parcels (lots 01, 02, and 034) have a combined lot area of approximately 14,180 square feet and the site is currently developed with a 2,372 square foot one-story building that contains automotive repair service bays and a convenience store, six fuel dispenser pumps under a canopy, and eight uncovered parking spaces. An independent operator, separate from the gas station operator, operates the automotive service station. The site contains approximately 103 feet of frontage along California Street and 137 feet, 6 inches of frontage along Steiner Street. The Shell Gas station was constructed circa 1932 and is a legal nonconforming use pursuant to Planning Code (PC) Section 180. There is one curb cut (31 feet, 10 inches wide) located along the California street frontage and two curb cuts (30 feet, 8 inches and 33 feet wide) located along the Steiner Street frontage.
3. **Surrounding Properties and Neighborhood.** The Project site is located within the northern bounds of the Western Addition neighborhood and borders the south side of the Pacific Heights neighborhood. The site is located one block west of the Fillmore Street corridor, and is on the western edge of the Upper Fillmore Street NCD. The Upper Fillmore Street NCD is characterized as a medium-scaled, multi-purpose commercial district that provides convenience goods to its immediate neighborhood as well as specialized goods and services to a wider area. Commercial businesses are active during both day and evening hours and include a number of bars, restaurants, specialty groceries, and specialty clothing stores.

The subject block contains parcels zoned Upper Fillmore Street NCD and RH-2 (Residential House, Two-Family). To the east across Steiner Street is a grocery store (d.b.a. Mollie Stones) and to the north across California Street is another gas station (d.b.a. Chevron). The adjacent south side parcel is a parking lot, which operates in connection with the California Pacific Medical Center office building at the southeast corner of the subject block. The adjacent parcel to the west contains a four-story mixed-use building with 17 dwelling units over ground floor commercial space.

4. **Project Description.** The Project proposes to demolish the existing gas station (including the underground storage tanks and pipes), auto repair shop and convenience store, and to develop the site with a new one-story over basement 4,608 square foot formula retail convenience store with storage space (d.b.a. Loop), a new canopy with 10 fueling pumps and underground storage tanks for the replacement gas station (d.b.a. Shell), and three

accessory parking spaces. The proposed Loop convenience store proposes to feature fresh food items. Other project features include perimeter fencing and landscaping, the reduction of the California Street curb cut width from approximately 32 feet to 28 feet, the elimination of one 33 foot wide curb cut along Steiner Street, and the relocation and reduction of the remaining curb cut width along Steiner Street from approximately 30 feet, 6 inches to 28 feet. The proposed hours of operation for the convenience store and gas station will be between 6:00 a.m. to 2:00 a.m., daily.

5. **Public Comment.** As of April 13, 2015, 38 emails in opposition and a petition of support with 20 signatures have been forwarded to the Department. Supervisor Mark Farrell has stated opposition to the previously proposed 24 hour nature of the project under the "Save Our Fillmore Neighborhood" petition at change.org. The petition includes 249 in opposition to the Project. The comments in opposition include the previously proposed 24 hour operation of the convenience store (the convenience store is currently proposed to operate between 6a.m. and 2a.m. daily), the displacement of the auto repair service station, and the increase in traffic due to addition of refueling pumps.
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. **Vehicle Use Area Screening.** Planning Code Sections 102(V), 102(O), 142 and 156 require the screening from view of vehicle use areas that are greater than 25 linear feet along the public right-of-way, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height. Any such vehicle use areas shall provide screening in accordance with the requirements of this Section and the Ornamental Fencing under Section 102.32.

*The Project will provide the necessary screening. The proposed perimeter screen design includes metal fencing between concrete posts installed within a planter strip along the sidewalk. Compact evergreen hedges are proposed to be installed behind the metal fencing in the perimeter planter along California and Steiner Streets. In addition, several built-in public benches are proposed along the public right-of-way as part of the permanent perimeter-screening feature.*

- B. **Lot Size.** Per Sections 121.1 and 718.11, a lot size is permitted up to 4,999 square feet and is conditionally permitted for lots 5,000 square feet and above within the Upper Fillmore Street NCD.

*The Project proposes to merge the three lots currently occupied by the gas station use into one 14,180 square foot lot. The proposed lot size is above the lot size permitted and the Project is seeking a Conditional Use Authorization.*

- C. **Use Size.** Per Sections 121.2 and 718.21, a non-residential use size is permitted up to 2,499 square feet and is conditionally permitted for a use size of 2,500 square feet and above within the Upper Fillmore Street NCD.

*The Project proposes to construct an approximately 4,600 square foot convenience store with storage. Approximately 2,300 square feet will be dedicated towards retail sales. The proposed total use size is above the limit permitted and the Project is seeking a Conditional Use Authorization.*

- D. **Rear Yard Requirement in the Upper Fillmore Street NCD.** Planning Code Section 134 states that a rear yard equal to 25 percent of the total depth shall be provided at the second story and above and at all residential levels.

*The proposed single-story commercial development is not required to provide a rear yard.*

- E. **Street Trees.** Planning Code Section 138.1 requires one 24-inch box size street tree for every 20 feet of frontage of the property along each street or publicly accessible rights-of-way directly fronting the property when constructing a new building.

*The Property has 103 feet of frontage along California Street and 137 feet, 6 inches of frontage along Steiner Street. The Project is required to provide five street trees along California Street and seven along Steiner Street, where none currently exist. The feasibility of tree planting will require the review and approval of the Department of Public Works Bureau of Urban Forestry. The proposed Project includes one new street tree along California Street and five new street trees along Steiner Street to be planted along the rights-of-way due to the location of existing underground utilities, street signs and other improvements. Therefore, the Sponsor will be required to pay in-lieu fees for the six remaining required trees.*

- F. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC 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. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The proposed new convenience store structure has approximately 29 feet of frontage along Steiner Street with approximately 19 feet (66 percent) devoted to window space. The windows are clear and unobstructed.*

- G. **Parking.** Planning Code Section 151 requires one off-street parking space for every 500 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet. In NC districts, a maximum of three spaces are permitted as accessory parking, where no off-street parking spaces are required by this Section.

*The Project includes a new building with less than 5,000 square feet of occupied floor area and therefore does not require any off-street parking. However, the Project is proposing to provide three permitted accessory parking spaces.*

- H. **Bicycle Parking.** Planning Code Section 155.2 requires a minimum of two Class 2 spaces and one Class 2 space for every 2,500 square feet of occupied floor area.

*The Project proposes to provide six new Class 2 bicycle parking along Steiner Street, above the two required by Code.*

- I. **Nonconforming Uses.** Planning Code Section 186.1(c)(3)(C) a nonconforming use described in zoning category .57 (gas station), may be demolished and reconstructed as the same use or may change to another use described in zoning categories .57, .58 or .59, even though such other use is not permitted in that Neighborhood Commercial District, upon approval of a conditional use application.

*The Project is seeking Conditional Use Authorization to demolish and reconstruct the existing nonconforming gas station use. The Project is proposing to remove the existing nonconforming automotive repair shop service use.*

- J. **Conversion of Automotive Service Station.** Per Planning Code Section 228 the conversion of service stations to non-service station use has resulted in the curtailment of essential services, including automobile refueling and emergency services, and is contrary to the public health, safety, peace and general welfare. A Conditional Use Authorization is required for a change of use of a property from a service station use to a different type of use.

*Although the Automotive Repair use will be terminated, the existing gas station use will remain and the project is therefore not considered a conversion of an Automotive Service Station.*

- K. **Formula Retail.** Planning Code Sections 303.1 and 703.4 requires a Conditional Use Authorization for the establishment or expansion of a new formula retail use in any Neighborhood Commercial Districts.

*The Loop convenience store is reported to have 12 existing locations and is therefore considered a formula retail establishment. The proposed 13<sup>th</sup> location seeks Conditional Use Authorization for the establishment of a new formula retail use.*

- L. **Hours of Operation.** Planning Code Section 718.27 states that operation between 6a.m. and 2a.m. is permitted within the Upper Fillmore Street NCD.

*The proposed gas station and convenience store will operate between the permitted hours of 6a.m.to 2a.m.*

- M. **Signage.** Section 607.1 of the Planning Code permits business signs to be located within Neighborhood Commercial Districts with limitations based on the type of signage. Wall signs in the Upper Fillmore Street NCD are limited to two square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

*The proposed new wall sign for the convenience store (d.b.a. Loop) complies with the size and placement as specified by Planning Code Section 607.1. The existing free-standing monument sign will be reconstructed in a similar location and will be reduced from approximately 30 feet tall to 17 feet tall. The new monument sign has been designed to integrate with the new perimeter fencing. Any proposed signage will be subject to the review and approval of the Planning Department.*

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 is necessary and desirable in that the proposed retail store will continue to provide convenience goods for customers at the time of refueling their vehicles as well as providing a convenience to the neighborhood at large. The project sponsor has stated that the new convenience store will include fresh food products. The proposed below-grade storage area is necessary for the operation of the above ground retail component.*

*The reconstruction and increase in the number of fuel dispensing pumps will allow the project sponsor to upgrade the existing facility and to increase the utility of the site. The proposed replacement gas station will allow the owners to earn a fair rate of return on their investment*



*that will enable the existing gasoline service station that provides an essential service to the public to remain.*

- 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 existing automotive service use is a nonconforming use, which is proposed to be removed. The proposed lot merger does not increase the size of the existing development site and is therefore in keeping with the existing character of the neighborhood. The height and bulk of the replacement structure will be similar in footprint and location to the service station and convenience store building proposed to be demolished. The proposed configuration of the structure will be at the property line along Steiner Street, which has been designed to promote activity along the street. The proposed curb cut reduction will also improve the pedestrian safety by reducing the points of modal conflicts. Additionally, the proposed perimeter screening and built-in public bench features will be an improvement for the pedestrian and public experience.*

- 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 Planning Code does not require parking or loading for the subject use, although three accessory parking spaces are permitted and proposed. The Project has undergone Environmental Review under Case No. 2013.1407E, where a Mitigated Negative Declaration has been issued (EXHIBIT C).*

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

*The gasoline service use will continue to operate and is not expected to generate additional noxious or offensive emissions beyond the existing conditions. Any emissions produced by the automotive repair use will be eliminated as the use will be removed from the site.*

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

*The proposed perimeter fencing and landscaping have been designed to meet Planning Code requirements and to provide an improved pedestrian realm. The material choice and the low profile of the built-in open fencing and posts in the landscape planters will*

*provide an appropriate buffer and transition between the public right-of-way and the gas station for the pedestrians. The project sponsor has also provided built-in public seating along both California and Steiner Streets. All proposed accessory parking is located away from the perimeter of the site and all loading activity will be conducted on-site.*

- 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 complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

*The proposed project is consistent with the stated purpose of the Upper Fillmore Street NCD in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime and evening hours.*

8. **Formula Retail.** Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider, in addition to the criteria set forth in Section [303](#), the criteria below and the Performance-Based Design Guidelines adopted by the Planning Commission to implement the criteria below for any Formula Retail Uses:

- a. The existing concentrations of formula retail uses within general vicinity of the proposed project.

*Based on data provided by the project sponsor, there are approximately 41 existing formula retail establishments out of approximately 215 retail establishments within the district and ¼ mile radius vicinity and district of the subject site. The existing and proposed formula retail use concentration is approximately 19 percent of all commercial uses within the vicinity. The proposed formula retail use (d.b.a. Loop) would not increase the concentration of formula retail establishments in the vicinity as it replaces an existing formula retail use (d.b.a. Shell Food Mart). Loop is a local convenience store retailer that operates in conjunction with gas stations. There are 12 existing locations, all within California.*

- b. The availability of other similar uses within the district and within the vicinity.

*There is one other gas station convenience store and six convenience/corner stores within the vicinity. The concentration of existing and proposed convenience stores within the ¼ mile vicinity is 4 percent.*

- c. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.

*The project will occupy an existing storefront previously occupied by a formula-retail convenience store (d.b.a. Shell Food Mart) and therefore will have no effect on the architectural and aesthetic character of the district. The proposed design is more appropriate as the new structure is relocated to the property line with increased fenestration.*

- d. The existing retail vacancy rates within the district.

*There are currently 7 vacancies out of 215 establishments, which is 3 percent.*

- e. The existing mix of Citywide-serving retail uses and daily needs serving retail uses within the vicinity.

*The proposed project will not alter the mix of Citywide versus daily needs serving uses within the vicinity as the proposed demolition and reconstruction of the gas station and convenience store will occupy the same amount of street frontage. The existing daily needs serving uses concentration within the district is approximately 16 percent.*

- f. Additional data and analysis set forth in the Performance-Based Design Guidelines adopted by the Planning Commission.

*The project has been designed to improve the existing site conditions. Improvements to the site design include reduced curb cuts to increase pedestrian safety and access; perimeter fencing and public seating to better integrate with the urban context, reduced height of the free standing monument signage; relocation of the convenience store to more appropriately continue the street wall and new fenestration on the structure to provide visibility and transparency of the retail use.*

*Of the approximate 10,300 feet of commercial frontage within the ¼ mile vicinity, approximately 1,800 linear feet is occupied by formula retail uses, which is approximately 17 percent. Other formula uses near the subject property include Chase, Rag and Bone, Wells Fargo, and La Boulange.*

*Additionally, based on analysis provided by the project sponsor from data collected in March 2015, 23 percent of the ground floor businesses within the subject NCD is occupied by formula retail use (34 of 147).*

*The use mix is varied within the subject district. The highest proportion of use within the district is retail (48 percent), and the second highest proportion of use is restaurant (17 percent). The remaining 35 percent are split between uses such as personal service, limited restaurant, vacant, and financial services.*

- g. For formula retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of

an economic impact study prepared pursuant to Section 303(i) of the Planning Code.

*As the subject retail use is less than 20,000 square feet, an economic impact study is not required for this project.*

9. **Planning Code Section 121.1** establishes additional criteria for the Planning Commission to consider when reviewing applications in excess of the lot size limit:

- a. The mass and facade of the proposed structure are compatible with the existing scale of the district.

*The proposed retail convenience store has been relocated to the property line on Steiner Street and the width of the structure has been designed to be compatible with the other storefronts within the NCD. The proposed perimeter fencing has been designed to provide screening for the vehicular use area and is an improvement from the existing gas station design.*

- b. The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

*The proposed convenience store includes fenestration that is compatible with the neighborhood context.*

10. **Planning Code Section 121.2(a)** establishes additional criteria for the Planning Commission to consider when reviewing applications in excess of the use size limit:

- a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

*The proposed new convenience store is replacing an existing facility. Although the proposed use size is above the permitted use size of 2,500 square feet, the publicly accessible and above grade portion of the use is approximately 2,295 square feet and is below the use size limit. The proposed publicly accessible portion of the store is in keeping with the use size of other establishments in the neighborhood.*

- b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

*The proposed convenience store proposes to feature fresh food items and other convenience goods that require storage space outside of the publicly accessible display areas. Many similar uses such as grocery stores and corner stores will generally have a dedicated storage area that is similar to the proposed below-grade storage.*

- c. The building in which the use is to be located is designed in discrete elements

which respect the scale of development in the district.

*The proposed facility is designed to be partially subterranean so that the visible portion of the retail use is within the use size limit of the district.*

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

## NEIGHBORHOOD COMMERCE

### Objectives and Policies

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

#### **Policy 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

#### **Policy 1.2:**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

#### **Policy 1.3:**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed Project will provide substantial net benefits with negligible undesirable consequences to the residents of the Western Addition and Pacific Heights neighborhoods because gasoline service stations and retail convenience store provides essential goods and services to the public. Traffic conditions will remain substantially unaltered because the number of new trips that will be generated by the Project will be minimal and will not affect adjacent roadway operations generated by the Project.*

#### **OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

#### **Policy 2.1:**

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

*Approval of the Project will allow the retention of an existing gas station and retail convenience store. The existing site has been developed with these two uses for many years. The removal of such a use would result in the reduction of the available goods and services in the neighborhood. The reconstruction will allow the project sponsor to increase the value, efficiency and safety of the site and enable the retention and continued operation of the existing gasoline service station, which provides an essential service to the public.*

12. **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 Project will preserve the existing gasoline service station, which provides an essential service to the public, and the expanded retail convenience store is a desirable neighborhood-serving use. The proposed formula retail convenience store is replacing an existing formula retail use and will therefore not affect the concentration of formula retail establishments in the area.*

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

*The existing residential units in the surrounding neighborhood would not be adversely affected by the project. The new convenience store structure will remain as a single-story structure and the proposed canopy will be approximately the same height as the existing canopy and will thereby preserve the existing character of the neighborhood. The proposed convenience store will extend to the Steiner Street property line to be more in keeping with the existing street wall. In addition, the proposed perimeter screening, landscaping and public seating will be an improvement to the character of the neighborhood.*

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

*No housing is removed for this Project.*

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

*The Project is not expected to generate additional demand on neighborhood parking, and will not impede MUNI transit nor overburden the City's streets because the number of new trips that will be generated by replacing the existing gas station, automobile service station and*

*convenience store with a new gas station and convenience store will be minimal and will not affect adjacent roadway operations. Furthermore, the location of the structures and the amount of space available for queuing and circulation within the Property will not result in negative effects to commuter traffic.*

- 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 will eliminate an existing automotive repair use. However, the existing gas station and convenience store retail use will be retained. The proposed formula retail convenience store is replacing an existing formula retail use and will therefore not affect the concentration of formula retail establishments in the area.*

- 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. This proposal will not affect the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project site.*

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

*The project will have no negative effects on existing parks and open spaces.*

13. 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.
14. 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. 2013.1407C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 20, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the IS/MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the MND and the MMRP attached hereto as "EXHIBIT C" and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval.

The Planning Commission further finds that since the MND was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the MND 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 MND.

**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 recommence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on April 23, 2015.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 23, 2015

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use a to allow the demolition of the non-conforming automotive gas station (d.b.a. Shell) that includes a non-conforming automotive service use and a retail convenience store, and to allow a lot merger and the reconstruction of the non-conforming automotive gas station (d.b.a. Shell) and a Formula Retail convenience store (d.b.a. Loop) located at 2501 California Street, Assessor's Lots 001, 002, and 034 in Block 0655, pursuant to Planning Code Sections 121.1, 121.2, 186.1, 303, 718.11, and 718.21 within the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated **November 20, 2014**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1407C** and subject to conditions of approval reviewed and approved by the Commission on **April 23, 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 **April 23, 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

1. **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](http://www.sf-planning.org)*

2. **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](http://www.sf-planning.org)*

3. **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](http://www.sf-planning.org)*

4. **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](http://www.sf-planning.org)*

5. **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](http://www.sf-planning.org)*

## MITIGATION MEASURES

6. 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 the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN

7. **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](http://www.sf-planning.org)*

8. **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 architectural addenda. 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](http://www.sf-planning.org).*

9. **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](http://www.sf-planning.org)*

10. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of

parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

11. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than **two** Class 2 bicycle parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

12. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **three** off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

13. **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](http://www.sf-planning.org)*

## PROVISIONS

14. **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](http://www.sf-planning.org)*

## MONITORING

15. **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](http://www.sf-planning.org)*

16. **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](http://www.sf-planning.org)*

## OPERATION

17. **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/>*

18. **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](http://www.sf-planning.org)*



# SAN FRANCISCO PLANNING DEPARTMENT

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## Mitigated Negative Declaration

*PMND Date:* February 11, 2015  
*Case No.:* **2013.1407E**  
*Project Title:* **2501 California Street**  
*Zoning:* Upper Fillmore Street Neighborhood Commercial District  
40-X Height and Bulk District  
*Block/Lot:* 0655/001, 002, and 034  
*Lot Size:* 14,180 square feet (combined three lots)  
*Project Sponsor:* AU Energy, LLC  
*Project Contact:* Muthana Ibrahim, (925) 287-1174 ext. 1  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Tania Sheyner – (415) 575-9127  
Tania.Sheyner@sfgov.org

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Suite 400  
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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The approximately 14,180-square-foot (sf) project site is located on the southwest corner of the California Street/Steiner Street intersection in the Western Addition neighborhood in San Francisco. The project site currently contains a 16-foot-tall, approximately 1,700-sf fueling canopy with three fuel dispensers; three underground storage tanks and associated underground pipes; and a 17-foot-tall, one-story, approximately 2,200-sf building including a convenience store and auto service station. There is one existing driveway along the project site frontage on California Street and there are two existing driveways along the project site frontage on Steiner Street.

The proposed project would involve: 1) merger of the three lots into one lot; 2) the removal of all existing structures on and beneath the project site (including the fueling canopy and dispensers, underground storage tanks and associated underground pipes, and the building housing the convenience store and auto service station); and 3) the construction of a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers (each dispenser containing two pumps each, one on each side); two underground storage tanks and associated underground pipes; and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement.

As part of this project, the northern driveway on Steiner Street would be eliminated and the two remaining driveways (one on California Street and one on Steiner Street) would be reduced to 28 feet in width. The project would also remove eight existing off-street parking spaces that serve the existing uses and provide two new off-street parking spaces, including one handicap-accessible space. Per Planning Code Sections 102.32, 142 and 156, visual screening would be required along the perimeter of the vehicular use areas (the entire project site).

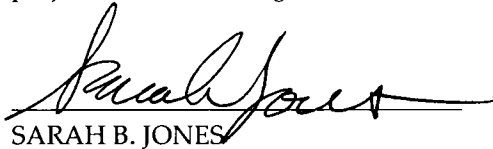
The proposed project would be subject to Conditional Use Authorization by the San Francisco Planning Commission for alteration of a non-conforming use (pursuant to Planning Code Section 186.1), lot size

(pursuant to Planning Code Section 718.11), size of the convenience store (pursuant to Planning Code Section 718.23), hours of operation (pursuant to Planning Code Section 718.27), and automobile parking (pursuant to Planning Code Section 718.56 The Conditional Use Authorization is identified as the Approval Action for the whole of the proposed project.

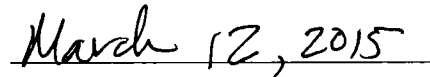
**FINDING:**

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 pages 91-93.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.



SARAH B. JONES  
Environmental Review Officer



Date of Issuance of Final Mitigated  
Negative Declaration

cc: Muthana Ibrahim, Sharon Lai, M.D.F



**INITIAL STUDY  
2501 CALIFORNIA STREET PROJECT  
PLANNING DEPARTMENT CASE NUMBER 2013.1407E**

**TABLE OF CONTENTS**

A.	PROJECT DESCRIPTION.....	1
B.	PROJECT SETTING.....	8
C.	COMPATIBILITY WITH EXISTING ZONING AND PLANS.....	9
D.	SUMMARY OF ENVIRONMENTAL EFFECTS .....	11
E.	EVALUATION OF ENVIRONMENTAL EFFECTS .....	12
	1. Land Use and Land Use Planning.....	12
	2. Aesthetics.....	14
	3. Population and Housing .....	18
	4. Cultural and Paleontological Resources.....	19
	5. Transportation and Circulation.....	22
	6. Noise.....	30
	7. Air Quality.....	35
	8. Greenhouse Gas Emissions .....	52
	9. Wind and Shadow .....	54
	10. Recreation .....	56
	11. Utilities and Service Systems .....	57
	12. Public Services .....	62
	13. Biological Resources.....	64
	14. Geology and Soils.....	66
	15. Hydrology and Water Quality.....	72
	16. Hazards and Hazardous Materials .....	77
	17. Mineral and Energy Resources.....	87
	18. Agricultural and Forest Resources.....	89
	19. Mandatory Findings of Significance.....	90
F.	MITIGATION MEASURES AND IMPROVEMENT MEASURES .....	91
G.	PUBLIC NOTICE AND COMMENT.....	93
H.	DETERMINATION .....	95
I.	INITIAL STUDY PREPARERS .....	96

**LIST OF FIGURES**

Figure 1. Project Location Map.....	2
Figure 2. Existing Site Plan.....	3
Figure 3. Proposed Site Plan .....	4

Figure 4. Proposed Floor Plans .....	5
Figure 5. Proposed Elevations .....	6

## **LIST OF TABLES**

Table 1. Typical Commercial Construction Noise Levels (dBA) .....	34
Table 2. Criteria Air Pollutant Significance Thresholds .....	37

**INITIAL STUDY  
2501 CALIFORNIA STREET  
PLANNING DEPARTMENT CASE NUMBER 2013.1407E**

**A. PROJECT DESCRIPTION**

**Project Location and Site Characteristics**

The approximately 14,180-square-foot (sf) project site consists of three lots (Assessor's Block 0655, Lots 001, 002, and 034) and is located on the southwest corner of the California Street/Steiner Street intersection in the Western Addition neighborhood in San Francisco. The project site currently contains a 16-foot-tall, approximately 1,700-sf fueling canopy with three fueling dispensers, three underground storage tanks (and associated underground pipes), and a 17-foot-tall, one-story, approximately 2,200-sf building containing a convenience store and an auto service station. All structures on the site are currently in operation. The auto service station is independently operated from the fueling station, and is equipped with two aboveground vehicle hoists and one in-ground vehicle hoist adjoining the station building with an exterior hazardous waste storage area.

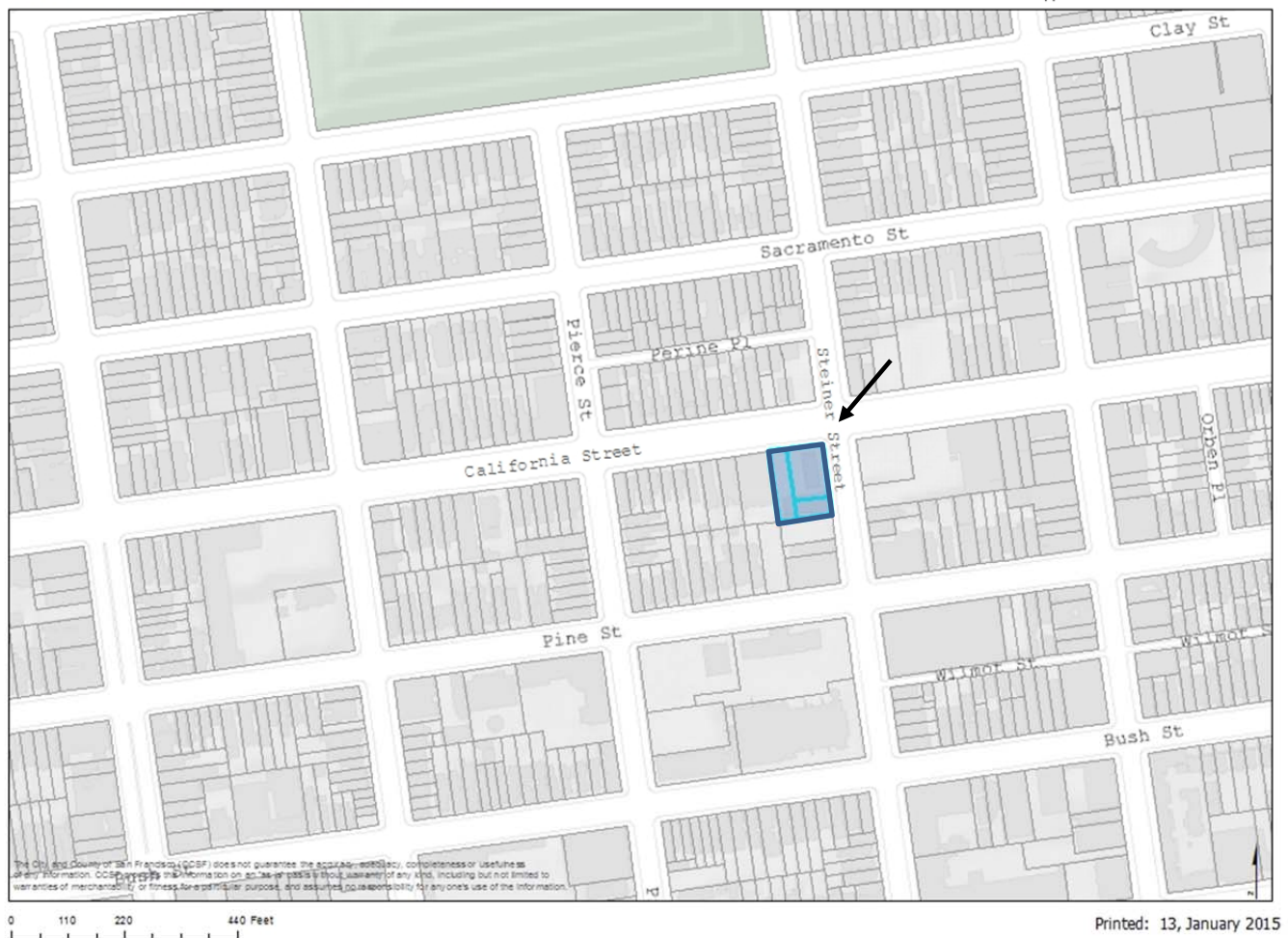
There is one existing driveway along the project site frontage on California Street and there are two existing driveways along the project site frontage on Steiner Street. Open areas throughout the site are covered by asphalt pavement with concrete pads covering areas beneath the fuel dispenser canopies. The fueling stations had a throughput of approximately 2.12 million gallons of fuel in 2012 and a throughput of approximately 2.10 million gallons in 2013. The permitted maximum throughput for the existing gas station is 3.23 million gallons per year.<sup>1</sup> The project site is zoned NCD (Upper Fillmore Street Neighborhood Commercial) and located within a 40-X Height and Bulk District.

**Proposed Project**

The proposed project would involve: 1) a merger of the three lots into one lot; 2) the removal of all existing structures on and beneath the project site (including the fueling canopy and dispensers, underground storage tanks and associated underground pipes, and the building housing the convenience store and auto service station); and 3) the construction of a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers (each dispenser containing two pumps each, one on each side); two underground storage tanks and associated underground pipes; and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement.

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<sup>1</sup> Bay Area Air Quality Management District, Permit to Operate, 2501 California Street (Facility ID: 112244), May 17, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.



**FIGURE 1. PROJECT LOCATION MAP**

Figure not to scale

Source: San Francisco Planning Department



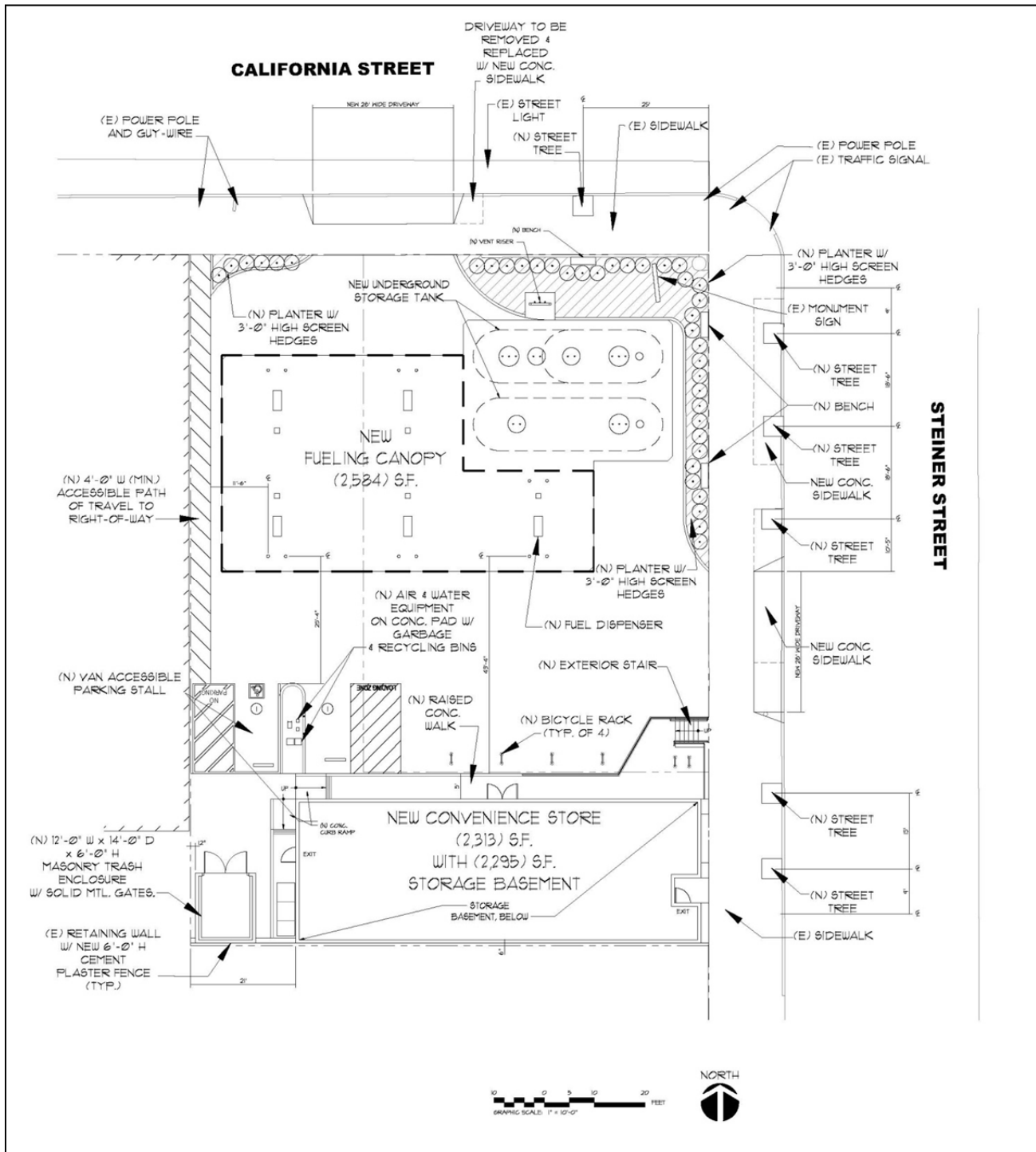
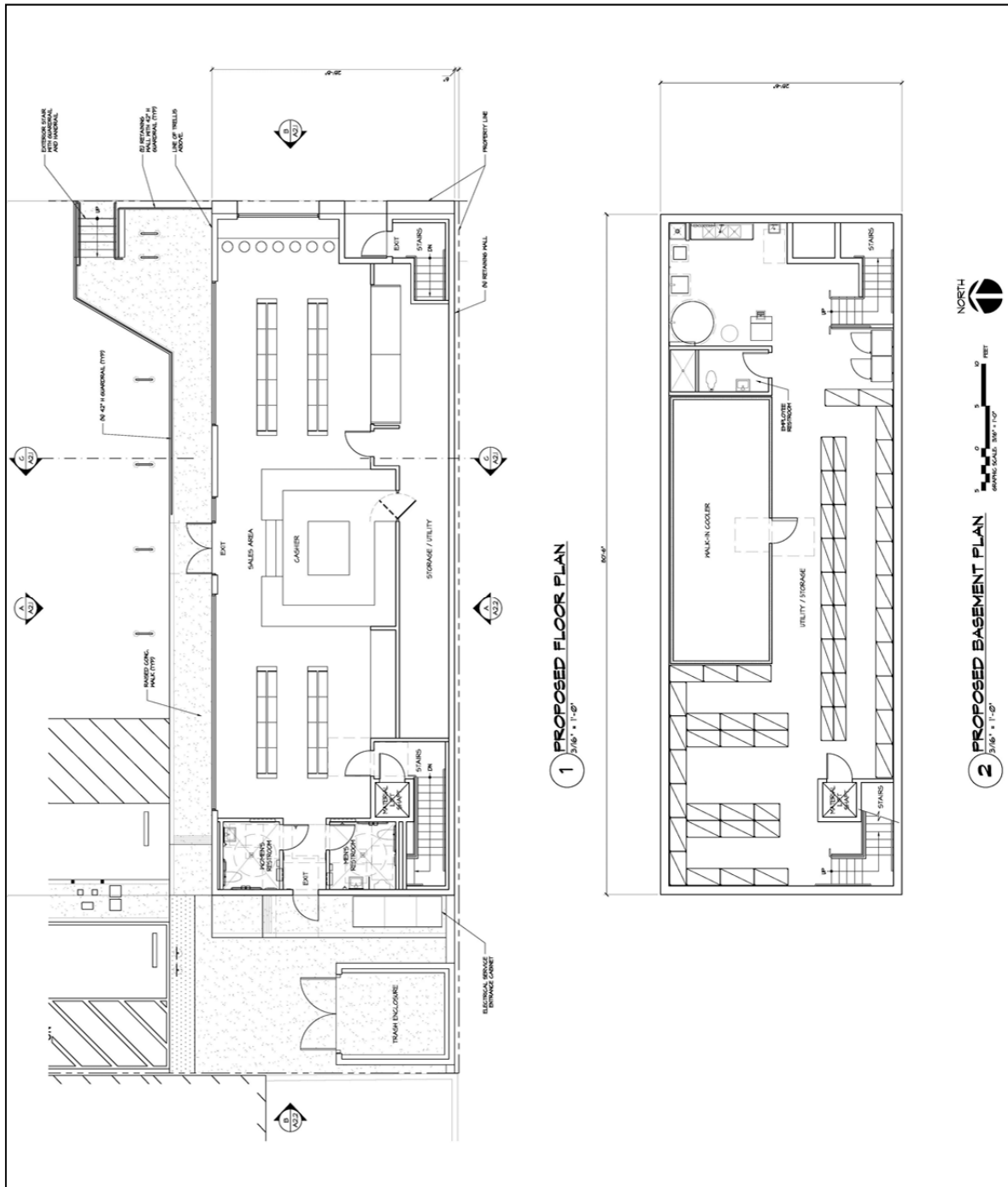


FIGURE 3. PROPOSED SITE PLAN

Figure not to scale  
Source: M.I. Architects



**FIGURE 4. PROPOSED FLOOR PLANS**

Figure not to scale

Source: M.I. Architects

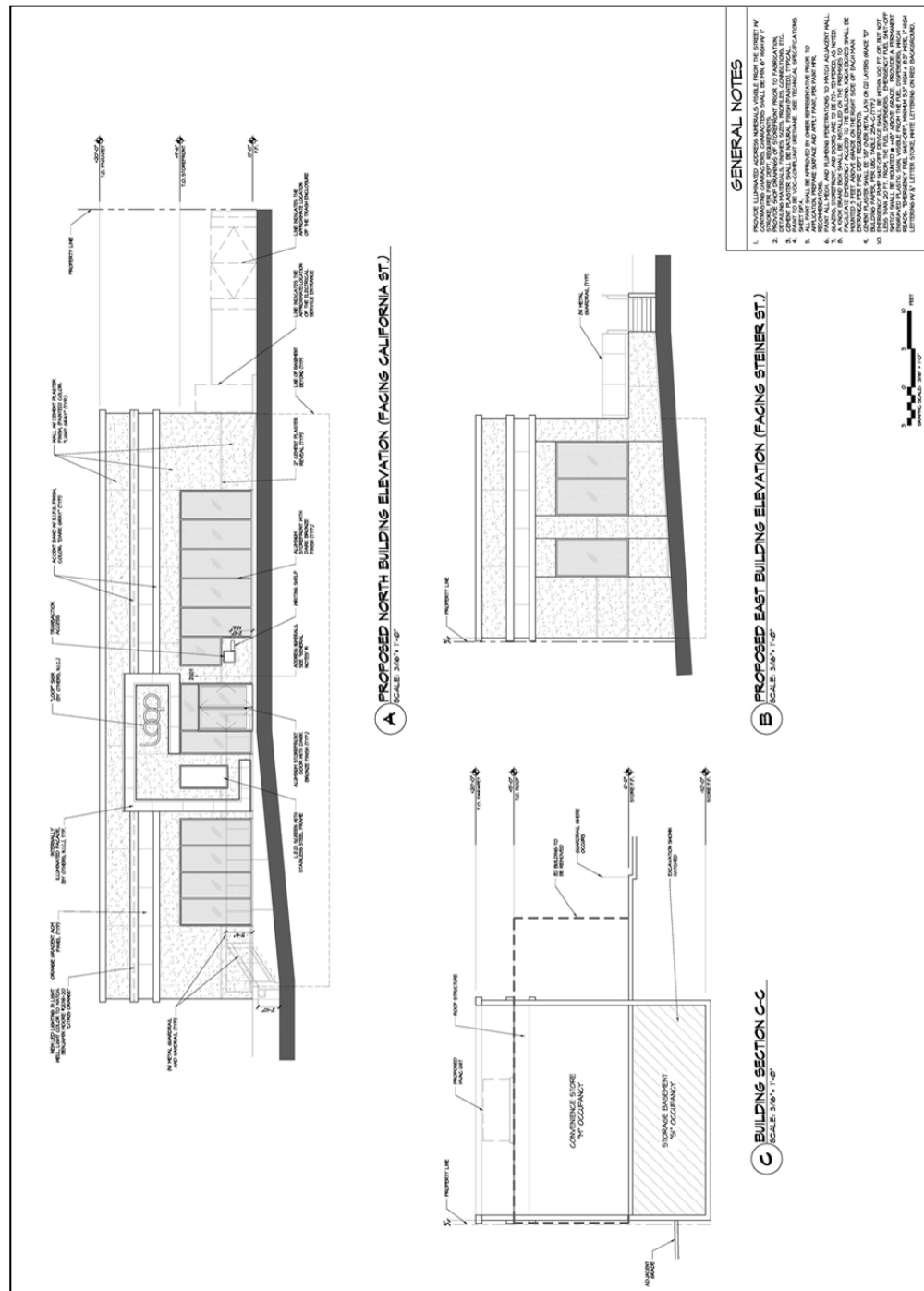


FIGURE 5. PROPOSED ELEVATIONS

Figure not to scale  
Source: M.I. Architects



The future throughput at the fueling service station is unknown; however, the project sponsor has indicated that it would not exceed the throughput limit specified in the existing BAAQMD Permit to Operate, which permits a throughput of 3.23 million gallons per year (which is defined in the permit as any consecutive 12-month period).<sup>2</sup> The proposed convenience store would sell mostly pre-packaged food items, sundry items, automobile accessories, self-service beverages and the like. No cooking or food preparation would occur on the premises. The fuel delivery for the station would be via a tanker truck and would occur five times per week, while truck deliveries to the convenience store would occur once per week.

As noted above, there is one existing driveway along the project site frontage on California Street (approximately 31 feet in width) and there are two existing driveways along the project site frontage on Steiner Street (both approximately 33 feet in width). As part of this project, the northern driveway on Steiner Street would be eliminated and the two remaining driveways (one on California Street and one on Steiner Street) would be reduced to 28 feet in width. The project would also remove eight existing off-street parking spaces that serve the existing uses and provide two new off-street parking spaces, including one handicap-accessible space. The project would also provide six bicycle racks that would be able to accommodate parking for up to 12 bicycles. In addition, landscaping and seating would be installed at the California/Steiner Streets corner of the project site (this work would be subject to Public Works review and approval). Visual screening would be provided along the perimeter of the vehicular use areas (the project site). The proposed project would involve excavation up to a depth of 10 feet below grade and removal of approximately 1,200 cubic yards of soil. The proposed fueling station and convenience store would operate 24 hours per day, 7 days per week (as under existing conditions) and would employ a total of approximately 14 full-time employees and 12 part-time employees.

Project construction is anticipated to begin mid-2015, would last approximately 6 months and is estimated to cost approximately 2 million dollars.

## Project Approvals

The project would require the following project approvals:

- Conditional Use Authorization by the San Francisco Planning Commission would be required for alteration of a non-conforming use (pursuant to Planning Code Section 186.1), lot size (pursuant to Planning Code Section 718.11), size of the convenience store (pursuant to Planning Code Section 718.23), hours of operation (pursuant to Planning Code Section 718.27), and automobile parking (pursuant to Planning Code Section 718.56).
- Street Tree Permit, Grading Permit, and Right-of-Way Permit from the Department of Public Works (DPW);
- Building Permits from the Department of Building Inspection (DBI); and

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<sup>2</sup> Muthana Ibrahim, MI Architects, Project Sponsor. *Email to Tania Sheyner, San Francisco Planning Department, 2501 California Street, September 16, 2014.* This email is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

- A Site Mitigation Plan (SMP) for review and approval by the San Francisco Department of Public Health (SFDPH) prior to the commencement of any excavation work.

**Approval Action:** Approval of the Conditional Use Authorization by the San Francisco Planning Commission is the Approval Action for the proposed project for the purposes of a CEQA appeal. The Approval Action date would establish the start of the 30-day appeal period for appeal of the Final Negative Declaration to the Board of Supervisors pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## B. PROJECT SETTING

The project site is located on the southwest corner of California and Steiner Streets on the block bounded by California Street to the north, Steiner Street to the east, Pine Street to the south and Pierce Street to the west, within the Western Addition Neighborhood of San Francisco. As noted above, the project site is zoned Fillmore Street NCD and is located within a 40-X Height and Bulk District. The eastern half of the project block, as well as some of the adjoining lots to the north, northeast, and east, are also zoned NCD. The western half of the project block is zoned RH-2 (Residential, House, Two-Family).

Land uses in the vicinity of the project site are dominated by multi-family residential and neighborhood commercial uses interspersed with institutional uses and a surface parking lot. Residential buildings in the project vicinity are generally three to four stories and approximately 30 to 40 feet in height, while commercial and other uses vary in height and bulk pattern. Directly north of the project site, across California Street, is another fueling station. East of the project site, across Steiner Street, is a grocery store, Mollie Stone's, which contains a large surface parking lot. At the northeast corner of the intersection of California and Steiner Streets are residential uses and a surface parking lot. The project block is dominated by residential uses and also contains a medical offices building on the corner of Steiner and Pine Streets (according to the Planning Department's land use records). There is a bicycle route near the project site, Route 45 (Class III) along Steiner Street.

## C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### San Francisco Planning Code

The San Francisco Planning Code ("Planning Code"), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings within San

Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the Planning Code, or an exception is granted pursuant to provisions of the Planning Code. The project site is within the Upper Fillmore NCD and in a 40-X Height and Bulk District

#### Allowable Uses

Planning Code Section 718.1 states that the intent of the Upper Fillmore NCD is, "...to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings....Most commercial uses are permitted at the first two stories of new buildings. Special controls are designed to preserve the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. In order to maintain convenience stores and protect adjacent livability, additional bars (unless part of a full-service restaurant) and formula retail establishments are prohibited, other eating and drinking establishments and self-service specialty foods require conditional use authorization and ground-story entertainment and financial service uses are limited. In order to promote continuous retail frontage, drive-up and most automobile uses are prohibited."

Planning Code Section 228, however, states that automobile service stations are considered essential services and their conversion to other uses is "contrary to the public health, safety, peace and general welfare." Therefore, the Board of Supervisors recognizes that service station operators and those who own property on which such stations are located are entitled to earn a fair rate of return on their investment. Where a fair rate of return is being earned, the Board finds that service stations should be allowed to convert to other uses only where it is determined that the conversion would benefit the public.

Moreover, Planning Code Section 181 allows some non-conforming uses to continue, provided that they meet the various requirements specified in that section, including that such uses shall not be enlarged, intensified, extended, or moved to another location. Since the proposed project would not expand beyond the boundaries of the existing project site, the project would meet the requirements of this Planning Code section and this project would be considered an allowable use on the site.

The proposed uses would include a fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a building containing a 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. Since these uses would continue the existing uses on the project site, they would be permitted within the Upper Fillmore NCD. However, the proposed project would be subject to several Conditional Use authorizations, as discussed above. Thus, an official determination regarding the project's consistency with the Planning Code would be made by the Planning Department when it reviews the proposed uses for conformance with all applicable zoning requirements as part of the building permit review process for the proposed project, a process separate from the environmental review.

### Height and Bulk

The project site is located in a 40-X Height and Bulk District. Pursuant to Article 2.5 of the Planning Code, this district allows a maximum building height of 40 feet, and does not impose limits on building bulk. The proposed convenience store/storage building would be 20 feet in height to the top of the parapet. Thus, the proposed project complies with both the height and bulk limits applicable to the project site.

### Plans and Policies

#### San Francisco Plans and Policies

##### *San Francisco General Plan*

The San Francisco General Plan provides general policies and objectives to guide land use decisions. 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 proposed project would not obviously or substantially conflict with any General Plan goals, policies, or objectives. The compatibility of the proposed project with General Plan goals, policies, and objectives 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 conflicts identified as part of the process would not alter the physical environmental effects of the project.

##### *Proposition M – The Accountable Planning Initiative*

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 subsection of Section E of this Initial Study addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Topic 1, Land Use and Land Use Planning, Question 1c); (3) preservation and enhancement of affordable housing (Topic 3, Population and Housing, Question 3b, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Topic 5, Transportation and Circulation, Questions 5a, 5b, and 5f); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Topic 1, Land Use and Land Use Planning, Question 1c); (6) maximization of earthquake preparedness (Topic 14, Geology and Soils, Questions 14a through 14d); (7) landmark and historic building preservation (Topic 4, Cultural Resources, Question 4a); and (8) protection of open space (Topic 9, Wind and Shadow, Questions 9a and 9b; and Topic 10, Recreation, Questions 10a and 10c).

Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Section E,

Evaluation of Environmental Effects, of this Initial Study, providing information for use in the approvals for the proposed project.

#### Regional Plans and Policies

The five principal regional planning agencies and their policy documents that guide planning in the nine-county Bay Area are the Association for Bay Area Governments (ABAG) projections 2009, the Bay Area Air Quality Management District (BAAQMD) 2010 Clean Air Plan, the Metropolitan Transportation Commission (MTIC) Regional Transportation Plan – Transportation 2035, the San Francisco Regional Water Quality Control Board (RWQCB) San Francisco Basin Plan, and the San Francisco Bay Conservation and Development Commission (BCDC) San Francisco Bay Plan. Due to the size and nature of the proposed project, there would be no anticipated conflicts with regional plans.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Land Use                       | <input checked="" type="checkbox"/> Air Quality        | <input type="checkbox"/> Biological Resources                          |
| <input type="checkbox"/> Aesthetics                     | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Geology and Soils                             |
| <input type="checkbox"/> Population and Housing         | <input type="checkbox"/> Wind and Shadow               | <input type="checkbox"/> Hydrology and Water Quality                   |
| <input type="checkbox"/> Cultural and Paleo. Resources  | <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Hazards/Hazardous Materials                   |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources                      |
| <input type="checkbox"/> Noise                          | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Agricultural and Forest Resources             |
|   |  | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

This Initial Study examines the proposed project to identify potential effects on the environment. For each item on the Initial Study Checklist, the evaluation has considered the impacts of the proposed project both individually and cumulatively. All items on the Initial Study Checklist that have been checked “Less than Significant with Mitigation Incorporated,” “Less than Significant Impact,” “No Impact,” or “Not Applicable” indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. A discussion is included for those items checked “Less than Significant with Mitigation Incorporated” and “Less than Significant Impact” and for most items checked “No Impact” or “Not Applicable.” For all of the items checked “No Impact” or “Not Applicable” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the Department’s *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural

Diversity Database and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project, both individually and cumulatively. The items checked above have been determined to be “Less than Significant with Mitigation Incorporated.”

## E. EVALUATION OF ENVIRONMENTAL EFFECTS

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>1. LAND USE AND LAND USE PLANNING -</b>					
<b>Would the project:</b>					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **Impact LU-1: The proposed project would not physically divide an established community. (Less than Significant)**

Land use impacts are considered significant if they disrupt or divide the physical arrangement of an established community, or if they have a substantial impact on the existing character of the vicinity. The project site currently contains a 16-foot-tall, approximately 1,700-sf fueling canopy with three fueling dispensers, three underground storage tanks (and associated underground pipes), and a one-story, approximately 2,200-sf building containing a convenience store and an auto service station. The proposed project includes the removal of all existing above- and below-ground structures on the site and construction of a 19-foot-tall, 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks (and associated underground pipes), and a one-story structure containing an approximately 2,300-sf convenience store with approximately 2,300-sf of storage space in a below-grade basements. The proposed project would continue the existing uses on the site and would not extend beyond the boundaries of the project site. Therefore, the proposed project would not divide any established community and would not result in a significant land use impact.

Land uses in the vicinity of the project site are dominated by residential, commercial, and institutional uses. These surrounding uses would be expected to continue their operation and to relate to each other as they do presently, without disruption from the proposed project. Because the proposed building would be constructed within the existing lot configuration, the project

would not physically divide or interfere with the arrangement of existing uses and activities that surround it or alter the existing street plan. The proposed project would also not impede the passage of persons or vehicles. The surrounding uses and activities would remain and they would interrelate with each other as they do at present. They would not be affected substantially by the proposed project.

**Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)**

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management District (BAAQMD) 2010 Clean Air Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment.

The proposed project would not obviously or substantially conflict with applicable plans, policies, and regulations such that an adverse physical change would result. Therefore, the proposed project would have a less-than-significant impact with regard to conflicts with existing plans and zoning.

**Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project vicinity. (Less than Significant)**

The vicinity of the project site primarily contains one- to four-story residential, commercial and institutional buildings ranging from approximately 15 feet to approximately 35 feet in height. The proposed project would construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a 20-foot-tall structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. These proposed uses would be generally compatible with the existing land uses in the vicinity of the site. Another fueling station exists in proximity of the project site (across California Street) and the siting of such uses among residential and commercial uses is common throughout the city and is not considered incompatible. Moreover, the project would not constitute a change in land use, since a fueling station and a convenience store already exist on the project site. Although the project may increase and intensify these uses somewhat, such increase/intensification would not be substantial enough to result in a significant impact.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The proposed building would be similar in scale to other existing buildings on the project block and would be consistent with the physical character of the area. Based on this and the discussion above, the proposed project's impact on the existing character of the project's vicinity would be less than significant.

**Impact C-LU-1: The proposed project would not make a considerable contribution to any cumulative significant land use impacts. (Less than Significant)**

As of August 2014, there are no active Planning Department cases or active building permits on the project block. There are a number of active building permits within a quarter mile of the project site. These permits include such activities as seismic retrofits and ADA improvements at 2390 Bush Street, replacement of an existing driveway and reroofing at 2210 Pine Street, emergency reinforcement work to stabilize existing front facade at 2178 Pine Street. Given the nature and scope of these projects and the distance from the project site, none of the above projects could interact with the proposed project to result in cumulative adverse land use impacts.

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

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>2. AESTHETICS – Would the project:</b>					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A visual quality/aesthetics analysis is somewhat subjective and considers the project in relation to the surrounding visual character, heights and building types of surrounding uses, its potential to obstruct scenic views or vistas, and its potential for light and glare. The proposed project's specific design would be considered to have a significant adverse environmental effect on visual quality only if it would cause a substantial and demonstrative negative change.

**Impact AE-1: The proposed project would not have a substantial adverse effect on scenic vistas. (Less than Significant)**



The project site is located on the corner of California and Steiner Streets, which is within a mixed-use commercial/residential neighborhood that contains a variety of building styles, styles and sizes. The proposed project would demolish the existing structure on the project site and construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a 20-foot-tall structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. The proposed structures would be visible from nearby streets, including, California and Steiner Streets, and may also be visible from several public open spaces, such as the elevated portion of Alta Plaza, located two blocks north of the project site.

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as buildings and structures that direct lines of sight and control view directions available to the public. The streets abutting the project site are categorized as "Average" or "Good" in the San Francisco General Plan's Quality of Street Views map. Given the developed nature of the surrounding blocks, it is unlikely that the project site is visible from many public open spaces in the area. As noted above, it is possible, however, that the project site is visible from the elevated portion of Alta Plaza two blocks to the north. Regardless, even if visible from this public open space and others in the area, the proposed project is unlikely to interrupt any view corridors from these vantage points, since the proposed project would not exceed the scale of other buildings on the subject block, which range in height from two to four stories. The height of the proposed structures would be approximately the same as height of a typical two-story building. Moreover, the proposed project would replace an existing fueling station on the project site; thus, with project implementation, the project site would appear similar in views to existing conditions (albeit more modern and perhaps slightly larger). The proposed structures on the project site would be noticeable, but would not substantially alter scenic vistas or degrade or obstruct any publicly accessible scenic views. Moreover, the project would not be out of scale with the surrounding buildings and would not degrade the area's visual setting.

Project construction would occur over six months. Although construction activities would diminish the existing visual character of the project site, these activities would be limited in duration. Therefore, the proposed project's construction would not have a significant impact on the existing visual character or quality of the site or its surroundings.

Changes to private views would differ based on proximity to the project site, quality of the view currently experienced, and relative sensitivity of the viewer. Therefore, the proposed project's impact on scenic vistas would be less than significant. Although some reduced private views would be an unavoidable consequence of the proposed project, any change in private views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

The proposed project would not substantially impact any existing public views or view corridors in the area, and the adverse effect upon private views would not be considered a significant impact on the environment, pursuant to CEQA.

**Impact AE-2: The proposed project would not substantially damage any scenic resources which contribute to a scenic public setting. (Less than Significant)**

Scenic resources are the visible physical features on a landscape (e.g., land, water, vegetation, animals, structures, or other features) which contribute to a scenic public setting. There are no trees and limited vegetation on the site. As part of the proposed project, five street trees would be planted along Steiner Street and one street tree would be planted along California Street. In addition, landscaping and seating would be installed at the California/Steiner Streets corner of the project site (this work would be subject to Public Works review and approval). Therefore, the proposed project's impact on scenic resources would be less than significant.

**Impact AE-3: The proposed project would not result in a change to the existing visual character of the project site or substantially degrade the visual character or quality of the site and its surroundings. (Less than Significant)**

A project would have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change to the project site or its surroundings. The existing visual character of the project site and vicinity is that of a mixed-use neighborhood. Land uses in the vicinity of the project site are dominated by multi-family residential and neighborhood commercial uses interspersed with institutional uses and a surface parking lot. Residential buildings in the project vicinity are generally three to four stories and approximately 30 to 40 feet in height, while commercial and other uses vary in height and bulk pattern. The proposed project would construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a 20-foot-tall structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement.

The proposed convenience store would be situated along the south property line, with entrances along its eastern (Steiner Street) and northern facades. The north façade would be clad in cement plaster finish, punctuated by aluminum storefront windows and doors and accented by horizontal bands. A metal guardrail would extend from Steiner Street to the entrance doors. The proposed fueling canopy would be characterized by a flat panel held up by columns (similar to the existing fueling canopy on the site). The implementation of the proposed project may be noticeable; however, the project would replace similar structures that already exist on the project site. Thus, the proposed project would not be expected to substantially alter the existing visual character of the site or its surroundings in a demonstrably adverse manner. Moreover, the proposed project would not exceed the scale of other buildings on the subject block, which range in height from two to four stories. For the above reasons, this impact would be less than significant.

Project construction would occur over six months. Although construction activities would diminish the existing visual character of the project site, these activities would be limited in

duration. Therefore, the proposed project's construction would not result in a substantial degradation of the existing visual character or quality of the site or its surroundings.

**Impact AE-4: The proposed project would not create a new source of light and glare, and would not be expected to adversely affect daytime or nighttime views in the area. (Less than Significant)**

The proposed project would construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a 20-foot-tall structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. The proposed project would comply with Planning Commission Resolution 9212 (1981) that establishes guidelines aimed at limiting glare from buildings. As such, the proposed project would result in minimal sources of light and glare beyond what currently exists (illumination from the existing fueling station structures on the project site as well as existing street lights and lighting related to the surrounding buildings). Because the proposed project would comply with Planning Commission Resolution 9212 and would minimally increase the amount of lighting on the project site, it would not have a substantial, negative impact. Based on the above analysis, impacts associated with light and glare would be less than significant.

**Impact C-AE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial adverse cumulative impact to aesthetics. (Less than Significant)**

Implementation of the proposed project, in combination with the cumulative projects described above in Section E.1, Land Use and Land Use Planning, would result in minimal change to the visual character of the project site vicinity and respective project site. As discussed above, under Impact C-LU-1, as of August 2014, there are no active Planning Department cases or active building permits on the project block. There are a number of active building permits within a quarter mile of the project site. These permits include such activities as seismic retrofits and ADA improvements at 2390 Bush Street, replacement of an existing driveway and reroofing at 2210 Pine Street, emergency reinforcement work to stabilize existing front facade at 2178 Pine Street. Based on the discussions above, the proposed project would not be expected to have a substantial adverse cumulative effect on a scenic vista, scenic resource, or existing visual character or quality of the site and its surroundings. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable aesthetics impact.

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

**Impact PH-1: The proposed project would not induce substantial population growth either directly or indirectly. (Less than Significant)**

In general, a project would be considered growth inducing if its implementation would result in substantial population increases and/or new development through the extension of roads or other infrastructure that might not occur if the project were not implemented. Currently there are no residential units on the project site and none are proposed. The existing fueling station and convenience store employ six staff. The project sponsor estimates that the proposed fueling station and convenience store, which would operate 24 hours, 7 days a week, would employ 14 full-time staff and 12 part-time staff.<sup>3</sup> This would constitute a net increase of 20 employees over the existing conditions (most of the additional employees would be part-time, employed on site for two days a week).

These new staffing positions are not likely to attract new employees to San Francisco because service jobs typically do not provide wages high enough to induce relocation. As such, potential jobs at the site would likely be filled by residents within the San Francisco Bay Area. Even if these new employees needed to relocate to the Bay Area, the number of new employees would not be substantial in the context of San Francisco's population and would not necessitate the construction of new housing in San Francisco or the region. Therefore, the proposed project would not result in a substantial increase in housing demand in the City or region, and the proposed project's potential to induce population growth would be less than significant.

<sup>3</sup> Muthana Ibrahim, MI Architects, Project Sponsor. Email to Kei Zushi, San Francisco Planning Department, 2501 California Street, July 8, 2014. This email is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

**Impact PH-2: The proposed project would not displace housing units or displace a substantial number of people necessitating the construction of replacement housing elsewhere. (No Impact)**

As noted above, the project site currently operates as a fueling station, auto service station, and a convenience store, and does not include any dwelling units. Hence, there would be no residents displaced as a result of the project. The proposed project would result in no impact related to displacement of people.

**Impact C-PH-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to population or housing. (Less than Significant)**

The project would not result in any significant impact with respect to population and housing since the proposed project does not include any residential uses and would not result in demolition of existing housing or necessitate the construction of relocation housing. The planning cases and building permits that are currently under review, as discussed on page 14, could not interact with the proposed project to result in cumulative adverse impacts with respect to population and housing.

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

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES – Would the project:</b>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact CP-1: The proposed project would not result in a substantial adverse change in the significance of historic architectural resources. (Less than Significant)**

Historical resources are those properties that meet the terms of the definitions in Section 21084.1 of the CEQA Statute and Section 15064.5 of the CEQA Guidelines. "Historical Resources" include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources, or listed in an adopted local historic register. The term "local historic register" or "local register of historical resources" refers to a list of resources that are officially designated or recognized as historically significant by a local government pursuant to resolution or ordinance. Historical resources also include resources identified as significant in an historical resource survey meeting certain criteria. Additionally, properties, which are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered a historical resource.

The project site contains one detached building (a convenience store and auto service station), and two detached structures (fueling pumps and a sign). Based on the Phase I prepared for the project site, the current service station was constructed in 1967, replacing an earlier service station constructed in 1933.<sup>4</sup> Site uses prior to this date included residential and commercial (pharmacy) uses.

A Historical Resources Evaluation and a Preservation Team Review Form (PTRF) were prepared for the proposed project.<sup>5,6</sup> Both the HRE and the PTRF find that the property does not appear individually eligible for the California Register and also does not relate to any potential historic district. Rather, the design of the property fits the Shell gas station "Ranch" style typology, based on a 1956 prototype constructed in Millbrae, California. Such stations were designed to blend in with post-war suburban communities. From the 1950s through the 1970s, this design was replicated nationwide for numerous other stations. As a common mass-produced building type, these stations do not currently appear individually significant to for their associations with important events or their architecture. For these reasons, the HRE and PTRF found that the proposed project would have no significant impact on off- or off-site historic resources.

**Impact CP-2: The proposed project would not result in damage to, or destruction of, as-yet unknown archeological remains, should such remains exist beneath the project site. (Less than Significant)**

When determining the potential for encountering archeological resources, relevant factors include the location, depth, and the extent of excavation proposed, as well as any recorded information on known resources in the area. The Planning Department staff reviewed the

4 Bureau Veritas North America, Inc., *Phase I Environmental Site Assessment, 2501 California Street, San Francisco, California*, February 5, 2010.

5 William Kostura. *Historical Evaluation of 2501 California Street, San Francisco*, January 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

6 Jonathan Lammers, San Francisco Planning Department, *Preservation Team Review Form, 2501 California Street, 2035 Steiner Street*, November 6, 2013. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

proposed project to determine if any archeological resources would be affected and determined that the proposed project would not adversely affect any CEQA-significant archeological resources.<sup>7</sup>

In light of the above, the proposed project's impacts to undocumented and unforeseeable archeological resources would be less than significant.

**Impact CP-3: The proposed project would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)**

Paleontological resources include fossilized remains or traces of animals, plants and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources; they represent a limited, nonrenewable resource and once destroyed they could not be replaced.

Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous include sedimentary and volcanic formations. Medium dense to dense mixtures of sand and silt with a layer of silty clay and clay underlie the project site, which would be disturbed during grading and excavation. These materials are unlikely to support paleontological resources. Construction would involve minimal grading and excavations of approximately 10 feet. Due to the low likelihood of encountering fossil containing beds during construction, any impacts on paleontological resources would be less than significant.

**Impact CP-4: The proposed project would not disturb human remains. (Less than Significant)**

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project, the lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. In the event human remains are found during excavation, the project sponsor and construction contractor are required to follow local, state, and federal procedures; thus, impact to human remains would be less than significant.

**Impact C-CP-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not result in cumulative impacts to cultural resources. (Less than Significant)**

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<sup>7</sup> Email from Randall Dean to Environmental Planning Division staff, San Francisco Planning Department, *Preliminary Archeological Reviews*, November 7, 2013.

As discussed above, the proposed project would result in a less-than-significant historic architectural resource impact. Cumulative impacts occur when impacts that are significant or less than significant from a proposed project combined with similar impacts from other past, present, or reasonably foreseeable future projects in a similar geographic area.

Archeological resources are non-renewable members of a finite class. All adverse effects to archeological resources erode a dwindling cultural/scientific resource base. Federal and state laws protect archeological resources in most cases, either through project redesign or requiring that the scientific data present within an archeological resource be archeologically recovered. Project construction would occur in terrain which is underlain by sand, silt, and clay, and would involve minimal grading and excavation of approximately 10 feet. Due to the low likelihood of encountering archeological or paleontological resources, or of encountering human remains resources during construction, the proposed project would not, individually or in combination with existing and future projects, result in a significant impact on cultural resources within the project site and in the site's vicinity.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>5. TRANSPORTATION AND CIRCULATION—</b>					
<b>Would the project:</b>					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<b>Topics:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Not Applicable</b>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located near a public or private airport or within an airport land use plan area. Therefore, Question 5c is not applicable to the proposed project. Due to the scope and location of the proposed project, the Planning Department determined that a Transportation Study would not be required for this project.<sup>8</sup>

### Setting

The project site is located on the southwest corner of California and Steiner Street, in the Western Addition neighborhood of San Francisco. California Street is a two-way, east-west roadway, while Steiner Street is a two-way, north-south roadway. Steiner is a local, primarily residential street with parking on both sides of the street.<sup>9</sup> California is a larger commercial corridor with two lanes in each direction and parking on both sides of the street. It connects the city's western neighborhoods to the Financial District. The intersection at California and Steiner Streets is controlled by a traffic signal.

California Street is listed in the San Francisco General Plan as a Secondary Arterial, is part of the Congestion Management Program (CMP) Network and is also listed as a Secondary Transit Street.<sup>10</sup> Steiner Street is not listed as a CMP network street or a transit preferential street. Neither California Street nor Steiner Street is listed as part of the Citywide Pedestrian Network in the vicinity of the project site, although California Street is a designated Citywide Pedestrian Network Street east of Fillmore Street.<sup>11</sup> Neither California Street nor Steiner Street is designated as Significant Traffic Truck Routes.<sup>12</sup> There is one bicycle route adjacent to the project site: Route 45 (Class III) along Steiner Street, which connects the area near Daly City BART to the Marina District.

<sup>8</sup> Andrea Contreras, San Francisco Planning Department. *Transportation Study Determination, Case No.: 2013.1407E, Address: 2501 California Street*, September 25, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>9</sup> The General Plan defines local streets as low-capacity streets intended for access to abutting residential and other land uses, and not intended to serve through traffic.

<sup>10</sup> San Francisco Planning Department. General Plan, Transportation Element, Maps 6 and 9. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/I4\\_Transportation.htm](http://www.sf-planning.org/ftp/General_Plan/I4_Transportation.htm). Accessed September 4, 2014.

<sup>11</sup> San Francisco Planning Department. General Plan, Transportation Element, Map 11. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/I4\\_Transportation.htm](http://www.sf-planning.org/ftp/General_Plan/I4_Transportation.htm). Accessed September 4, 2014.

<sup>12</sup> San Francisco Planning Department. General Plan, Transportation Element, Map 15. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/I4\\_Transportation.htm](http://www.sf-planning.org/ftp/General_Plan/I4_Transportation.htm). Accessed September 4, 2014.

There is one existing driveway along the project site frontage on California Street (approximately 31 feet in width) and there are two existing driveways along the project site frontage on Steiner Street (both approximately 33 feet in width).

The project site is served by the San Francisco Municipal Railway (Muni), which provides access to other local and regional public transit providers, such as Bay Area Rapid Transit (BART) (Civic Center BART Station is the closest one to the project site), and San Mateo County Transit District (SamTrans). Muni bus routes within a two block radius of the project site include: 1-California and 1 BX-California B Express, which run along California Street; and 3-Jackson and 22-Fillmore, which run along Fillmore Street. The nearest Muni bus stop to the project site is at the intersection of Fillmore and Steiner Streets, and is served by the 1-California bus line. Other bus stops within a quarter-mile radius of the project site are located along California, Steiner, and Fillmore Streets.

There is a signalized pedestrian crosswalk at the project intersection, and three of the four intersections that surround the project block also contain signalized crosswalks. The intersection of California and Pierce Street is controlled via a stop sign.

**Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, nor would the proposed project conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures. (Less than Significant)**

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect the transportation system.” To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section analyzes the proposed project’s effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation and freight loading, as well as construction impacts.

### **Trip Generation**

As set forth in the Planning Department’s October 2002 Transportation Impact Analysis Guidelines for Environmental Review (Guidelines), the Planning Department evaluates traffic conditions for the weekday p.m. peak-period to determine the significance of an adverse environmental impact. These weekday p.m. peak hour conditions typically represent the worst conditions of the local transportation network. The proposed project would merge the three lots into one, remove all existing above- and below-ground structures on the site, and construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. The proposed project would remove eight existing off-site, at-grade parking spaces and provide two new off-site, at-grade parking spaces.

Trip generation rates for the proposed project were developed using the trips generation rate provided through the Institute of Transportation Engineers (ITE) (*Trip Generation Manual*, 8th Edition) for “Gasoline/Service Station with Convenience Market.”<sup>13</sup> This rate is 13.38 p.m. peak hour trips per fueling position. The proposed project would construct five fueling bays, each of which would contain two fueling positions (or pumps), for a total of 10 fueling positions. Thus, the proposed project would generate approximately 134 p.m. peak hour trips. As noted above, the project site currently contains three fueling bays (with six fueling positions), which generate approximately 80 p.m. peak hour trips. Thus, the project-related net increase in p.m. peak hour trips as compared to existing conditions would be 54. The majority, if not all, of the 54 net new p.m. peak hour trips are assumed to be vehicle trips.

These 54 p.m. peak hour trips would not be considered a substantial traffic increase relative to the existing capacity of the local street system. Residents and businesses along California and Steiner Streets would experience an increase in vehicular activity as a result of the proposed project; however, since a similar level and type of activity already occurs on the project site, this increase in trips would not be substantial enough to result in significant impacts related to ability of the local street system to accommodate additional vehicle trips. Overall, the net increase in the trip generation rate for the proposed project would be less-than-significant relative to the existing capacity of the local street system.

#### Loading

The project would not provide any off-street loading spaces and none is required by the *Planning Code*. Section 152 (Schedule of Required Off-Street Freight Loading Spaces) does not require off-street loading for retail stores smaller than 10,000 sf in size (the proposed convenience store would be 2,300 sf in size) and does not require loading spaces for fueling stations. The fuel delivery for the station would be via a tanker truck and would occur five times per week, while truck deliveries to the convenience store would occur once a week (the fueling truck would enter the site via the California Street driveway and exit via the Steiner Street driveway). These deliveries, which already occur at the project site under existing conditions, would continue to occur and would not be expected to block or otherwise impact the adjacent roadways. Therefore, the project would not result in significant loading impacts and loading impacts are considered less than significant.

#### Construction Activities

During the projected six-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. Construction activities associated with the proposed project are not anticipated to result in substantial impacts on the City's

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<sup>13</sup> The Planning Department's Guidelines do not cover all possible uses to determine project trip generation. In those cases, it is appropriate to use other data sources or studies for trip generation rates, including acceptable published data from the Institute of Transportation Engineers (ITE). In its *Trip Generation* publication, the Institute of Transportation Engineers (ITE) provides one of the largest sources of commonly used trip generation data.

transportation network. However, as required, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. TASC consists of representatives from the Traffic Engineering Division of San Francisco Municipal Transportation Agency (SFMTA), the Fire Department, and the Planning Department. Thus, impacts related to an applicable transportation circulation system plan or policy would be less than significant.

**Impact TR-2: The proposed project would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)**

The proposed project would not include any design features that would substantially increase traffic hazards (e.g., a new sharp curve or dangerous intersections), and would not include any incompatible uses, as discussed above in Topic 1, Land Use and Land Use Planning. Therefore, the project would not have adverse impacts associated with traffic hazards.

As discussed above, as part of the proposed project, the northern driveway on Steiner Street would be eliminated and the two remaining driveways (one on California Street and one on Steiner Street) would be reduced to 28 feet in width. The proposed driveways would function largely the same as under the existing conditions. Per Planning Code Sections 102.32, 142 and 156, visual screening is required along the perimeter of the vehicular use areas (the project site). The height of the proposed screening, at 3 feet tall, would allow for exiting vehicles to maintain visual access toward the on-coming vehicles and bicycles on Steiner Street.

As noted above, the project site is adjacent to bicycle Route 45 (Class III) along Steiner Street, which connects the area near Daly City BART to the Marina District. Because the project would eliminate the northern driveway on Steiner Street and reduce the width of the two remaining driveways (one on California Street and one of Steiner Street), it could improve conditions for bicycles by reducing the potential for conflicts between bicycles and vehicles entering and existing the site. Moreover, as noted above, the proposed screening along the site's perimeter, at 3 feet in height, is unlikely to increase the potential for such conflicts. Thus, compared to the existing conditions, the project would not be expected to result in significant impacts with respect to hazards.

**Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)**

The proposed project would not result in a significant impact with regard to emergency access and would not interfere with existing traffic circulation or cause major traffic hazards. The proposed convenience store/storage space would be required to comply with the standards contained in the Building and Fire Codes, and the Department of Building Inspection (DBI) and Fire Department would review the final building plans to ensure sufficient access and safety. The proposed project would therefore have a less-than-significant impact on emergency access conditions on and near the project site.

**Impact TR-4: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)**

**Transit Conditions**

As discussed above, the project site is well served by transit. It is anticipated that the majority of trips to and from the proposed project during the p.m. peak hour would be made by automobiles, pedestrians, and/or bicyclists, and therefore the number of transit trips generated by the proposed project would be minimal. Given the proposed uses, it is unlikely that individuals would utilize public transit specifically to patronize the proposed convenience store (or, especially, the fueling station). Rather, it is expected that most individuals would access the site via an automobile or as a pedestrian or bicyclist on their way to another destination. Based on this, any peak hour transit trips that would be generated by the proposed project would be accommodated by the existing transit system. The addition of the project-generated transit riders would not substantially increase the peak hour capacity utilization of the MUNI bus lines considered for the proposed project. As part of this project, the northern driveway on Steiner Street would be eliminated and the two remaining driveways (one on California Street and one on Steiner Street) would be reduced to 28 feet in width. The project would not be expected to result in any conflicts with the bus operations on California Street; therefore, no impacts to bus circulation were identified (no bus lines operate along Steiner Street on the project block).

**Bicycle Conditions**

As mentioned above, there is a bicycle route near the project site - Route 45 (Class III) along Steiner Street. The proposed project is not anticipated to adversely affect bicycle conditions in the project vicinity. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site (approximately 50 net new trips during the p.m. peak hour), this increase would not be substantial enough to affect bicycle travel in the area. As discussed above, under Impact TR-2, the proposed project would eliminate the northern driveway on Steiner Street and reduce the width of the two remaining driveways (one on California Street and one of Steiner Street), which could improve conditions for bicycles by reducing the potential for conflicts between bicycles and vehicles entering and existing the site. Moreover, any required screening along the site's perimeter would be designed to avoid such potential conflicts. Therefore, the proposed project would have a less-than-significant impact on the bicycle conditions in the project vicinity.

On June 26, 2009, the San Francisco Municipal Transportation Agency (SFMTA) approved an update to the City's Bicycle Plan. The Plan includes updated goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. The proposed project would not result in significant impacts to bicycle conditions in the project area and would therefore not conflict with the City's bicycle plan, or other plan, policy or program related to bicycle use in San Francisco.

### Pedestrian Conditions

Given the proposed uses, the project would generate a negligible number of pedestrian trips to the surrounding streets during the weekday p.m. peak hour. These new pedestrian trips would be spread out over several adjacent sidewalks and crosswalks and could be accommodated on the existing facilities adjacent to the project site without substantially affecting the current pedestrian conditions along California Street (10-foot-wide sidewalks) or Steiner Street (15-foot-wide sidewalks). Therefore, it is expected that pedestrian conditions would continue to remain acceptable.

The project would not result in a considerable increase in vehicle trips to and from the site, and therefore pedestrian travel in the project site vicinity would not be substantially affected. In addition, the proposed project would not create unsafe conditions for pedestrians, nor would the additional walk trips cause crowding on nearby sidewalks; therefore, the proposed project's impact to pedestrian facilities would be less than significant. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns. Thus, impacts on pedestrian circulation and safety would be less than significant. As such, the proposed project would not conflict with any plan, policy or program related to pedestrian use in San Francisco.

**Impact C-TR-1: The proposed project in combination of past, present, and reasonably foreseeable future projects, would not result in substantial cumulative transportation impacts. (Less than Significant)**

Construction of the proposed project may overlap with construction of other projects within a quarter mile of the project site, which could result in a temporary increase in construction-related traffic in the project vicinity. As noted above, these construction activities include such activities as seismic retrofits and ADA improvements at 2390 Bush Street, replacement of an existing driveway and reroofing at 2210 Pine Street, and emergency reinforcement work to stabilize the existing front facade at 2178 Pine Street. The combined construction impacts would not be significant given that they are temporary and would not result in permanent, cumulatively considerable transportation impacts. The operation of the proposed project would not result in a significant increase in trips to and from the project site as discussed above. Therefore, the project would not contribute significantly to cumulative conditions and would not have any significant cumulative traffic impacts.

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

### Parking Discussion

**Impact TR-5: Implementation of the proposed project would not result in a significant parking impact. (Less than Significant)**

Parking impacts are not considered significant under CEQA, but a discussion of parking is presented here as an information item.

Based on the methodology presented in the Planning Department's 2002 *Transportation Impact Analysis Guidelines*, on an average weekday, the proposed retail uses would have a short-term parking demand of four spaces and a long-term parking demand of two spaces. The project would provide a total of five on-site parking spaces. Therefore, the parking proposed to be provided would be slightly less than the parking demand generated by the proposed project. There is limited on-street parking capacity available near the project site along both California and Steiner Streets. While the proposed off-street parking spaces would be slightly less than the anticipated demand, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

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 §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 congestion at intersections, air quality impacts, safety impacts, or noise 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, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service 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." As discussed above, the project area is well-served by local public transit (Muni's bus routes 1, 1 BX, 3, and 22) as well as by bicycle Route 45 which provide alternatives to auto travel.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. 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 parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated

air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>6. NOISE—Would the project:</b>					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, Questions 6e and 6f are not applicable to the proposed project.

**Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)**

The proposed project would not include new sensitive receptors, including residences, schools, hospitals, and convalescent homes, where people require quiet for sleep or concentration. The nearest sensitive receptors to the project site are the residences along Steiner and California



Streets (including residential uses on parcels on parcels adjacent to the project site along both of these streets).

**Applicable Noise Standards.** The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research (OPR), indicate maximum acceptable noise levels for various newly developed land uses. The proposed uses for this project most closely correspond to the "Commercial – Wholesale and Some Retail, Industrial/Manufacturing, Transportation, Communications and Utilities" land use category in the Land Use Compatibility Guidelines.<sup>14</sup> For this land use category, the maximum "satisfactory, with no special insulation requirements" exterior noise levels are approximately 77 dBA (L<sub>dn</sub>).<sup>15,16</sup> Where exterior noise levels exceed 75 dBA (L<sub>dn</sub>) for a new commercial building, it is generally recommended that a detailed analysis of noise reduction requirements be conducted prior to final review and approval of the project, and that the needed noise insulation features be include in the project design.

**Existing Noise in Project Site Vicinity.** The land uses in the project site vicinity generate a substantial amount of noise. Based on citywide modeling of traffic noise volumes conducted by the San Francisco Department of Public Health (DPH), the project site vicinity has ambient noise levels ranging from 70 to 75 dBA (L<sub>dn</sub>) on Steiner Street and ambient noise levels above 75 dBA (L<sub>dn</sub>) on California Street.

**Project Noise Exposure.** As previously mentioned, the proposed project would not include new sensitive receptors. The exterior noise levels along Steiner Streets are within the range considered "satisfactory" for transportation-related buildings and commercial uses. While the exterior noise levels along California Street exceed the maximum "satisfactory" noise levels for commercial buildings, the proposed convenience store would be set back from California Street by approximately 100 feet. Noise levels from a particular source generally decline as distance to the receptor increases. Therefore, the project would not be expected to result in a significant impact with respect to exposure of employees or visitors at the project site to ambient noise levels. Moreover, as noted above, the project would replace uses that already exist on the project site; therefore, any changes related to project noise exposure would be very minor when compared to the existing conditions.

**Noise from Project Operations.** The proposed project includes removal of all existing above- and below-ground structures on the site and construction of a fueling canopy with five fuel

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14 San Francisco General Plan. Environmental Protection Element, Land Use Compatibility Chart for Community Noise. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/I6\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/General_Plan/I6_Environmental_Protection.htm). Accessed October 1, 2014.

15 The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

16 The L<sub>dn</sub> is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

dispensers, two underground storage tanks and associated underground pipes, and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement.

Vehicular traffic makes the greatest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic must double in volume to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project would generate approximately 1,489 daily vehicle trips, with 134 of those trips occurring in the p.m. peak hour. This would constitute an increase of approximately 600 daily vehicle trips and 54 p.m. peak hour trips as compared to the existing operations on the project site. This increase in vehicle trips would not cause traffic volumes to double on nearby streets, and it would not have a noticeable effect on ambient noise levels in the project site vicinity. The project also would not contribute to any potential cumulative traffic noise effects. As a relatively small fueling station/convenience store development, the proposed project would not include features or uses that could generate substantial noise, particularly since the proposed project would expand a use that already exists on the project site. Automobiles and pedestrians would access the proposed uses throughout the day and night in a manner similar to the existing conditions and would not be expected to generate a noticeable level of noise. Similarly, deliveries of fuel and convenience store goods would be made to the project site the same as deliveries made under the existing conditions. Therefore, operational noise from the proposed project, including traffic-related noise, would not be expected to significantly increase the ambient noise levels in the project vicinity.

In addition to vehicle-related noise, building equipment and ventilation associated with the proposed convenience store would also constitute new sources of noise. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance. This section of the ordinance establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the limit is 5 dBA in excess of ambient, while for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. Compliance with Article 29, Section 2909, serves to minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant. Given that the proposed project's vehicle trips would not result in a noticeable increase in ambient noise levels, and that any proposed mechanical equipment would be required to comply with the Noise Ordinance, the proposed project would not result in a noticeable increase in ambient noise levels. Thus, the project's impact related to project operations would be less than significant.

**Impact NO-2: During construction, the proposed project would not result in a substantial temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project. (Less than Significant)**

Demolition, excavation and building construction would temporarily increase noise, and possibly vibration, in the project vicinity. During the construction phase, the amount of construction noise generated would be influenced by equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers (including subsurface barriers).

Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. There would be times when noise and vibration could interfere with indoor activities in nearby businesses.

The nearest sensitive receptors to the project site are the residential uses along Steiner and California Street, adjacent to the project site (less than 10 feet away). Given that these uses are currently subject to the ambient noise levels that are considered to be relatively high (particularly along California Street, where noise levels are above 75 dBA ( $L_{dn}$ )) and moreover, are subject to uses that would be essentially the same as under the proposed project, the operational noise from the proposed project would not significantly impact these residential uses. There are no senior center or hospital facilities near the project site. Other uses in the immediate vicinity are not considered sensitive to noise and vibration.

According to the project sponsor, the construction period would last approximately six months. Preliminary design recommendations indicate that the proposed convenience store building can be supported on conventional spread/strip footings.<sup>17</sup> The partial basement area below the convenience store may be supported on a concrete mat foundation and the fueling canopy may be supported on drilled, cast-in-place, reinforced concrete piers. No significant noise generating equipment (including pile driving) would be used during the construction phase of the project. The primary noise source during the construction phase of this project would be concrete mixer trucks and similar equipment. The proposed project would not create unusual levels of groundborne vibration that would disturb nearby businesses and occupants.

Excavation work and exterior finishing can generate noise levels up to 89 dBA ( $L_{dn}$ ) at 50 feet from the noise receptor (see

Table 1, on the following page). Construction noise and vibration impacts would be temporary in nature and limited to the period of construction. Noise generally attenuates (decreases) at a rate of 6 to 7.5 dBA per doubling of distance, and would therefore not be anticipated to substantially affect the nearby noise sensitive receptors located further along California and Steiner Streets from the project site.

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<sup>17</sup> BAGG Engineers, *Geotechnical Engineering Investigation, Proposed Shell Gas Station & Loop Convenience Store, 2501 California Street, San Francisco, California*, October 2013 (hereinafter "Preliminary Geotechnical Evaluation"). A copy of this document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File 2013.1407E.

**Table 1. Typical Commercial Construction Noise Levels (dBA)<sup>18</sup>**

Phase	(L <sub>eq</sub> ) <sup>a</sup>
Ground Clearing	84
Excavation	89
Foundations	78
Erection	85
Exterior Finishing	89
Pile Driving	90-105

<sup>a</sup> Estimates correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given phase and 200 feet from the other equipment associated with that phase.

Source: U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, 1971.

**Noise from Construction Truck Traffic.** Throughout the construction period there would be truck traffic to and from the site, hauling away excavated materials and debris, or delivering building materials. It is anticipated that construction hours would occur from 8:00 a.m. to 5:00 p.m. during the week. Noise from truck traffic is not expected to cause a significant impact, given ambient noise levels in the project site vicinity and the limited hours and duration of project construction.

**San Francisco Noise Ordinance Requirements.** 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 dBA at a distance of 100 feet from the source. Impact tools (jackhammers, hoerammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works or the Director of Building Inspection. 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 line, unless a special permit is authorized by the Director of Public Works or the Director of Building Inspection. The project must comply with regulations

<sup>18</sup> U.S. Environmental Protection Agency (EPA). Noise from Construction Equipment and Building Operations, Building Equipment, and Home Appliances, December 31, 1971. Available online at: [http://www.marincounty.org/~media/files/departments/cd/planning/environmental-impact/big-rock/supplemental/13\\_epa\\_1971\\_noise\\_from\\_construction\\_equipment\\_operations\\_building equip\\_home\\_appliances.pdf](http://www.marincounty.org/~media/files/departments/cd/planning/environmental-impact/big-rock/supplemental/13_epa_1971_noise_from_construction_equipment_operations_building equip_home_appliances.pdf). Accessed October 1, 2014.

set forth in the Noise Ordinance. The increase in noise and vibration in the project area during project construction would be considered less than significant because it would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the City's Noise Ordinance.

In light of the above, the project's construction noise impact would be less than significant.

**Impact C-NO-1: The proposed project would not make a considerable contribution to any cumulative significant noise impacts. (Less than Significant)**

Construction activities in the vicinity of the project site, such as any required excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. As such, construction noise effects associated with the proposed project are not anticipated to combine with those associated with other proposed and ongoing projects located near the project site. Therefore, cumulative construction-related noise impacts would be less than significant.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. However, because neither the proposed project nor the other cumulative projects in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project would not contribute considerably to any cumulative traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment would be required to comply with the Noise Ordinance and would not be expected to contribute to any cumulative increases in ambient noise levels. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>7. AIR QUALITY</b>					
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Topics:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Not Applicable</b>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Setting

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan (CAP)*, was adopted by the BAAQMD on September 15, 2010. The *2010 CAP* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The *2010 CAP* contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The *2010 CAP* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of an applicable air quality plan.

### Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based

criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment<sup>19</sup> or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.<sup>20</sup>

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project.

Table 2 on the following page identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

**Table 2. Criteria Air Pollutant Significance Thresholds**

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

**Ozone Precursors.** As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub><sup>21</sup>). Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO<sub>x</sub>). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a

<sup>19</sup> "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status.

<sup>20</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.

<sup>21</sup> PM<sub>10</sub> is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or larger. PM<sub>2.5</sub>, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO<sub>x</sub>, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).<sup>22</sup> These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO<sub>x</sub> emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO<sub>x</sub> emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).** The BAAQMD has not established an offset limit for PM<sub>2.5</sub>. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM<sub>10</sub> and PM<sub>2.5</sub>, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.<sup>23</sup> Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

**Fugitive Dust.** Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust;<sup>24</sup> individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.<sup>25</sup> The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.<sup>26</sup> The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to

<sup>22</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

<sup>23</sup> *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

<sup>24</sup> Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at [http://www.wrapair.org/forums/dejffdh/content/FDHandbook\\_Rev\\_06.pdf](http://www.wrapair.org/forums/dejffdh/content/FDHandbook_Rev_06.pdf). Accessed October 7, 2014.

<sup>25</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

<sup>26</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011.



control fugitive dust and the BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

### Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.<sup>27</sup>

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.<sup>28</sup> In addition to PM<sub>2.5</sub>, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.<sup>29</sup> The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

<sup>27</sup> In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

<sup>28</sup> SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

<sup>29</sup> California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed “Air Pollutant Exposure Zone,” were identified based on health-protective criteria: that considers estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and location with particularly vulnerable populations. Each of these criteria is discussed below.

**Excess Cancer Risk.** The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.<sup>30</sup> As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,<sup>31</sup> the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.<sup>32</sup>

**Fine Particulate Matter.** In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that then federal annual PM<sub>2.5</sub> standard of 15 µg/m<sup>3</sup> should be revised to a level within the range of 13 to 11 µg/m<sup>3</sup>, with evidence strongly supporting a standard within the range of 12 to 11 µg/m<sup>3</sup>. Air Pollutant Exposure Zone for San Francisco is based on the health protective PM<sub>2.5</sub> standard of 11 µg/m<sup>3</sup>, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m<sup>3</sup> to account for error bounds in emissions modeling programs.

**Proximity to Freeways.** All lots within 500 feet of the freeways were also included in the APEZ based on the CARB 2005 Land Use Handbook recommendations for siting sensitive land uses near high volume roadways.<sup>33</sup>

**Health Vulnerable Locations.** Based on the BAAQMD’s evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure

<sup>30</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

<sup>31</sup> 54 Federal Register 38044, September 14, 1989.

<sup>32</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

<sup>33</sup> California Environmental Protection Agency, California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005, p. 4, Table 1-1. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM<sub>2.5</sub> concentrations in excess of 9 µg/m<sup>3</sup>.<sup>34</sup>

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add emissions to areas already adversely affected by poor air quality. The project site is located within the Air Pollutant Exposure Zone.

#### **Construction Air Quality Impacts**

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

**Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants, but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)**

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project includes removal of all existing above- and below-ground structures on the site and construction of a fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. During the project's approximately 5 month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

#### *Fugitive Dust*

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where

<sup>34</sup> Ordinance 224-14 (Article 38), San Francisco Board of Supervisors File No. 140806.

possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing particulate matter PM<sub>2.5</sub> concentrations to state and federal standards of 12 µg/m<sup>3</sup> in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.<sup>35</sup>

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 sf of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site will be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 sf of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. CCSF Ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water

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35 ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

The proposed project site is less than one-half acre in size, so submittal of a Dust Control Plan will not be required; however, implementation of dust control measures pursuant to the Dust Control Plan would nevertheless be required. Compliance with the regulations and procedures set forth in the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be less than significant.

#### *Criteria Air Pollutants*

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 2, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The CEQA Air Quality Guidelines note that the screening levels are generally representative of new development on greenfield<sup>36</sup> sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project includes the removal of all existing above- and below-ground structures on the site and construction of a fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and a structure containing an approximately 2,300-sf convenience store with approximately 2,300-sf underground storage. The proposed project would be below the criteria air pollutant screening size for a convenience market with gas pumps, which is 277,000 sf, as identified in BAAQMD's CEQA Air Quality Guidelines. Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less-than-significant construction criteria air pollutant impacts

#### **Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)**

As discussed above, the project site is located within an Air Pollutant Exposure Zone. Off-road equipment (which includes construction-related equipment) is a large contributor to DPM

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<sup>36</sup> A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.<sup>37</sup> Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.<sup>38</sup> For example, revised PM emission estimates for the year 2010 (DPM is a major component of total PM) have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.<sup>39</sup> Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.<sup>40</sup>

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO<sub>x</sub> and PM emissions will be reduced by more than 90 percent.<sup>41</sup> Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to NO<sub>x</sub> and PM emissions.<sup>42</sup>

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

“Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.”<sup>43</sup>

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure

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37 ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

38 ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

39 ARB, “In-Use Off-Road Equipment, 2011 Inventory Model,” Query accessed online, May 12, 2014, [http://www.arb.ca.gov/msei/categories.htm#inuse\\_or\\_category](http://www.arb.ca.gov/msei/categories.htm#inuse_or_category).

40 ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

41 USEPA, “Clean Air Nonroad Diesel Rule: Fact Sheet,” May 2004.

42 California Code of Regulations, Title 13, Division 3, § 2485.

43 BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

Zone, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities for the approximate six-month construction period. Project construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors. Sensitive land uses near the project site include residences along Steiner and California Streets (including residential uses on parcels adjacent to the project site along both of these streets.) This would result in a significant impact. Implementation of Mitigation Measure M-AQ-2, Construction Emissions Minimization, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS. Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which may not be available for engine sizes subject to the mitigation. Therefore, compliance with Mitigation Measure M-AQ-2, to which the project sponsor has agreed, would reduce potential construction emissions impacts to nearby sensitive receptors to a less-than-significant level.

#### **Mitigation Measure M-AQ-2: Construction Emissions Minimization**

The project sponsor or the project sponsor's Contractor shall comply with the following:

##### *A. Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

**Table AQ-1 – Off-Road Equipment Compliance Step-down Schedule**

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

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

\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.



1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
  2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
  3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

With implementation of this mitigation measure, the proposed project's construction-related air quality impact would be less than significant.

### **Operational Air Quality Impacts**

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project.

**Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)**

As discussed above under Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of

project-generated criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project includes the removal of all existing above- and below-ground structures on the site and construction of a fueling canopy with five fueling dispensers, two underground storage tanks and associated underground pipes, and structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. The proposed project would be below the criteria air pollutant screening size for convenience market with gas pumps, which is 4,000 sf, as identified in BAAQMD's *CEQA Air Quality Guidelines*. This is because the 2,300 sf of proposed storage space is not counted as part of the convenience store, since no active sales would occur there. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less-than-significant impact with respect to criteria air pollutants.

**Impact AQ-4: The proposed project would not generate substantial amounts of toxic air contaminants, including diesel particulate matter, and would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)**

As discussed above, the project site is within the Air Pollutant Exposure Zone. The proposed project would replace an existing fueling station, convenience store and an automotive service station with similar uses. Sensitive land uses near the project site include residences along Steiner and California Streets (including adjacent to the project site along both of these streets).

*Sources of Toxic Air Contaminants*

Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's approximately 1,489 daily vehicle trips would be well below this level and would be distributed among the local roadway network, therefore an assessment of project-generated TACs resulting from vehicle trips is not required and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

However, an additional source of TACs are the emissions associated with the proposed fueling station. According to BAAQMD, gas stations, also referred to as Gasoline Dispensing Facilities (GDF's), are a source of TACs due to the uncontrolled emissions associated with tank filling, vehicle fueling, and minor spillage as part of routine operations. All gasoline dispensing facilities are subject to BAAQMD's Regulation 8, Rule 7 (Gasoline Dispensing Facilities), which has a goal of limiting emissions of organic compounds from gasoline dispensing facilities. Regulation 8, Rule 7 applies to any stationary operation which dispenses gasoline directly into the fuel tanks of motor vehicles and treats such facility as a single source, which includes all necessary fuel-dispensing equipment, such as nozzles, dispensers, pumps, vapor return lines, plumbing and underground and aboveground storage tanks. In addition, the California Air Resources Board (CARB) evaluates and tests new and modified vapor recovery systems, which are required as

part of GDF operations to recover gasoline vapors generated while fueling vehicles in a service station.

As part of the proposed project, the applicant would be required to apply for a BAAQMD Permit to Operate. In the course of BAAQMD permit review, BAAQMD would ensure that the proposed vapor recovery equipment meets CARB requirements; thus, a separate CARB permit would not be required. The new Permit to Operate, which would cover the entirety of operations at the proposed fueling station, would replace the existing Permit to Operate under which the existing fueling station on the project site is regulated. All GDF's must have a Permit to Operate from BAAQMD, including those exempt from the vapor recovery standards in Regulation 8, Rule 7. The Permit to Operate contains conditions such as the facility's permitted annual throughput, as well as other requirements specific to the individual GDF, such as information regarding size and types of the underground storage tanks, nozzles, vapor recovery systems, etc. Inspections of each permitted facility are conducted by BAAQMD staff on an annual basis to ensure that each operator complies with all conditions set forth in the Permit to Operate. Any operator who violates these conditions is subject to a variety of actions against non-compliance, ranging from "fix-it" tickets to complete station shutdowns. As part of the permitting process, the amount of TAC emissions anticipated from project's operations are calculated based on the information provided in the project application.

The existing fueling station has a permitted maximum throughput of 3.23 million gallons per year.<sup>44</sup> The actual throughput at the site was approximately 2.12 million gallons of fuel in 2012 and approximately 2.10 million gallons in 2013. In the event that a throughput increase is requested by the applicant in the future, the health screening that would be conducted in compliance with BAAQMD requirements would ensure that the anticipated TAC emissions do not result in excess cancer risk of more than 10 per one million population. If such an exceedance is anticipated, BAAQMD would either require the applicant to install Best Available Control Technology for Toxics (TBACT) or would deny the facility's Permit to Operate.<sup>45</sup> If some increase in TACs is anticipated but it is below the excess cancer risk standard discussed above, and if the gas station is within 1,000 feet of a sensitive receptors (such as a school), the applicant would be required to undergo a public notification process. Through the permitting and annual inspections process, BAAQMD would ensure that the proposed project does not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors. This is because the BAAQMD would not permit any facility with excess cancer risk greater than 10 per million.

It is noted that, in general, TACs associated with fueling stations have decreased considerably over the years due to more stringent regulations, fuel reformulations, and an increase in the effectiveness of vapor recovery systems. Therefore, it is possible to increase gasoline throughput without increasing the amount of TAC emissions.<sup>46</sup> For this reason, BAAQMD focuses on TACs through the permitting process rather than exclusively on the anticipated fuel throughput. Given

<sup>44</sup> Bay Area Air Quality Management District, Permit to Operate, 2501 California Street (Facility ID: 112244), May 17, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>45</sup> Ten per million is the maximum "above-baseline" allowable risk for stations that install BACT (without it, the allowable excess cancer risk is only 1 per million). Since all gas stations are required to install BACT under BAAQMD regulations, they are always permitted at 10 per million when they undergo the risk assessment.

<sup>46</sup> Phone call between Tania Sheyner, Environmental Planner, San Francisco Planning Department, and Scott Owen, P.E., Supervising Air Quality Engineer, Bay Area Air Quality Management District, September 17, 2014.

the permitting requirements described above, the project would result in less than significant operational impacts related to TAC emissions.

**Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2010 Clean Air Plan. (Less than Significant)**

The most recently adopted air quality plan for the SFBAAB is the *2010 Clean Air Plan*. The *2010 Clean Air Plan* is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the *2010 Clean Air Plan* (CAP), this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to GHGs are discussed in the "Greenhouse Gas Emissions" section below, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The project would increase the amount of vehicles that could be accommodated at any given time; however, a similar fueling facility already exists on the project site (and another fueling station exists across the street from the project site). Thus, while the project would modestly expand the existing fueling and retail uses on the site, it would not, in and of itself, incentivize an increase in the amount of vehicle miles travelled than would otherwise occur (most, if not all, future vehicle trips would "pass through" the site to refuel rather than use it for recreation or as a singular destination, such as restaurant or retail uses). The proposed project also would not directly increase automobile travel as a primary mode of transportation. Moreover, the proposed project would incorporate bicycle parking into the site design, encouraging bicycles as an alternative mode of transportation to the site (in addition to pedestrians and transit riders). Therefore, the project would not result in a substantial growth in automobile trips and vehicle miles traveled. The proposed project's approximately 1,489 net new daily vehicle trips would result in a negligible increase in air basin-wide air pollutant emissions since this volume of trips would be well below the BAAQMD operational significance threshold established for

convenience markets with gas pumps (as discussed under Impact AQ-3). Furthermore, the proposed project would be generally consistent with the General Plan, as discussed in the “Compatibility with Existing Plans and Zoning” section above. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the General Plan and the Planning Code, for example, through the City’s Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the *2010 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP’s primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would replace an existing fueling facility and convenience store with an expanded fueling facility and convenience store. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus, would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the *2010 Clean Air Plan*, and because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be less than significant.

**Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (Less than Significant)**

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The project site is not substantially affected by existing sources of odors. The proposed project would consist of fueling station and convenience store uses. Although fuels have the potential to emit unpleasant odors, the vapor recovery system that would be installed as part of the proposed project would prevent the majority of such odors from escaping. As discussed above, under Impact AQ-4, BAAQMD would regulate the vapor recovery system under its Permit to Operate and would inspect the project site, including the vapor recovery system, on an annual basis, to ensure that it functions as specified in the Permit to Operate. Thus, project operations would not be expected to create a significant source of new odors. Therefore, odor impacts would be less than significant.

**Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts. (Less than Significant with Mitigation)**

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.<sup>47</sup> The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would include construction within an area already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-2, Construction Emissions Minimization, as shown under Impact AQ-2 above, which could reduce construction period emissions by as much as 94 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative air quality impacts to a less-than-significant level.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>8. GREENHOUSE GAS EMISSIONS— Would the project:</b>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

GHG emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies

<sup>47</sup> BAAQMD, CEQA Air Quality Guidelines, May 2011, page 2-1.

to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy)*<sup>48</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with CEQA guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's 2010 Clean Air Plan, Executive Order S-3-05,<sup>49</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act.)<sup>50,51</sup>

Given that the City's local greenhouse gas reduction targets are more aggressive than the State and Region's 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City's Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

**Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)**

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite by constructing a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers (each dispenser containing two pumps each, one on each side); two underground storage tanks and associated underground pipes; and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and commercial operations that result in an increase in energy use,

48 San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

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

50 San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy*, 2013 Update.

51 The Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, SF Green Building Requirements for Energy Efficiency, and Stormwater Management.

These regulations, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.<sup>52</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>9. WIND AND SHADOW – Would the project:</b>					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas. (Less than Significant)**

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented so that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Average wind speeds in San Francisco are the highest in the summer and lowest in winter; however, the strongest peak winds occur in

<sup>52</sup> Greenhouse Gas Analysis: Compliance Checklist, December 30, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.



winter. Throughout the year the highest wind speeds occur in mid-afternoon and the lowest in the early morning. Westerly to northwesterly winds are the most frequent and strongest winds during all seasons. Of the primary wind directions, four have the greatest frequency of occurrence and also make up the majority of the strong winds that occur. These winds include the northwest, west-northwest, west, and west-southwest.

The project site currently contains a 16-foot-tall, 700-sf fueling canopy with three fuel dispensers; three underground storage tanks and associated underground pipes; and a 17-foot-tall, one-story, approximately 2,200-sf building including a convenience store and auto service station. The proposed project would merge the three lots into one, remove all existing above- and below-ground structures on the site, and construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers (each dispenser containing two pumps each, one on each side); two underground storage tanks and associated underground pipes; and a 20-foot-tall structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. The project site is located on a corner and is surrounded primarily by two- to four-story structures and a parking lot. Since the proposed project would not be substantially taller than nearby buildings, and the development in the project vicinity is generally of a low-rise nature, the project would not result in adverse effects on ground-level winds. In addition, the proposed project would not have the potential to cause significant changes to the wind environment in pedestrian areas on or near the project site. Thus, the proposed project would result in a less-than-significant wind impact.

**Impact WS-2: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)**

Planning Code Section 295, which was adopted in response to Proposition K (passed November 1984), mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the Recreation and Parks Department (RPD) can only be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow is determined to be insignificant or not adverse to the use of the park. The nearest outdoor recreation facilities to the project site under the jurisdiction of the Recreation and Park Department are: the Alta Plaza Park, located at Jackson and Steiner Streets (approximately 800 feet from the project site) and the Hamilton Playground, located at Geary Boulevard, between Scott and Steiner Streets (approximately 1,300 feet from the project site). Under the proposed project, the height to the top of the proposed fueling canopies would be 19 feet and the height to the top of the roofline of the proposed convenience store would be 20 feet. Therefore, no shadow analysis would be required under Planning Code Section 295.

In addition, under CEQA, a detailed analysis of the shadow impacts is required for projects that could potentially cast new shadow on a park or open space such that the use or enjoyment of that park or open space could be adversely affected. In addition to the parks under the jurisdiction of Recreation and Parks Department listed above, another nearby open space is the Cottage Row Mini Park, which is located at 1 Cottage Row (approximately 1,100 feet from the project site). Since the proposed structures on the project site would not be sufficiently tall to cast shadows on

any of the recreational facilities discussed above, it can be concluded that the proposed project would not cast new shadow on a park or open space such that its use or enjoyment could be adversely affected.

The proposed project would add new shade to portions of the project site as well as to surrounding properties. However, because of the height of the proposed building and the configuration of existing buildings in the vicinity, the net new shading that would result from the projects construction would be limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is rarely considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

**Impact C-WS-1: The proposed project, in combination with other past, present, and reasonably foreseeable projects, would not result in less-than-significant wind and shadow impacts. (Less than Significant)**

Based on the discussion above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind or shadow impact in the project vicinity. Thus, the proposed project, in combination with cumulative projects considered in this analysis, would not be expected to contribute considerably to adverse wind or shadow effects under cumulative conditions, and cumulative wind or shadow impacts would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>10. RECREATION – Would the project:</b>					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact RE-1: The proposed project would not result in a substantial increase in the use of existing neighborhood parks or other recreational facilities. (Less than Significant)**

The nearest recreation facilities to the project site are: the Alta Plaza Park, located at Jackson and Steiner Streets (approximately 800 feet from the project site); the Hamilton Playground, located at Geary Boulevard, between Scott and Steiner Streets (approximately 1,300 feet from the project site); and the Cottage Row Mini Park, which extends between Bush and Sutter Streets on a block bounded by Fillmore Street to the west and Webster Street to the east (approximately 1,100 feet from the project site). The proposed project would include automotive and commercial uses only, and would only minimally increase the use of recreational facilities and parks due to a slight increase in employees on the project site. Therefore, impact on recreational activities and facilities would be less than significant.

**Impact RE-2: The proposed project would not require the construction of recreational facilities that may have a significant effect on the environment. (Less than Significant)**

The proposed project would result in a negligible increase in the demand for existing recreational facilities and parks in the project vicinity due to an increase of employees working on the project site. The proposed project would not necessitate the construction of new recreational facilities or the expansion of existing facilities. Therefore, the implementation of the project would not have a significant impact related to construction of recreational facilities.

**Impact RE-3: The proposed project would not physically degrade existing recreational facilities. (Less than Significant)**

The proposed project would not result in the physical alteration of any recreational resource within the project site vicinity or in the City as a whole. As mentioned above, the implementation of the proposed project would minimally increase the demand for recreational facilities and parks. As a result, the project would not physically degrade any exiting recreational resources.

**Impact C-RE-1: The proposed project, in combination with past, present, and reasonable foreseeable future projects, would not considerably contribute to recreational impacts in the project site vicinity. (Less than Significant)**

The use of recreational facilities in the project site vicinity is not expected to noticeably increase as a result of the proposed project. As mentioned above, the proposed project includes automotive and commercial uses only, and would negligibly increase the demand for recreational facilities and parks. Therefore, the contribution of the proposed project to cumulative recreation-related impacts would be less than significant.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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**11. UTILITIES AND SERVICE SYSTEMS—**

Would the project:

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact UT-1: The proposed project would not significantly affect wastewater collection and treatment facilities and would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. (Less than Significant)**

Project-related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the 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 San Francisco Bay. Additionally, during wet weather events, combined wastewater and stormwater flows from the project area would be treated at the North Point Wet Weather Facility.

The proposed project is also subject to the City's Construction Site Runoff Control Ordinance, which requires any project within San Francisco disturbing 5,000 square feet or more to apply for a Construction Site Runoff Control Permit and to submit and receive approval of an Erosion and Sediment Control Plan prior to commencing any construction related activities. To minimize sediments and other pollutants from entering the combined sewer and stormwater system, an Erosion and Sediment Control Plan, including BMPs, would be required to be prepared by the project sponsor for the project to minimize stormwater runoff. During construction, non-route,

episodic, batch, or other temporary discharges to the City's combined sewer system could impacts the wastewater collection and treatment system; this impact is discussed under Impact HY-2, below.

The project would not require substantial expansion of wastewater/stormwater treatment facilities or an extension of a sewer trunk line because the site is currently served by existing facilities. Additionally, compliance with the Stormwater Management Ordinance<sup>53</sup> in general would require the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project sponsor would implement and install appropriate stormwater management systems that retain runoff on-site, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential for upsizing or constructing new facilities. As no new wastewater/stormwater infrastructure would be required to serve the project, this impact would be less than significant.

**Impact UT-2: The proposed project would not require expansion or construction of new water supply or treatment facilities. (Less than Significant)**

Under Senate Bill 610 and Senate Bill 221, all 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.<sup>54</sup> Under Senate Bill 610, a Water Supply Assessment (WSA) is required if a proposed project is subject to CEQA review in an Environmental Impact Report (EIR) or Negative Declaration and is any of the following: (1) a residential development of more than 500 dwelling units; (2) a shopping center of business employing more than 1,000 persons or having more than 500,000 square feet of floor space; (3) a commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space; (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 square feet 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 connection with the *2005 Urban Water Management Plan*, 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, which includes all known or expected development projects and projected development in San Francisco at that time through 2020. The UWMP used growth

<sup>53</sup> San Francisco Public Utility Commission (SFPUC). *Stormwater Management Ordinance*. Available online at: <http://www.sfwater.org/index.aspx?page=446>. Accessed August 28, 2014.

<sup>54</sup> California Department of Water Resources. *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001*, October, 2003. Available online at: [http://www.water.ca.gov/pubs/use/sb\\_610\\_sb\\_221\\_guidebook/guidebook.pdf](http://www.water.ca.gov/pubs/use/sb_610_sb_221_guidebook/guidebook.pdf). Accessed August 28, 2014.

projections prepared by the Planning Department and Association of Bay Area Governments (ABAG) to estimate future water demand. The SFPUC recently published its 2010 UWMP, which likewise relies on population projections from ABAG. The proposed project would not be associated with any population growth. Therefore, the project would not exceed the UWMP's water supply projections.

The proposed project would require new water connections per the SFPUC. The proposed project would use existing water infrastructure unless the SFPUC recommends changes to the size and design of this infrastructure.

Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase would be accommodated within the City's anticipated water use and supply projections. Since the proposed water demand could be accommodated by existing and planned water supply anticipated under the SFPUC's 2010 UWMP and the proposed project 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. Moreover, the proposed project would also be subject to the Commercial Water Conservation Ordinance, which requires water conservation measures and improvements for all commercial properties upon major improvements.<sup>55</sup> Considering all of the above, the proposed project would result in less-than-significant project-specific and cumulative water supply impacts.

**Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)**

The majority of solid waste generated by the City and County of San Francisco is transported to the Altamont Landfill. As of March 2013, San Francisco's remaining capacity at the landfill was 1,052,815 tons out of the original 15 million ton capacity.<sup>56</sup> At current disposal rates, San Francisco's available landfill space under the existing contract will run out in January 2015. However, as of the year 2005 (latest year of record), the landfill has a closure date in 2025 and a remaining capacity of 74 percent.<sup>57</sup> San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. San Francisco had a goal of 75 percent solid waste diversion by 2010 and has a goal of 100 percent solid waste diversion by 2020. San Francisco diverted 80 percent of their solid waste in the year 2010.<sup>58</sup>

With implementation of the proposed project, new trash receptacles would be in place at the project site and site customers and employees would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. Due to the

<sup>55</sup> San Francisco Public Utilities Commission, *Residential Water Conservation Ordinance Amendments*. Available online: <http://sfwater.org/index.aspx?page=454>. Accessed December 23, 2014.

<sup>56</sup> San Francisco Department of the Environment (DOE), "Zero Waste FAQ." Available online at: <http://www.sfenvironment.org/zero-waste/overview/zero-waste-faq>. Accessed October 7, 2014.

<sup>57</sup> CalRecycle, "Active Landfills Profile for Altamont Landfill and Resource Recv'ry (01-AA-0009)." Available online at: <http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/>. Accessed August 1, 2013.

<sup>58</sup> DOE, "Mayor Lee Announces San Francisco Reaches 80 Percent Landfill Waste Diversion, Leads All Cities in North America." Available online at: <http://www.sfenvironment.org/zerowaste/overview/goals>. Accessed August 1, 2013.

existing and anticipated increase of solid waste recycling in the City and the Altamont Landfill's remaining capacity, any increase in solid waste from the project site would be accommodated by the existing landfill and thus would have less-than-significant impacts on solid waste facilities.

The proposed project would be in compliance with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The project would also be subject to the City's Construction and Demolition Debris Recovery Ordinance, which requires 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. Therefore, the project's impact on existing landfill capacity would be less than significant.

Given the existing and anticipated increase in solid waste recycling, the project would have a less-than-significant impact on solid waste facilities. Therefore, the project's impact on existing landfill capacity would be less than significant.

**Impact UT-4: The construction and operation of the proposed project would follow all applicable statutes and regulations related to solid waste. (Less than Significant)**

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires municipalities to adopt an Integrated Waste Management Plan to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. San Francisco Ordinance No. 100-09 requires everyone in San Francisco to separate their solid waste into recyclables, compostables, and trash. The proposed project would be subject to and would comply with San Francisco Ordinance No. 27-06, San Francisco Ordinance No. 100-09 and all other applicable statutes and regulations related to solid waste. Therefore, the proposed project's impact to solid waste would be less than significant.

**Impact C-UT-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to utilities or service systems. (Less than Significant)**

Cumulative development in the project site vicinity would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service providers. Given that the City's existing service management plans address anticipated growth in the region, the proposed project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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**12. PUBLIC SERVICES— Would the project:**

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

**Impact PS-1: The proposed project would not increase demand for police service, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)**

The project site currently receives police protection services from the San Francisco Police Department (SFPD). The nearest police station to the project site is the Northern Police Station, at 1125 Fillmore Street, which is about 3,000 feet south of the project site. The proposed project would increase development intensity on the site and would increase the demand for, and use of, police services, but not in excess amounts expected and provided for the area. Given the nature of the proposed project, it would not necessitate the construction of a new police station and would have a less than significant impact on police protection services.

**Impact PS-2: The proposed project would not increase demand for fire protection services, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)**

The proposed project would increase the demand for fire protection services within the project area. The nearest San Francisco Fire Department (SFFD) fire station #38 is located at 2150 California Street (about 1,700 feet east of the project site). Other nearby fire stations include fire station #10 at 655 Presidio Avenue (about 3,500 feet west of the project site), and fire station #5 at 1301 Turk Street (about 3,500 feet south of the project site). Traffic delays and added call volume may result for the SFFD, due to cumulative development in the project area; however, the SFFD is able to minimize potential impacts by shifting primary response duties to other nearby fire stations. The proposed project could increase the number of calls for services from the project site. However, the increase would be incremental, funded largely through project-related increases to the City's tax base, and would not likely be substantial in light of the existing demand and capacity for fire suppression and emergency medical services in the City. Therefore, this impact would be less than significant.

**Impact PS-3: The proposed project would not directly or indirectly generate school students and there would be no impact on existing school facilities. (No Impact)**



The proposed project involves the construction of a fueling station and a convenience store, which would replace an existing fueling station, convenience store and automotive service station. The project does not include construction of any dwelling units. Therefore, the proposed project would not contribute to the need for new school facilities, and would result in no impacts related to schools.

**Impact PS-4: The proposed project would not increase demand for parks, and there would be no impact on parks. (Less than Significant)**

The nearest recreation facilities to the project site are: the Alta Plaza Park, located at Jackson and Steiner Streets (approximately 800 feet from the project site); the Hamilton Playground, located at Geary Boulevard, between Scott and Steiner Streets (approximately 1,300 feet from the project site); and the Cottage Row Mini Park, which extends between Bush and Sutter Streets on a block bounded by Fillmore Street to the west and Webster Street to the east (approximately 1,100 feet from the project site). All of these facilities are located within one-half mile of the project site. Although new employees may utilize parks and recreational spaces in the vicinity of the project site, the use would likely be modest (based on projected employment), and it is unlikely that substantial physical deterioration would be expected. In addition, the proposed project would not substantially increase demand for or use of citywide facilities such as the Golden Gate Park or the waterfront. Therefore, this impact would be less than significant.

**Impact PS-5: The proposed project would increase demand for government services, but not to the extent that would result in significant physical impacts. (Less than Significant)**

The proposed project would not include residential uses. Therefore, the proposed project would not increase the demand for libraries, community centers, and other public facilities, and the project would not have an impact on governmental services.

**Impact C-PS-1: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)**

The proposed project is not expected to significantly increase demand for public services, especially not beyond levels anticipated and planned for by public service providers. Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, project-related impacts to public services would not be cumulatively considerable.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>13. BIOLOGICAL RESOURCES –</b>					
<b>Would the project:</b>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**BI-1: The proposed project would have no impact on special status species, avian species, riparian, wetland, or sensitive natural communities, and would not conflict with an approved local, regional, or state habitat construction plan. (Less than Significant)**

The project site is not located near any riparian habitat, sensitive natural community, federally protected wetlands or adopted conservation plan. There is no potential for the proposed project to affect adversely special-status species or sensitive natural communities, including wetlands. Migrating birds do pass through San Francisco, but the project site does not contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by Fish and Game Code (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). The proposed project would be subject to the MBTA, and would therefore have a less-than-significant

impact to nesting birds. The project site is almost entirely covered with impervious surfaces. The project site is located in a highly urbanized environment with light industrial, office, and PDR uses and few street trees. In light of the above, the proposed project's impact on biological resources would be less than significant.

**BI-2: The proposed project would not conflict with the City's local tree ordinance. (Less than Significant)**

There are no trees on the project site and no street trees within the right-of-way along the project site frontage on California or Steiner Streets.<sup>59</sup> As part of this project, a total of 12 street trees (five along California Street and seven along Steiner Street) would be required pursuant to *Planning Code* Section 138.1, the *Better Streets Plan*, and in accordance with the MBTA. *Planning Code* Section 138.1 requires new construction, significant alterations, or relocation of building projects within any zoning district to include the planting of one 24-inch box tree for every 20 feet along the project site's street or alley frontage, with any remaining fraction of 10 feet or more requiring an additional tree. The trees must be planted in conformance with the City's recently adopted Better Streets Plan, including conformance with the street tree goals for a particular street type. Trees are not allowed above or within five feet of the outside diameter of wastewater assets or lateral vents.

Given that the proposed project would have a significant portion of the site's frontage taken up by curb cuts/driveways, it would not be feasible to plant 12 street trees along the project site frontages. While Planning Department has jurisdiction over provision of street trees, the Department of Public Works (DPW) has jurisdiction over the trees in question. In any case in which the Department of Public Works 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 impractical, the tree planting requirements of this Section 138.1(c)(1) may be modified or waived by the Zoning Administrator. In the event that fewer trees can be accommodated on the project site than required by Planning Code Section 138.1, for each tree that the Zoning Administrator waives, the applicant shall pay an "in-lieu" street tree fee pursuant to Section 428.

DPW staff has indicated that six street trees cannot be approved and that eligible sidewalk landscaping has not been proposed as an alternate means of compliance.<sup>60</sup> Accordingly, the in-lieu street tree fee would apply to six required street trees which cannot be approved. A Zoning Administrator approval will be required for this modification. A total of six street trees would be planted as part of the proposed project – five trees on Steiner Street and one tree on California Street.

<sup>59</sup> Muthana Ibrahim, MI Architects, Inc., Project Sponsor. *Tree Planting and Protection*, 2501 California Street, September 20, 2013. This document is available for public review as part of Case No. 2013.1407E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

<sup>60</sup> Department of Public Works, Bureau of Urban Forestry. *Feasibility of Tree Planting or Removal*, 2501 California Street, October 1, 2014. This document is available for public review as part of Case No. 2013.1407E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

The project sponsor would comply with local regulations regarding tree planting, through a combination of planting trees along the adjacent sidewalks and by paying the in-lieu street tree fee pursuant to Section 428. For these reasons, the project would therefore not conflict with the City's Urban Forestry Ordinance, and would not result in significant impacts related to tree protection.

**C-BI-1: The proposed project in combination with other past, present or reasonably foreseeable projects, would not result in impacts to biological resources. (Less than Significant)**

As discussed above, the project site does not contain biological resources, and the project vicinity has few street trees, which do not provide a habitat for endangered or threatened plant or animal species. Therefore, the project would not impact such species and would not have the potential to contribute to cumulative impacts on biological resources.

In summary, the proposed project would not have significant impacts on special-status species, avian species, riparian, wetland, or sensitive natural communities; would not conflict with an approved local, regional, or state habitat conservation plan or tree protection ordinance; and would have less-than-significant cumulative impact on biological resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>14. GEOLOGY AND SOILS—</b>					
<b>Would the project:</b>					
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Topics:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Not Applicable</b>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Checklist item 14e does not apply, as the proposed project does not include the use of septic tanks or alternative wastewater disposal systems. The proposed project would connect to and would be served by the City's combined stormwater and sewer system. Therefore, this subtopic is not applicable to the proposed project and is not discussed below.

A *Preliminary Geotechnical Evaluation* was prepared for the project site; the results and recommendations outlined therein are summarized below.<sup>61</sup> The purpose of the Preliminary Geotechnical Evaluation is to develop recommendations regarding the geotechnical aspects of project design and construction. To obtain pertinent information regarding subsurface soil and groundwater conditions, three cone penetrometer tests (CPTs) were advanced to depths of approximately 30 feet below ground surface (bgs) each.

The *Preliminary Geotechnical Evaluation* indicates that, based on the results on the CPTs, the site is primarily underlain by medium dense to dense mixtures of sand and silt with few exceptions. The subsurface soil was interpreted to be loose between approximately 4 to 7 feet bgs in CPT-1, 2.5 feet to 5 feet in CPT-2, and 2 to 6 feet in CPT-3. A layer of silty clay to clay was encountered between 29 feet and the maximum depth (30 feet in CPT-2) and 26 feet to the maximum depth (30 feet) in CPT-3.

The groundwater level in the site vicinity was encountered at about 24 feet. However, historic high water table in the general site area is about 10 to 30 feet in depth and water may fluctuate seasonally. Thus, localized shallow perched water table could develop during the rainy seasons. Project excavation for the proposed 2051 California Street project is expected to be approximately 10 feet below grade and approximately 1,200 cubic yards of soil would be removed from the

<sup>61</sup> BAGG Engineers, *Geotechnical Engineering Investigation, Proposed Shell Gas Station & Loop Convenience Store, 2501 California Street, San Francisco, California*, October 2013 (hereinafter "Preliminary Geotechnical Evaluation"). A copy of this document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File 2013.1407E.

project site to accommodate the proposed basement below the convenience store as well as the new fuel tanks. Preliminary design recommendations indicate that the proposed convenience store building can be supported on conventional spread/strip footings. The partial basement area below the convenience store may be supported on a concrete mat foundation and the fueling canopy may be supported on drilled, cast-in-place, reinforced concrete piers.

**Impact GE-1: The proposed project would not result in the exposure of persons or structures to seismically-induced geologic hazards, i.e., rupture of a known earthquake fault, strong seismic ground shaking, ground failure, and landslides. (Less than Significant)**

### **Fault Rupture**

The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The project site is not located within an Alquist-Priolo Earthquake Fault Zone as established by the California Geological Survey (CGS), and no active or potentially active faults exist on or in the immediate vicinity of this site.<sup>62</sup> Therefore, the potential for surface fault rupture is low, and this impact would be less than significant.

### **Ground Shaking**

Like the rest of the San Francisco Bay Area, the project site is subject to ground shaking in the event of an earthquake on regional fault lines. The United States Geological Survey (USGS) estimates that there is a 63 percent probability of a strong earthquake (Moment magnitude<sup>63</sup> [Mw] 6.7 or higher) occurring in the San Francisco Bay region during the 30-year period between 2007 and 2036.<sup>64</sup> The nearest faults that could cause substantial ground shaking in the project area are the San Andreas Fault, located approximately 11.8 kilometers west-southwest of the project site; the San Gregorio Fault, located approximately 16.1 kilometers west-southwest of the project site; and the Hayward Fault, located approximately 18.8 kilometers east of the project site.

The Association of Bay Area Governments (ABAG) has prepared maps that show areas of the City subject to ground shaking during an earthquake. The project site is in an area subject to "very strong" ground shaking from a major earthquake along the Peninsula segment of the San Andreas Fault and "strong" ground shaking from a major earthquake along the northern Hayward Fault, the two faults closest to the project site.<sup>65</sup>

Although the potential for "strong" to "very strong" seismic ground shaking is present, the intensity of earthquake ground motion in the vicinity of the project site would depend on the characteristics of the generating fault, the distance to the earthquake's epicenter, the magnitude

62 California Geological Survey, Table 4, Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of January 2010. Available online at <http://www.consrv.ca.gov/cgs/rghm/ap/Pages/affected.aspx>. Accessed September 2, 2014.

63 An earthquake is classified by the amount of energy released, expressed as the magnitude of the earthquake. Traditionally, magnitudes have been quantified using the Richter scale. However, seismologists now use a moment magnitude (Mw) scale because it provides a more accurate measurement of the size of major and great earthquakes.

64 United States Geological Survey, Earthquake Hazards Program. Available online at <http://earthquake.usgs.gov/regional/nca/ucrf/>. Accessed October 7, 2014.

65 Association of Bay Area Governments, Earthquake and Hazards Program, Hazard Maps and Information, Earthquake Shaking, Future Earthquake Shaking Scenarios, Static Shaking Maps for Future Earthquake Scenarios. Available online at <http://www.abag.ca.gov/cgi-bin/pickmapx.pl>. Accessed September 2, 2014.

and duration of the earthquake, and site geologic conditions. In the event of an earthquake that exhibits “strong” to “very strong” seismic ground shaking, considerable damage could occur to existing buildings on the project site, potentially injuring building occupants and neighbors. The proposed structures would be designed in accordance with the site-specific recommendations determined by a site-specific design-level geotechnical investigation and would be constructed in conformance with accepted building and engineering standards, thereby ensuring the new structures would withstand seismic damage from “strong” or “very strong” ground shaking. The final plans for the proposed building would be reviewed by the Department of Building Inspection (DBI), ensuring that seismically-induced ground shaking would be addressed in the building design process. DBI would also review the proposed building permit applications for compliance with the 2010 San Francisco Building Code, and for implementation of recommendations in the site-specific design-level geotechnical investigation that address seismic hazards. Damage and injury from ground shaking cannot be entirely avoided; however, adherence to current commercial and regulatory practices, including building code requirements, can reduce the potential for injury and damage. Therefore, the proposed project would not expose persons or structures to substantial adverse effects related to ground shaking and the impact would be less than significant.

#### **Liquefaction, Lateral Spreading, and Seismic Settlement**

Strong shaking during an earthquake can cause ground failure as a result of soil liquefaction, lateral spreading, or seismic settlement. Liquefaction refers to the loss of strength of saturated soils during ground shaking. Lateral spreading is horizontal ground movement of relatively flat-lying soil deposits towards a free face such as an excavation and is generally associated with liquefaction of subsurface soils at or near the bottom of an exposed surface. Seismic densification is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing differential settlement.

The project site is not located in an area of liquefaction potential as identified in the Seismic Hazards Zone Map for the City and County of San Francisco.<sup>66</sup> As discussed above, a review of subsurface conditions in the project area indicates that the soil below the groundwater consists primarily of medium dense to dense sand and silt. The planned excavations would extend below the loose sands above the water table. Therefore, the potential for liquefaction and lateral spreading at the site would be low as would the potential for seismic settlement. Based on this information, the potential for liquefaction, lateral spreading, and seismic settlement at the project site is low.

To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the site-specific design-level geotechnical investigation and building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage to structures from liquefaction, lateral spreading, and seismic settlement. DBI could require that additional site-specific soils report(s) be prepared in

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<sup>66</sup> California Geological Survey, Seismic Hazards Zonation Program, City and County of San Francisco Quadrangle, November 17, 2000. Available online at [http://gmw.consrv.ca.gov/shmp/download/pdf/ozn\\_sf.pdf](http://gmw.consrv.ca.gov/shmp/download/pdf/ozn_sf.pdf). Accessed September 2, 2014.

conjunction with the building permit applications. Therefore, potential damage to structures from geologic hazards on a project site would be minimized through the DBI requirement for a site-specific design-level geotechnical investigation and review of the building permit application pursuant to its implementation of the Building Code. Any changes incorporated into the foundation design required to meet the Building Code standards that are identified as a result of the DBI permit review process would constitute minor modifications of the project and would not require additional environmental analysis.

Therefore, the proposed excavation and building construction on the project site would result in less-than-significant impacts related to the potential for ground failure as a result of liquefaction, lateral spreading, and seismic settlement.

### **Seismically Induced Landslides**

The project site is relatively flat. The exception to this is the southeastern portion of the project site, which is separated from the adjacent Steiner Street sidewalk by approximately three feet (an approximately 10-foot retaining wall segment supports that portion of the site). The project site is not located within or near an area of seismically induced landslide susceptibility as identified in the Seismic Hazards Zone Map for the City and County of San Francisco.<sup>67</sup> Therefore, impacts related to seismically induced landslides would not be applicable and no further analysis or discussion is required.

### **Impact GE-2: The proposed project would not cause soil erosion or the loss of topsoil. (Less than Significant)**

The project site is almost fully covered by impervious surfaces. Implementation of the proposed project would require excavation to a depth of about 10 feet below the existing ground surface. Soil movement for site preparation and excavation activities could create the potential for wind- and water-borne soil erosion. The majority of the project site is relatively flat, although as noted above, there is an approximately three foot difference in elevation between the southeastern portion of the project site and the adjacent Steiner Street sidewalk. Regardless, substantial erosion would not be expected as a result of these activities. Furthermore, the construction contractor would be required to implement an erosion and sediment control plan for construction activities, in accordance with Article 4.1 of the San Francisco Public Works Code, to address sediment-laden construction-site stormwater runoff, as discussed in Initial Study Topic E.15, Hydrology and Water Quality. The SFPUC must review and approve the erosion and sediment control plan prior to the plan's implementation, and SFPUC would inspect the project site periodically to ensure compliance with the plan. Therefore, impacts related to soil erosion would be less than significant.

### **Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project construction or potentially**

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<sup>67</sup> California Geological Survey, Seismic Hazards Zonation Program, City and County of San Francisco Quadrangle, November 17, 2000. Available online at [http://gmw.consrv.ca.gov/shmp/download/pdf/ozn\\_sf.pdf](http://gmw.consrv.ca.gov/shmp/download/pdf/ozn_sf.pdf). Accessed September 2, 2014.



**result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)**

As discussed under Impact GE-1, the potential for liquefaction, lateral spreading, seismic settlement, and landslides on the project site is low, indicating that the project site is likely not located on a geologic unit or soil that is unstable. Implementation of the proposed project would require excavation to a depth of approximately 10 feet below the existing ground surface. The *Preliminary Geotechnical Evaluation* indicates that the proposed project is feasible from a geotechnical engineering standpoint, provided that recommendations articulated in that report are incorporated into the project design.

The *Preliminary Geotechnical Evaluation* indicates that the main geotechnical concern at the site is the lack of clay binder in the soils. Therefore, it recommends immediately shoring excavations deeper than 3 feet. The report also indicates that the proposed convenience store can be supported on conventional spread/strip footings, the partial basement area below the convenience store may be supported on a concrete mat foundation, and the fueling canopy may be supported on drilled, cast-in-place, reinforced concrete piers. The report also provides specific recommendations for site grading, foundations, retaining walls, slabs-on-grade, flexible and rigid pavements, drainage, and utility trench backfill. The project sponsor has agreed to incorporate the *Preliminary Geotechnical Evaluation* recommendations into the project design. The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Decisions about appropriate foundation design and whether additional background studies are required would be considered as part of the DBI review process. Given that the project is not located in a location that is subject to landslides, lateral spreading, subsidence, liquefaction, or collapse, and given that final structural design would be subject to DBI review and approval, the potential for project construction to potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be low and this impact would be less than significant.

**Impact GE-4: The proposed project would not be located on expansive soils creating substantial risks to life or property. (No Impact)**

The City and County of San Francisco is within an area where less than 50 percent of the soil consists of clay having high swelling potential, i.e., expansive soils. Expansive soils are those that shrink or swell substantially with changes in moisture content and generally contain a high percentage of clay particles. Based on the results of the cone penetrometer tests, the site is primarily underlain by medium dense to dense mixtures of sand and silt, although a layer of silty clay to clay was encountered beneath the site at approximately 26 feet bgs and lower. However, the structural recommendations contained in the Preliminary Geotechnical Report, including conventional spread/strip footings for the proposed convenience store, a concrete mat foundation for the partial basement area below the convenience store, and drilled, cast-in-place, reinforced concrete piers for the fueling canopy, would ensure that any impacts related to presence of expansive soils beneath the site would be reduced to a less than significant level. Moreover, in accordance with design BMPs, surface runoff would be directed away from foundations and moisture infiltration would be limited. Impacts related to expansive soils would thus be less than significant.

**Impact GE-5: The proposed project would not substantially alter site topography or unique geologic or physical features of the project site. (No Impact)**

The project site is located in a developed urban area in the Western Addition neighborhood. The site is occupied by a fueling station (a structure which includes one fueling canopy with three fueling dispensers), three underground storage tanks and a structure containing a convenience store and an automotive service station. The proposed project would merge the three lots into one, remove all existing above- and below-ground structures on the site, and construct a 19-foot-tall, approximately 2,600-sf fueling canopy with five fueling dispensers (each dispenser containing two pumps each, one on each side); two underground storage tanks and associated underground pipes; and a structure containing an approximately 2,300-sf convenience store on the ground level with approximately 2,300-sf of storage space in a below-grade basement. There are no unique geologic or physical features on the project site. The proposed project would not alter the topography or change any unique geological or physical features of the project area; therefore, there would be no impact.

**Impact C-GE-1: The proposed project, in combination with other past, present or reasonably foreseeable future projects in the site vicinity, would not result in a cumulatively considerable contribution to a significant cumulative impact on geology, soils and seismicity. (Less than Significant)**

Geology impacts are generally localized and site specific and would not combine with other nearby projects to result in cumulative effects. Therefore, the proposed project and other reasonably foreseeable projects would not result in a cumulative geology and soils impacts. In addition, the building plans of proposed and foreseeable projects would be reviewed by SF DBI, and potential geologic hazards would be avoided during the SF DBI permit review process.

Therefore, cumulative impacts related to geology, soils, and seismicity would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>15. HYDROLOGY AND WATER QUALITY—</b> <b>Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Impact HY-1: The proposed project would not violate water quality standards or waste discharge requirements, substantially degrade water quality, or provide substantial additional sources of polluted runoff. (Less than Significant)**

The proposed project would not substantially degrade water quality or contaminate a public water supply. All wastewater from the proposed project and stormwater runoff from the site

would flow into the City's combined sewer system to be treated at the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. Treatment would be provided pursuant to the effluent discharge standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the plant. Additionally, compliance with the Stormwater Management Ordinance in general would require the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on-site, promote stormwater reuse, and limit site discharges before entering the combined sewer collection system.

During the proposed project's construction, the potential for erosion and transportation of soil particles would exist. Once in surface water runoff, sediment and other pollutants could leave the construction site and drain into the combined sewer and stormwater system, necessitating treatment at the Southeast Water Pollution Control Plant prior to discharge into the Bay. To minimize sediments and other pollutants from entering the combined sewer and stormwater system, an Erosion and Sediment Control Plan, including BMPs, would be required to be prepared by the project sponsor for the project to minimize stormwater runoff. The Erosion and Sediment Control Plan should be submitted to the SFPUC for review and approval. In addition, as discussed in Section E.16 (Hazardous Materials) below, the proposed project would be subject to and required to comply with the Maher Ordinance, which has further site management and reporting requirements for potential hazardous soils.

The existing project site is almost entirely covered with paved surfaces (approximately 95 percent). With project implementation, the amount of impervious surfaces would be expected to increase slightly (to 97 percent). However, the City's Stormwater Management Ordinance (Ordinance No. 83-10) would require the proposed project to reduce the existing volume and rate of stormwater runoff discharged from the project site. To achieve this, the proposed project would implement and install appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential for upsizing or constructing new facilities. Therefore, due to the requirements of existing regulations, the proposed project would not violate water quality standards, substantially degrade water quality, or provide substantial additional sources of polluted runoff and impacts would be less-than-significant.

**Impact HY-2: The proposed project would not 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. (Less than Significant)**

As discussed in Topic E.14 Geology and Soils, groundwater was observed at a depth of approximately 24 feet bgs. However, groundwater will vary with time and zones of seepage may be encountered near the ground surface following rain or irrigation upslope of the project site. Any groundwater that is encountered during construction of the proposed project is subject to the requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97),

as supplemented by Department of Public Works (DPW) Order No. 158170, requiring a Batch Discharge Permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission (SFPUC). This permit may be issued only if an effective pretreatment system is maintained and operated. Each Batch Discharge Permit shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system.

The 14,180-sf project site is currently almost entirely covered with impervious surfaces (95 percent). As a result, there is no or little recharge of groundwater at the project site. With project implementation, the amount of impervious surfaces would be expected to increase slightly (to 97 percent). Nevertheless, the proposed project would not substantially increase the amount of surface runoff that drains into the City's combined sewer and stormwater drainage system.

In light of the above, groundwater resources would not be substantially depleted, and the project would not substantially interfere with groundwater recharge.

**Impact HY-3: The proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)**

As noted above, the 14,180-sf project site is currently almost entirely covered with impervious surfaces. The proposed project would slightly increase the amount of impermeable surfaces on the site. However, the project would not be expected to result in a substantial change in the drainage pattern on and near the project site.

In addition, compliance with the Stormwater Management Ordinance would require the project to maintain or reduce the existing volume and rate of stormwater runoff at the site by retaining runoff on-site, promoting stormwater reuse, and limiting site discharges that enter the combined sewer collection system. Therefore, the proposed project would not substantially alter existing groundwater drainage patterns and would result in a less-than-significant impact related to erosion or flooding.

**Impact HY-4: The proposed project would not expose people, housing, or structures to substantial risk of loss due to flooding. (Less than Significant)**

Development in the City and County of San Francisco must account for flooding potential. Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (USACE). The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a one percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA

refers to the floodplain that is at risk from a flood of this magnitude as a Special Flood Hazard Area ("SFHA").

In 2007, FEMA issued preliminary FIRMs for review and comment by the City, and anticipates publishing revised preliminary after completing a more detailed analysis of flood hazards associated with San Francisco Bay as requested by Port and City staff. As proposed, the FIRMs would designate portions of waterfront piers, Mission Bay, Bayview Hunters Point, Hunters Point Shipyard, Candlestick Point, and Treasure Island as Zone A (areas of coastal flooding with no wave hazard; or waves less than three feet in height) or Zone V (areas of coastal flooding subject to the additional hazards associated with wave action).<sup>68</sup> The project site is not located within Zone A, Zone V, or a SFHA on San Francisco's Interim Floodplain Map.<sup>69,70</sup> The project site is also not located within an area identified by the SFPUC as prone to flooding due to combined sewer backups or flooding developed at elevations below the water level in the combined sewer lines.<sup>71</sup>

The Mayor and Board of Supervisors approved a Floodplain Management Ordinance in 2008 (and amended the Ordinance in 2010).<sup>72</sup> The Ordinance governs new construction and major improvements to existing buildings in flood-prone areas and designates the City Administrator's Office as the City's Floodplain Administrator. In general, the Ordinance requires the first floor of structures in designated flood hazard zones to be constructed above the floodplain or to be flood-proofed by improvements that reduce or eliminate the potential for flood damage. Because the project site is not located within a designated flood hazard zone, the proposed project would not be subject to this Ordinance.

In light of the above, the project would result in less-than-significant impacts related to exposure of people, housing, or structures to substantial risk of loss due to flooding.

**Impact HY-5: The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow. (No Impact)**

The project site is not located within the Tsunami Inundation Area or area of potential tsunami inundation.<sup>73,74</sup> Therefore, no significant tsunami hazards exist at the site. A seiche is an

<sup>68</sup> City and County of San Francisco, Office of the City Administrator. *National Flood Insurance Program Flood Sheet*, January 25, 2012. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=7520>. Accessed September, 27 2012.

<sup>69</sup> Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 235 of 260, Map Number 06075C0235A*, September 21, 2007. Available online at: <http://sfgsa.org/Modules/ShowImage.aspx?imageid=2680>. Accessed September 27, 2012.

<sup>70</sup> City and County of San Francisco, Office of the City Administrator. *Final Draft San Francisco Interim Floodplain Map, East, July*, 2008. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1763>. Accessed August 27, 2014.

<sup>71</sup> San Francisco Planning Department, *Review of Projects in Identified Areas Prone to Flooding*, April 1, 2007. Available online at: <http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/PlanningProvisions/info%20sheet%20v1.3.pdf>. Accessed August 27, 2014.

<sup>72</sup> Ordinance 56-10, approved March 25, 2010. Available online at: <http://www.sfbos.org/fip/uploadedfiles/bdsupvrs/ordinances10/o0056-10.pdf>. Accessed September 27, 2012.

<sup>73</sup> California Department of Conservation. *Tsunami Inundation Map for Emergency Planning*, San Francisco, June 15, 2009. Available online at:

oscillation of a water body, such as a bay, that may cause local flooding. A seiche could occur on 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 generally flat. Thus, the project would not result in significant impacts due to seiche, tsunami, or mudflow hazards.

**Impact C-HY-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to hydrology or water quality. (Less than Significant)**

Given that the proposed project would be required to submit a Stormwater Control Plan to the SFPUC that demonstrates compliance with the requirements of the Stormwater Design Guidelines (SDG),<sup>75</sup> the project would not combine with other projects in a manner that could result in significant cumulative impacts related to hydrology or water quality. For the reasons discussed above, the proposed project's impacts related to public services, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS— Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

[http://www.conservation.ca.gov/cgs/geologic\\_hazards/Tsunami/Inundation\\_Maps/SanFrancisco/Documents/Tsunami\\_Inundation\\_SF\\_Overview\\_SanFrancisco.pdf](http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SanFrancisco/Documents/Tsunami_Inundation_SF_Overview_SanFrancisco.pdf). Accessed September 27, 2012.

74 San Francisco Planning Department. 20-Foot Tsunami Run-Up Map. Available online at:

[http://www.sf-planning.org/ftp/general\\_plan/images/I8.community\\_safety/Map6.gif](http://www.sf-planning.org/ftp/general_plan/images/I8.community_safety/Map6.gif). Accessed September 27, 2012.

75 San Francisco Public Utility Commission (SFPUC). Stormwater Design Guidelines, adopted January 12, 2010.

Available online at: <http://www.sfwater.org/index.aspx?page=446>, accessed September 27, 2012.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, Questions 16e and 16f are not applicable to the proposed project.

**Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. (Less than Significant)**

**Hazardous Materials Use**

Hazardous materials associated with the existing and proposed fueling stations and the existing automotive service station include auto-related fluids such as motor oils, engine coolants, petroleum lubricants, window washer fluids, antifreeze, automotive batteries, as well as compressed gases and other chemicals such as cleaners and disinfectants. Hazardous materials associated with the existing and proposed convenience store include common types of hazardous materials such as paints, cleaners, toners, solvents, and disinfectants.

The proposed fueling station would not be expected to create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. The fueling station would be constructed in accordance with current laws and regulations including the 2010 SFBC and Fire Code and operated in conformance with the U.S. Department of Transportation hazardous material transport regulations and California Occupational Health and Safety Administration (OSHA) regulations to minimize exposure of people or the environment to hazardous materials and the potential for inadvertent releases. Once operational, the use of hazardous materials and generation of wastes would be regulated by the Hazardous Materials and Waste program within the SFDPH. The Hazardous Materials and Waste Program is the state designated enforcement program in San Francisco for the Hazardous Materials Unified Program Agency (HMUPA). HMUPA regulates over 2,400 San Francisco businesses including auto repair shops, manufacturers, hotels, gas stations, hospitals and various city facilities. Staff inspect and



review hazardous waste generators, hazardous waste treatment facilities, hazardous materials business plans, underground and above ground chemical and fuel storage tanks, chlorofluorocarbon recycling, diesel back-up generators, and medical waste. In addition, HMUPA is the regulatory agency for chemical and biological hazards.

The Hazardous Materials and Waste program would regulate all hazardous materials (liquids, solids, and compressed gases) which, because of their quantity, concentration, or physical or chemical characteristics, pose a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. In general, if a manufacturer has provided a Material Safety Data Sheet for the substance or product, it is considered to be a hazardous substance. The Hazardous Materials and Waste Program registers businesses that store, handle, or use hazardous materials and monitors these businesses for compliance with all applicable laws and regulations and requires that Certificates of Registration be renewed annually. The project sponsor would develop a hazardous waste and hazardous materials business plan to reflect storage locations, management, and emergency procedures for hazardous materials and waste. The SFHMUPA would conduct periodic inspections to ensure that hazardous materials and wastes are being used and stored properly. The project operators would be required by law to ensure employee safety by properly identifying hazardous materials and adequately training workers. Hazardous material containers would be labeled to inform users of potential risks and to instruct them in appropriate storage, handling, and disposal procedures.

Operation of the proposed facility would involve routine delivery, storage, handling, and use of automotive fuels (reformulated and diesel), which are flammable hazardous materials. As discussed above, the fuels would be stored within three 10,000-gallon USTs, which would be located in the northeastern portion of the project site. With respect to the proposed USTs, the installation permits for USTs are issued by the Fire Department. The issuance of these permits is a discretionary act and is performed in strict conformance with CCR Title 23, Division 3, Chapter 16 and Chapter 6.7 of the California Health and Safety Code. Locally, as noted above, this authority is conferred to DPH in Article 21 of the San Francisco Health Code. As a Unified Program Agency, the City and County of San Francisco is restricted in its discretionary abilities regarding regulation of USTs. When reviewing an application for a UST operating permit and performing the required on-site inspection of the facility, the following types of issues are considered:

- The existence of an appropriate Emergency Response Plan which details activities the UST operator must take in the event of a suspected leak;
- An Employee Training Plan which outlines the training that is provided to employees regarding the Emergency Response Plan;
- A facility map that gives the location of the USTs;
- Proof of Financial responsibility in the event of a leak;
- A monitoring plan which includes a procedure that is in conformance with the latest State requirements; and
- Monitoring records maintained at the site.

UST regulations have been promulgated to establish a continuing program for the purpose of preventing contamination from, and improper storage of, hazardous substances stored underground. UST regulations and permit requirements specify the construction, maintenance, testing, and use of these tanks for storage of hazardous substances and in so doing, assure that the health, property, and resources of the people of the State would be protected. For the above reasons, the proposed project would not have a significant effect on the environment with respect to the proposed USTs on the site.

The delivery of automotive fuels to the project site could create chemical exposure and fire hazards in the event of a spill and release of diesel fumes to the atmosphere. However, sufficient access would be provided at the project site for ingress and egress, allowing tanker trucks and other vehicles transporting diesel fuel to safely turn in and out of the UST filling area. Based on the depth to groundwater, it is unlikely that the UST system would at any point be submerged in groundwater, which could result in buoyancy, or erosion and scour. However, if that were to occur, compliance with California regulations for the design and installation of USTs, including corrosion control for submerged metallic piping and UST systems, would reduce this potential hazard.<sup>76</sup> With adherence to applicable state and federal regulations and local code requirements, the proposed impacts from routine transport, use, disposal, handling, or emission of hazardous materials by the proposed fueling operations would be less than significant.

With respect to hazardous materials associated with the convenience store, all of these products are labeled to inform users of risks, and to instruct them in proper handling and disposal procedures. Most of these materials are consumed or neutralized through use, resulting in little hazardous waste. Businesses are required by law to ensure employee safety by identifying hazardous materials, 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 resulting from hazardous materials. Thus, the project would result in less-than-significant impacts related to the use of hazardous materials.

**Impact HZ-2: The project site is on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 but the proposed project would not be expected to 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. (Less than Significant)**

#### *Hazardous Soil and Groundwater*

The proposed project would replace an existing fueling station on the project site with a larger fueling station and would replace existing three underground storage tanks (USTs) with two new USTs. The project site is also a known Leaking Underground Fuel Tank (LUFT) site. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the DPH. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site

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<sup>76</sup> CCR, Title 23. Waters, Division 3. SWRCB and RWQCB, Chapter 16. Underground Tank Regulations.

Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In accordance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and Phase I and Phase II Environmental Site Assessments (ESAs) have been prepared to assess the potential for site contamination.

As noted above, a Phase I Environmental Site Assessment (Phase I ESA) was performed for the project site, pursuant to the Maher Ordinance.<sup>77</sup> The Phase I ESA report describes current and prior uses on the project site and summarizes records obtained from environmental agency databases and other sources. Per the Phase I ESA, the property was developed with commercial and residential buildings from at least 1893. A repair garage was added by 1950 and the gasoline and service station expanded to cover the entire property by 1967. USTs were abandoned in place and new tanks were also installed at this time. The site obtained the current configurations by 1974 and the existing gasoline USTs and a waste oil tank were installed in about 1982. The waste oil tank was removed and replaced with a double walled tank in 1987. Dispenser, secondary containment and monitoring upgrades occurred in 1998 and 2004. The waste oil UST was removed in 2006 and replaced by above ground waste oil tanks. The site currently includes two above ground and one below ground automotive hoists in the auto repair area.

As discussed in the Phase I ESA, recognized environmental conditions on the project site include the possible presence of additional USTs and/or related impacts in uninvestigated areas of the subject property; the lengthy history of automotive uses on the property; and the age and construction of the existing known USTs beneath the property. In addition, the potential environmental concerns on the site include multiple historic dry cleaner facilities within a short distance of the project site (1/8 mile and beyond); historical groundwater impacts associated with the northern adjoining property located at 2500 California Street (which is an active Chevron gas station with a closed LUST case); and the use and storage of various materials on the site associated with automotive uses, including motor oil, ethylene glycol engine coolant, petroleum lubricants, antifreeze, oils, batteries, and the like.

From the review of environmental agency databases, the Phase I ESA noted that the project site was listed as a current LUFT case. The report also noted that a recent statewide investigation by the RWQCB resulted in a Final Judgment and Injunction between Shell Oil Company (the site's operator) and the State of California dated November 6, 2009, pertaining to alleged violations of hazardous waste and UST regulations at retail service stations across California. The alleged violations related to leak detection monitoring systems, UST system compliance testing, hazardous materials business plans (HMBPs), and employee training among other issues. The Final Judgment requires Shell Oil Company to notify the State when any facility is sold or

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<sup>77</sup> Bureau Veritas North America, Inc., *Phase I Environmental Site Assessment, 2501 California Street, San Francisco, California*, February 5, 2010.

transferred, to comply with statutes, regulations, and permits, and to maintain a "UST Compliance Management Program." The Final Judgment and Injunction lacked specific information regarding alleged violations that may have pertained to the subject property.

The Phase I ESA includes a review of various investigative workplans, Hazardous Materials Management Plans, investigations reports, correspondence, permits, and other documents that further substantiate the site's historic uses and UST history discussed above. Specifically, these reports document the various gasoline station operations on the site, noting that the site over the years contained two 8,000-gallon gasoline USTs and two 5,000-gallon gasoline USTs, one 550-gallon double-walled waste oil UST (installed in 1987), and the existing operational 10,000-gallon gasoline USTs (installed in 1984). Based on these records, the 550-gallon waste oil UST was removed in 2006 although it is unclear whether the 8,000-gallon and 5,000-gallon gasoline USTs were removed or abandoned in place.

Soil and groundwater investigations indicated the presence of hydrocarbons in soil. At the time of the Phase I ESA, a total of approximately 13 soil and three groundwater monitoring well borings had been drilled throughout the subject property during ongoing investigations up to that time. The highest concentrations of hydrocarbon constituents in soil recorded until that time had been total petroleum hydrocarbons as diesel (TPH-d) at 1,100 ppm, total petroleum hydrocarbons as gasoline (TPH-g) at 460 ppm, benzene at 0.021 and MTBE at 0.016 ppm in 2005 and 2006; benzene and MTBE concentrations detected in shallow samples (2.5 to 4 feet bgs) and TPH-d and TPH-g concentrations detected in deeper saturated soils. It was noted that some of the TPH-g and all of the TPH-d concentrations were flagged by the analytical laboratory as not matching the laboratory standard for the respective fuels (meaning that they could be associated with the adjacent Chevron fueling station across California Street). In 2006, concentrations of TPH-g and TPH-d in grab-groundwater samples were identified up to 48,000 parts per billion (ppb) and 1,600,000 ppb, respectively. In addition, concentrations of benzene and MTBE were identified up to 0.59 ppb and 32 ppb, respectively. No other fuel oxygenates were detected above laboratory reporting limits from grab-groundwater samples in 2006. Furthermore, it was noted that the TPH-g and TPH-d concentrations were flagged by the analytical laboratory as not matching the laboratory standard for the respective fuels.

In 2007, three groundwater monitoring wells, MW-1 through MW-3, were installed at the subject property. Concentrations of TPH-d were detected in shallow (5 feet bgs) and deep (25 feet bgs) soil samples at concentrations up to 110 ppm and 8.7 ppm, respectively. TPH-g, benzene, toluene, ethyl benzene and xylene (BTEX), MTBE and other fuel oxygenates were not detected above laboratory reporting limits in analyzed soil samples. Although significant concentrations of TPH-d had been detected in soil and groundwater underlying the subject property, it had been reported that no diesel fuel has ever been sold at the subject property. In addition, the highest concentrations of TPH-g and TPH-d detected in grab-groundwater samples collected in 2006 were located on the northern portion of the subject property - upgradient of the existing subject property USTs and downgradient of the existing Chevron gasoline station. Based on the above, it is likely that subsurface contamination remains and could be encountered during excavation for the proposed project.

DPH has reviewed the Phase I ESA as part of the Maher Ordinance procedures (along with other supporting materials, including the Phase II Site Investigation Report from 2006 and the Geotechnical Engineering Investigation) and requested that a subsurface investigation work plan be prepared that meets Maher Ordinance criteria.<sup>78</sup> The memorandum issued by DPH notes that the subsurface investigation would inform the Site Mitigation Plan, which would also be required to address control and mitigation of residual contaminants beneath the site. The memorandum provides guidelines for the scope of the work plan, which include ensuring that proposed borings and samples extend to at least the proposed maximum depth of excavation and trenching, requests sampling of the hoist oil for metals and PCB, and requests that groundwater monitoring wells be retained undamaged or replaced.

Subsequent to this request from DPH, an updated Subsurface Investigation Report was prepared for the proposed project.<sup>79</sup> The purpose of this investigation was to further evaluate soil and groundwater conditions down gradient from the underground storage tank complex and dispenser islands. One soil boring was drilled during this investigation, to a depth of 31 feet below grade. As concluded in that report, no BTEX or fuel oxygenates were detected in the soil sample or the grab groundwater samples collected from the boring. The soil sample contained 5.4 mg/kg total petroleum hydrocarbons as diesel (TPHd) and 0.13 mg/kg TPHg. The grab groundwater sample contained 1,100 micrograms per liter TPHg. Based on these results and historical soil and groundwater data, the down-gradient extent of the site's BTEX and fuel oxygenate groundwater plume has been defined. Based on attenuation of the TPHg groundwater plume from well MW-3 (17,000 µg/L) to boring SB-6 (1,100 µg/L), the TPHg plume is estimated to be less than 250 feet long, and is adequately defined. At the publication of this document, DPH has not yet issued a formal response to the updated Subsurface Investigation Report; however, it is expected that DPH will continue to work with the project sponsor to assess and, if needed, remediate the project site to meet the needs of the proposed uses. As part of that effort, DPH would also ensure that project construction does not result in the exposure of workers and the public to subsurface contaminants. This would be accomplished through specific construction-phase requirements that would be included in the Site Mitigation Plan, which would be subject to DPH approval.

As discussed above, in accordance with the Maher Ordinance, the project sponsor would be required to remediate any potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Thus, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and groundwater and the proposed project would result in a less-than-significant impact.

### ***Hazardous Building Materials***

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<sup>78</sup> San Francisco Department of Public Health, *Environmental Health Section, Work Plan Request, 2501 California Street, San Francisco (SMED 986 and LOP 11682)*, February 10, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>79</sup> Conestoga-Rovers & Associates, *Subsurface Investigation Report, Site Conceptual Model, and Low-Threat Closure Request, Shell-Branded Service Station, 2501 California Street, San Francisco, California*, August 5, 2014. This document is available for review as part of Case File No. 2013.1407E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

As discussed above, a Phase I ESA was conducted for the proposed project. Although asbestos or lead-based paint surveys were not investigated as part of the ESA, these materials have the potential to exist on the project site based on the age of the existing structures.

**Asbestos.** Due to the age of the structures proposed for demolition, it is likely that asbestos containing material (ACMs) may be present. Section 19827.5 of the California HSC requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with the notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the following:

- Names and addresses of operations and persons responsible;
- A 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 the planned work and methods to be employed;
- Procedures to be employed to meet BAAQMD requirements; and
- The name and location of the waste disposal site to be used.

The BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation when a complaint has been received.

The local California OSHA office must be notified of asbestos abatement to be performed. Asbestos abatement contractors must follow state regulations contained in 8 CCR 1529 and 8 CCR Section 341.6 through Section 341.14 where there is asbestos-related work involving 100 sf, or more of ACMs. Asbestos removal contractors must be certified as such by the State of California Contractors Licensing Board. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with 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 appropriate disposal. Pursuant to California law, the DBI would not issue a required permit until an applicant has complied with the notice and abatement requirements described above. These regulations and procedures, already established as part of the permit review process, would ensure that ACM impacts would be less than significant.

**Lead-Based Paint.** Based on the construction dates of the existing buildings, before the use of lead-based paint was banned, there is the potential to encounter lead within the existing structures. In the event that lead-based paint is found on the project site, the project sponsor would be required to comply with Section 3435 of the SFBC which requires specific notification and work standards and identifies prohibited work methods and penalties.

SFBC Section 3425 typically applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. Performance standards, including establishment of containment barriers and identification of prohibited practices that may not be used in disturbances or removal of lead-based paint, are provided in SFBC Section 3425. Any person performing work subject to SFBC Section 3425 shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a high efficiency particulate air filter (HEPA) vacuum following interior work.

SFBC Section 3425 also includes notification and requirements for signage. Prior to the commencement of work, the responsible party must provide written notice to the DBI Director, including:

- Address and location of the project;
- Scope of work, including specific location;
- Methods and tools to be used;
- Approximate age of the structure;
- Anticipated job start and completion dates for the work;
- Indication if the building is residential or nonresidential, owner-occupied or rental property;
- Dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and
- Name, address, telephone and pager numbers of the party who will perform the work.

Further notice includes signs and requirements for signage when containment of lead paint contaminants is required; notice to occupants; availability of pamphlets related to protection from lead in the home; and notice of Early Commencement of Work (Requested by Tenant). SFBC Section 3425 contains provisions regarding inspection and sampling for compliance and enforcement by DBI. In addition, the ordinance describes penalties for non-compliance with the requirements of the ordinance. Compliance with these regulations and procedures in the SFBC would ensure that impacts of lead-based paint due to demolition would be less than significant.

#### ***Other Hazardous Building Materials***

Other potential hazardous building materials such as PCB-containing electrical equipment or fluorescent lights could pose health threats for construction workers if not properly disposed of and create a significant impact in case of worker exposure or a release to the environment. These materials are regulated and would be managed, handled, transported, and disposed of according to federal, state, and local laws and regulations. Consequently, potential impacts of the proposed project related to exposure to hazardous materials would be less than significant.

**Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less than Significant)**

Four schools are present within one-quarter mile of the project site – the Dr. William L. Cobb Elementary School (located at 2725 California Street, approximately 0.2 miles from the project site), the San Francisco Public Montessori School, at 2340 Jackson Street, approximately 0.4 miles from the project site, and the Raphael Weill Early Education School and Rosa Parks Elementary School, both at 1501 O’Farrell Street, approximately 0.7 miles from the project site.

As previously discussed, the project would involve the use of hazardous materials associated with fueling station and convenience store operations, as well as storing fuel in three 10,000-gallon USTs. Emissions and storage of hazardous substances on the site would be regulated by permits by BAAQMD and DPH and would not be in amounts considered significant. Therefore, with adherence to applicable regional, state and federal regulations and local code requirements, the proposed project would have a less-than- significant impact related to hazardous emissions or materials within a quarter of a mile of a school location. In addition, any hazardous materials on site, such as soil to be excavated during project construction, would be handled in compliance with the Site Mitigation Plan discussed above. Thus, the proposed project would have a less-than-significant impact related to hazardous emissions or materials within a quarter of a mile of a school.

**Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires, nor interfere with the implementation of an emergency response plan. (Less than Significant)**

The proposed project does not contain any features that would result in additional exposure of people or structures to a significant risk of loss, injury or death involving fires. San Francisco ensures fire safety primarily through provisions of the Building and Fire Codes. Final building plans are reviewed by the San Francisco Fire Department (as well as the Department of Building Inspection), to ensure conformance with these provisions. In this way, potential fire hazards, including those associated with hydrant water pressures and emergency access, would be mitigated during the permit review process. Similarly, any risk of fire associated with future storage of flammable materials (such as fuel) on the project site would likewise be reduced through the project’s required adherence to existing Building and Fire Code standards.

The implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would be relatively insignificant within the dense urban setting of the project site and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

**Impact C-HZ-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to hazardous materials. (Less than Significant)**



Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts provided applicable safety and remediation requirements are followed at each site. Any hazards at nearby sites would be subject to the same safety or remediation requirements discussed for the proposed project above, which would reduce any hazard effects to less-than-significant levels. The proposed project could contribute to cumulative impacts if workers or the public were exposed to legacy contaminants from the site or these contaminants were accidentally released to the environment during construction and impacted surrounding properties. Compliance with laws and regulations relating to soil and groundwater contaminants would preclude the project's interaction with other projects in a manner that could result in significant cumulative impacts related to hazardous materials. Any off-site contamination originating from the project site's existing gasoline service station shall be remediated by Shell Oil Company in accordance with Maher Ordinance requirements. Similarly, DPH review (through the Maher program) would also ensure that any potential contamination originating from off-site sources, such as from the Chevron fueling station across the street, would also be mitigated through a Site Mitigation Plan. Overall, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials. For the reasons discussed above, the proposed project's impacts related to hazardous materials, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>17. MINERAL AND ENERGY RESOURCES— Would the project:</b>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact ME-1: The proposed project would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. (No Impact)**

All land in San Francisco, Brisbane, and Daly City, including the project site, is in an urbanized area and 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 signifies that there is inadequate information available for assignment to any other MRZ, and the project site is not a designated area of significant mineral deposits. Since the project site does not contain any known

mineral resources and the proposed project would involve excavation up to 10 feet in depth in limited areas, the proposed project would not adversely affect mineral resources, either directly or indirectly as no known mineral resources are present at the site at these depths. Moreover, the project would not 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. Implementation of the proposed project would not result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

**Impact ME-2: Implementation of the proposed project would not encourage activities that would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)**

The proposed project's auto service station and the 3,000-sf convenience store would not consume significant large amounts of fuel, water, or energy beyond the level anticipated for the project area. New buildings in San Francisco are required to conform to current state and local energy conservation standards, including Title 24 of the *California Code of Regulations*. DBI enforces Title 24 compliance, and documentation demonstrating compliance with these standards would be submitted with the application for the building permit. As a result, the proposed project would not cause a wasteful use of energy or other non-renewable natural resources, and would have a less-than-significant impact on energy resources.

**Impact C-ME-1: The proposed project in combination with other past, present or reasonably foreseeable projects in the site vicinity would not result in a significant impact related to mineral and energy resources. (Less than Significant)**

As discussed in Impact ME-1, above, no known minerals exist at the project site at 2501 California Street, and therefore, the proposed project would not contribute to cumulative impacts to mineral resources.

In December 2002, San Francisco adopted the *Electricity Resource Plan*, which includes strategies for maximizing energy efficiency, developing renewable power, and ensuring reliable power. In response to the SF Board of Supervisors' guidance in its 2009 Ordinance 94-09, the SFPUC has developed an updated *Electricity Resource Plan*.<sup>80</sup> This update identifies proposed recommendations to work towards achieving the broad policy goals laid out in the 2002 Plan.

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, implementation of the proposed project, in combination with past, present or reasonably foreseeable projects in the project site vicinity, would not result in any cumulatively considerable contribution to a significant cumulative impact on mineral and energy resources, either directly or indirectly. No mitigation measures are necessary.

<sup>80</sup> SFPUC, *San Francisco's Updated Electricity Resource Plan, Draft*, March 2011, Executive Summary, pp. 1-20.

Thus, the proposed project in combination with other reasonably foreseeable projects would not result in a cumulative impact on energy resources and this impact would be less than significant.

<b>Topics:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Not Applicable</b>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. — Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact AF-1: The proposed project would not result in the conversion of farmland or forest land to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (No Impact)**

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the project site as "*Urban and Built-up Land*," which is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel, and used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills,

sewage treatment, water control structures, and other developed purposes.”<sup>81,82</sup> Because the site does not contain agricultural uses and is not zoned for such uses, the proposed 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 a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland. There is likewise no forest land on the project site. Therefore, the proposed project would have no impacts to agricultural or forest resources, either individually or cumulatively.

<b>Topics:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>	<b>Not Applicable</b>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE – Would the project:</b>					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing analysis identifies significant impacts to air quality, which would be mitigated through implementation of a mitigation measure described in this section. As discussed in Topic E.7, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would potentially have a cumulatively considerable air quality impact due to the addition of vehicle trips and construction activity in an area that already experiences poor air quality. With implementation of Mitigation Measure M-AQ-2 (Construction Emissions Minimization), the project’s contribution to cumulative air quality impacts would be reduced to a less-than-significant level. The proposed project would not result in any other cumulatively

<sup>81</sup> California Department of Conservation, *Important Farmland in California*, 2008, December 2010. Available online at: [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/statewide/2008/fmmp2008\\_08\\_11.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/statewide/2008/fmmp2008_08_11.pdf). Accessed August 13, 2014.

<sup>82</sup> California Department of Conservation, *FMMP - Important Farmland Map Categories*. Available online at: [http://www.conservation.ca.gov/dlrp/fmmp/mccu/Pages/map\\_categories.aspx](http://www.conservation.ca.gov/dlrp/fmmp/mccu/Pages/map_categories.aspx). Accessed September 25, 2012.

considerable impacts, as discussed in the preceding environmental topics in Section E of this Initial Study.

## F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been identified to reduce potentially significant environmental impacts resulting from the proposed project to less than significant levels. Accordingly, the project sponsor has agreed to implement all mitigation measures described below. No improvement measures have been identified for the proposed project.

### Mitigation Measure M-AQ-2: Construction Emissions Minimization

The project sponsor or the project sponsor's Contractor shall comply with the following:

#### A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

#### B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative

source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

**Table AQ-1 – Off-Road Equipment Compliance Step-down Schedule**

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

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

\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
  1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using

alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
  3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

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## G. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was sent out on July 24, 2014, to the owners of properties within 300 feet of the project site, occupants of adjacent properties, and interested parties. One commenter conveyed concerns regarding traffic impacts at the corner of California and Steiner Streets, specifically that automobiles would queue at the entry points of the site and cause congestion and possibly safety hazards. This topic is addressed in Section 5, Transportation and Circulation, under Impact TR-2 on p.25.

Comments that do not pertain to physical environmental issues and comments regarding the merits of the proposed project, as expressed through the Friends of The Fillmore Neighborhood's petition on Change.org, are more appropriately directed to the decision-makers. The decision to approve or disapprove a proposed project is independent of the environmental review process. While local concerns or other planning considerations may be grounds for modification or denial of the proposed project, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

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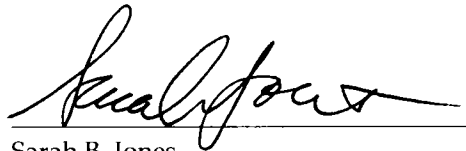
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**H. DETERMINATION**

On the basis of this Initial Study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed 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 proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed 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 proposed 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 proposed project, no further environmental documentation is required.



Sarah B. Jones  
Environmental Review Officer  
for

John Rahaim  
Director of Planning

DATE February 11, 2015

## **I. INITIAL STUDY PREPARERS**

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### **Project Sponsor**

Muthana Ibrahim  
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## MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures		Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
<b>Mitigation Measure M-AQ-2: Construction Emissions Minimization</b>					
The project sponsor or the project sponsor's Contractor shall comply with the following					
<b>A. Engine Requirements.</b>					
1.	All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.	Project sponsor	Plan development to occur prior to issuance of a demolition, grading, or building permit. Monitoring to occur during construction.	Planning Department of review and approve the construction emissions minimization plan. Project sponsor to submit quarterly reports to Planning Department during construction, and final report six (6) months after construction.	As specified in plan
2.	Where access to alternative sources of power are available, portable diesel engines shall be prohibited.				
3.	Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.				
4.	The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and				

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures		Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
operators properly maintain and tune equipment in accordance with manufacturer specifications.					
B. <i>Waters.</i>					
1. The Planning Department’s Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).					
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.					

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MITIGATION MONITORING AND REPORTING PROGRAM

EXHIBIT C

Adopted Mitigation Measures	Responsibility for Implementation	Monitoring Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
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Table – Off-Road Equipment Compliance Step-down Schedule

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

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\*\* Alternative fuels are not a VDECS.

C. Construction Emissions Minimization Plan. Before starting on-

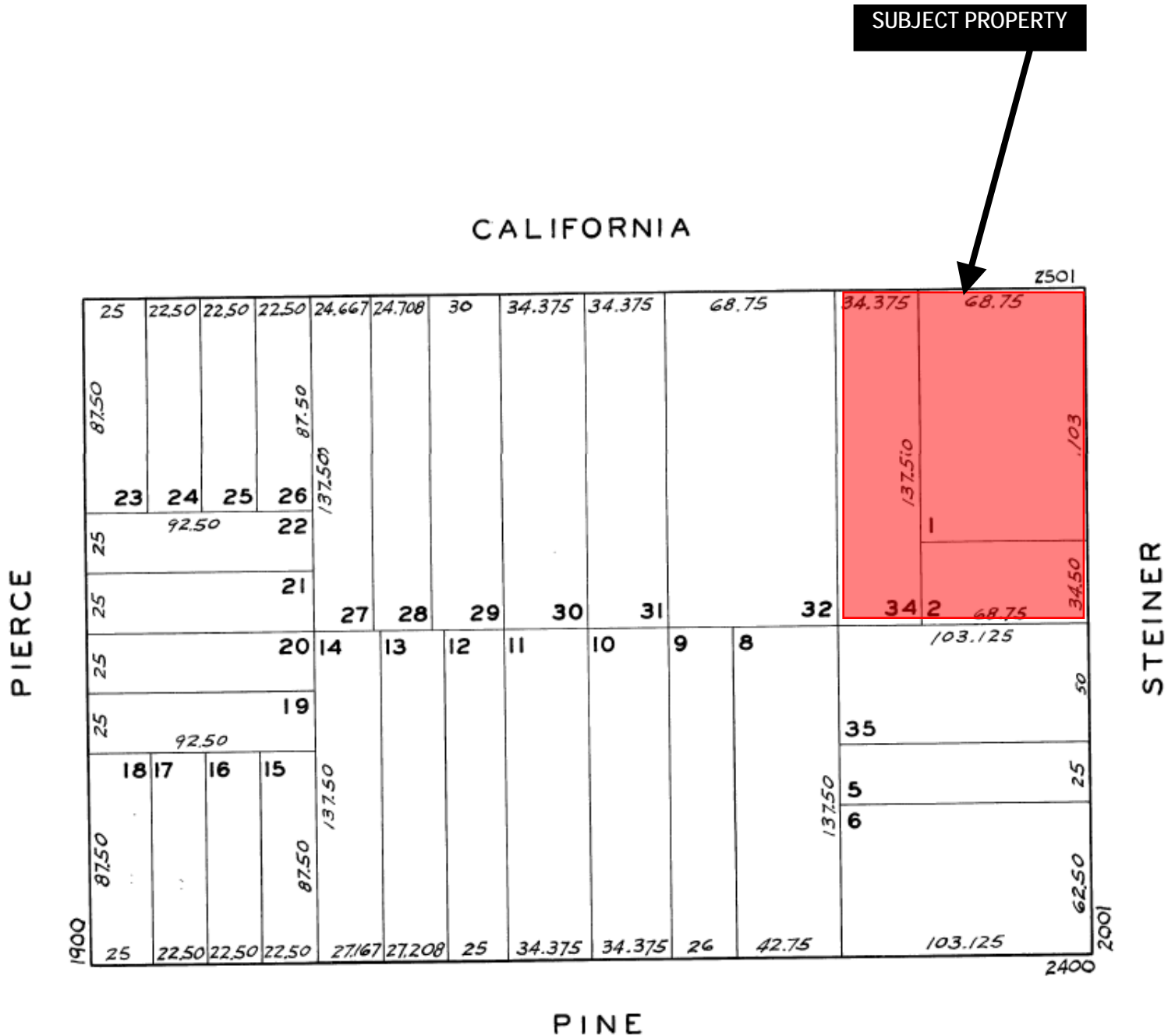
MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures		Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.					
3. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.					
4. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.					
5. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site					

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Status/Date Completed
facing a public right-of-way.				
D. <i>Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.				

# Parcel Map

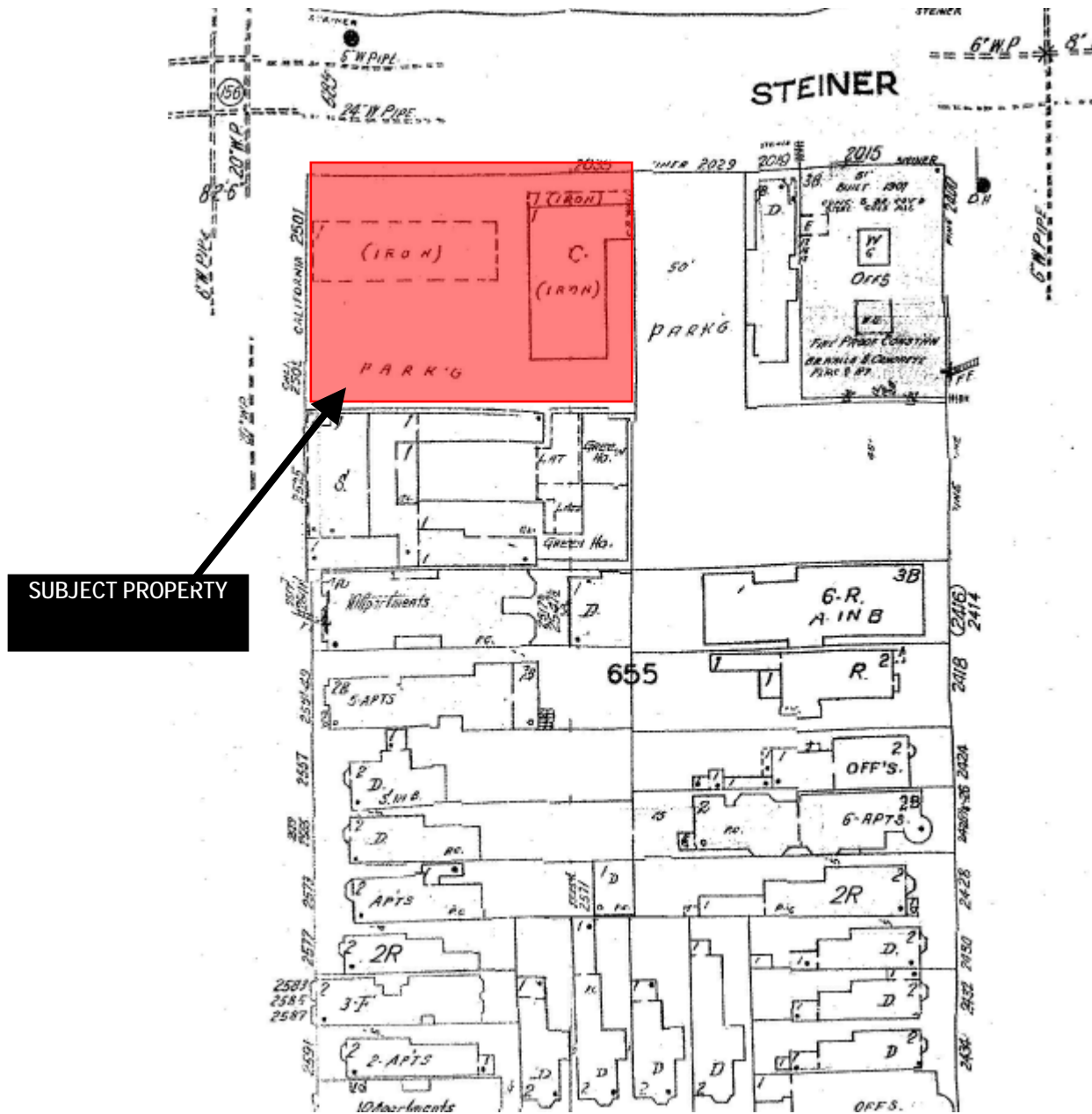


Conditional Use Authorization  
**Case Number 2013.1407C**  
 Gas Station/Formula Retail – Shell/Loop  
 2501 California Street





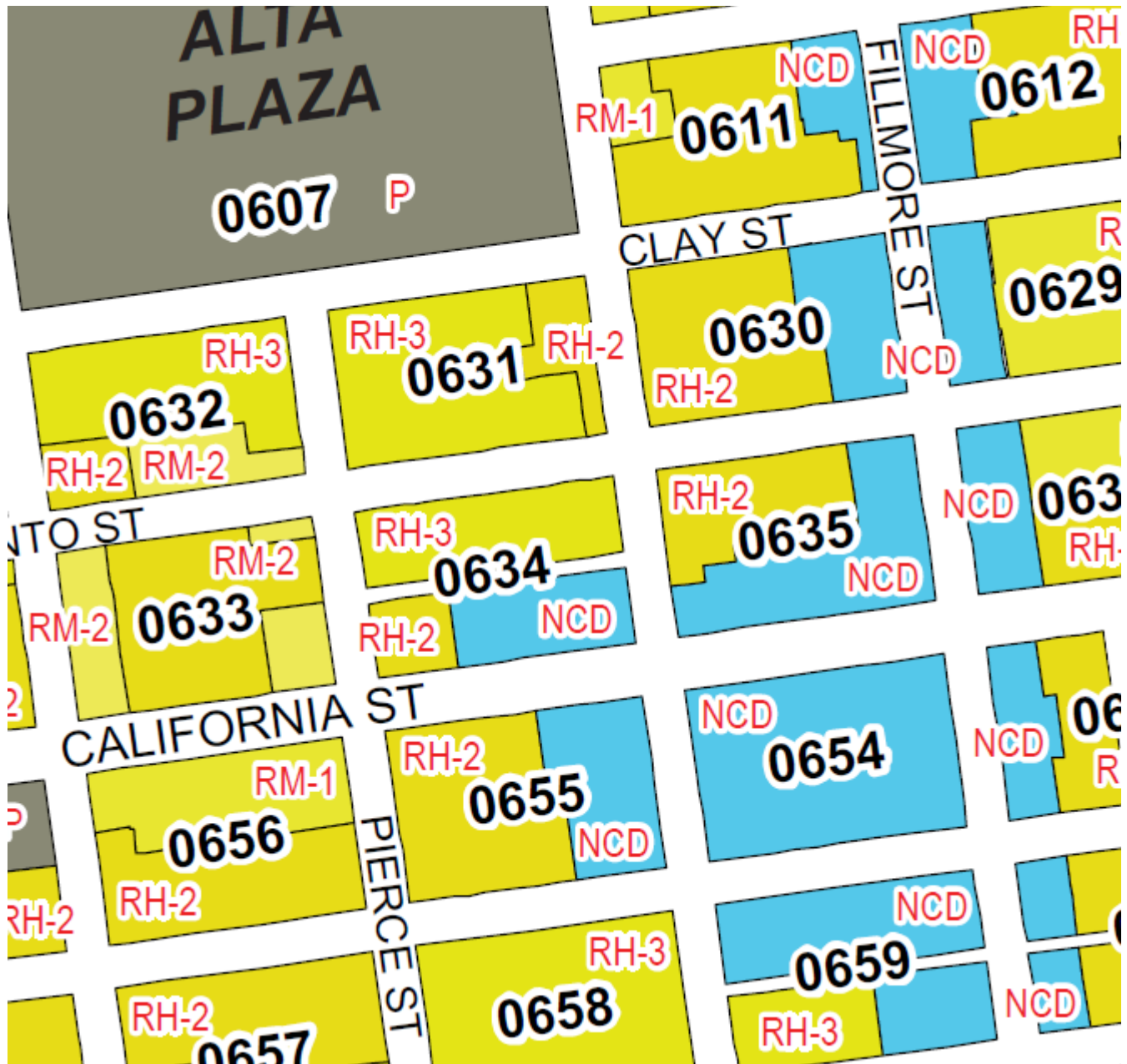
# Sanborn Map\*



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

Conditional Use Authorization  
**Case Number 2013.1407C**  
 Gas Station/Formula Retail – Shell/Loop  
 2501 California Street

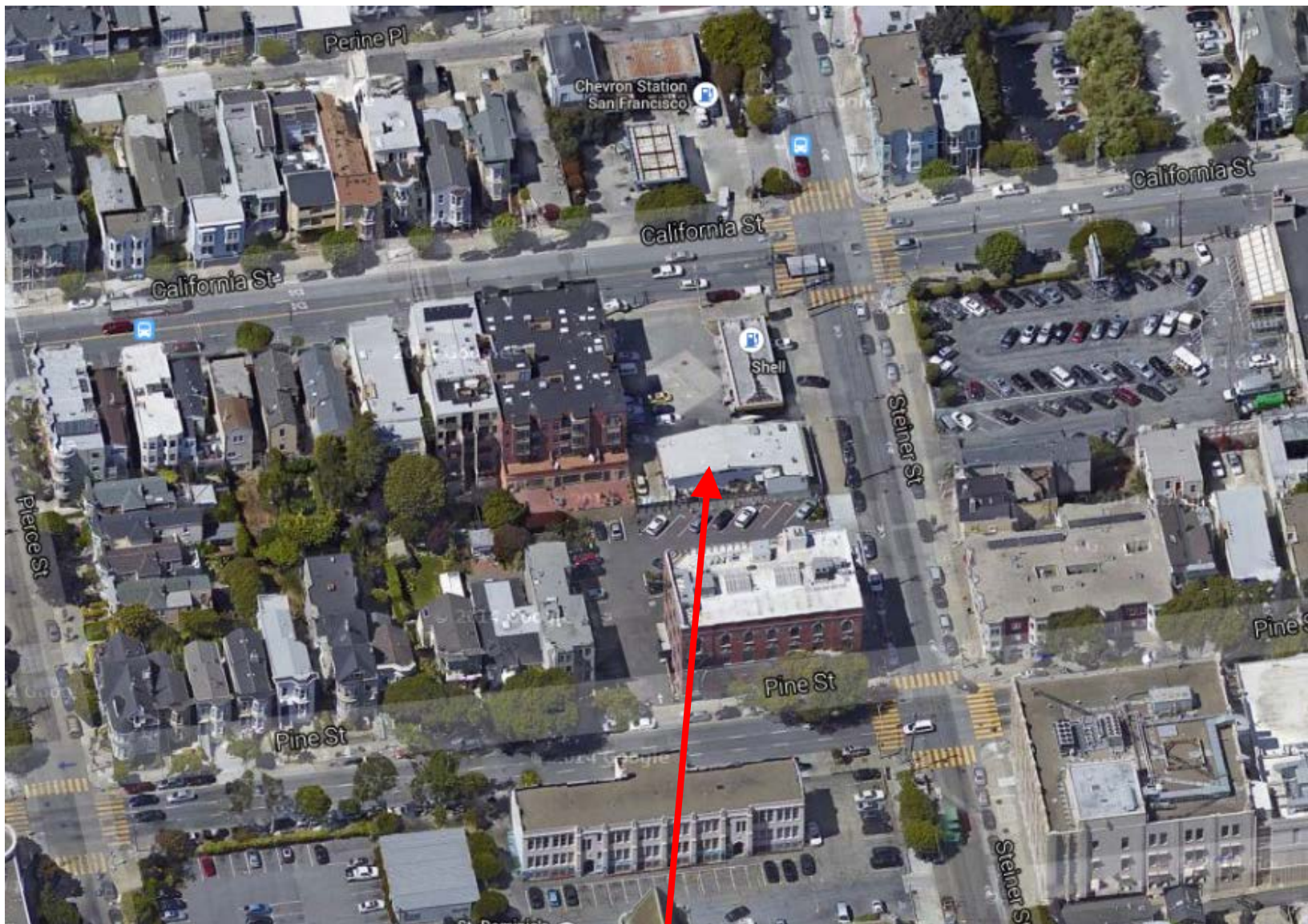
# Zoning Map



Conditional Use Authorization  
Case Number 2013.1407C  
Gas Station/Formula Retail – Shell/Loop  
2501 California Street



# Aerial Photo View to North

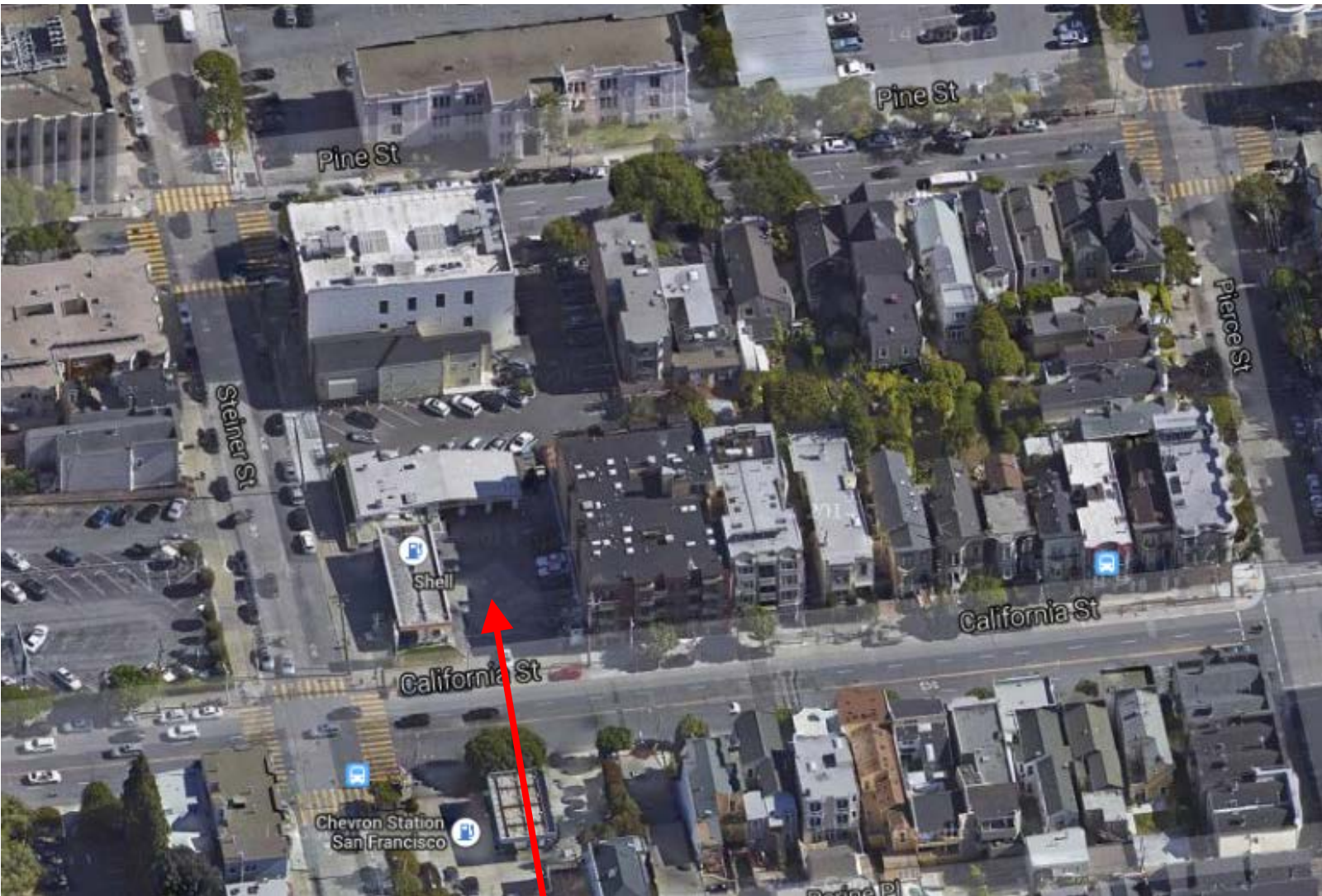


SUBJECT PROPERTY

Conditional Use Authorization  
Case Number 2013.1407C  
Gas Station/Formula Retail – Shell/Loop  
2501 California Street



# Aerial Photo View to South



SUBJECT PROPERTY

Conditional Use Authorization  
**Case Number 2013.1407C**  
Gas Station/Formula Retail – Shell/Loop  
2501 California Street

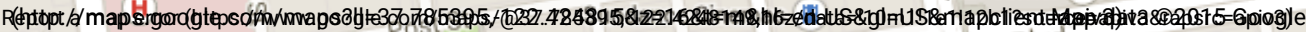
# Site Photo
























Conditional Use Authorization  
**Case Number 2013.1407C**  
Gas Station/Formula Retail – Shell/Loop  
2501 California Street









Formula Retail Locations -  
Upper Fillmore NCD



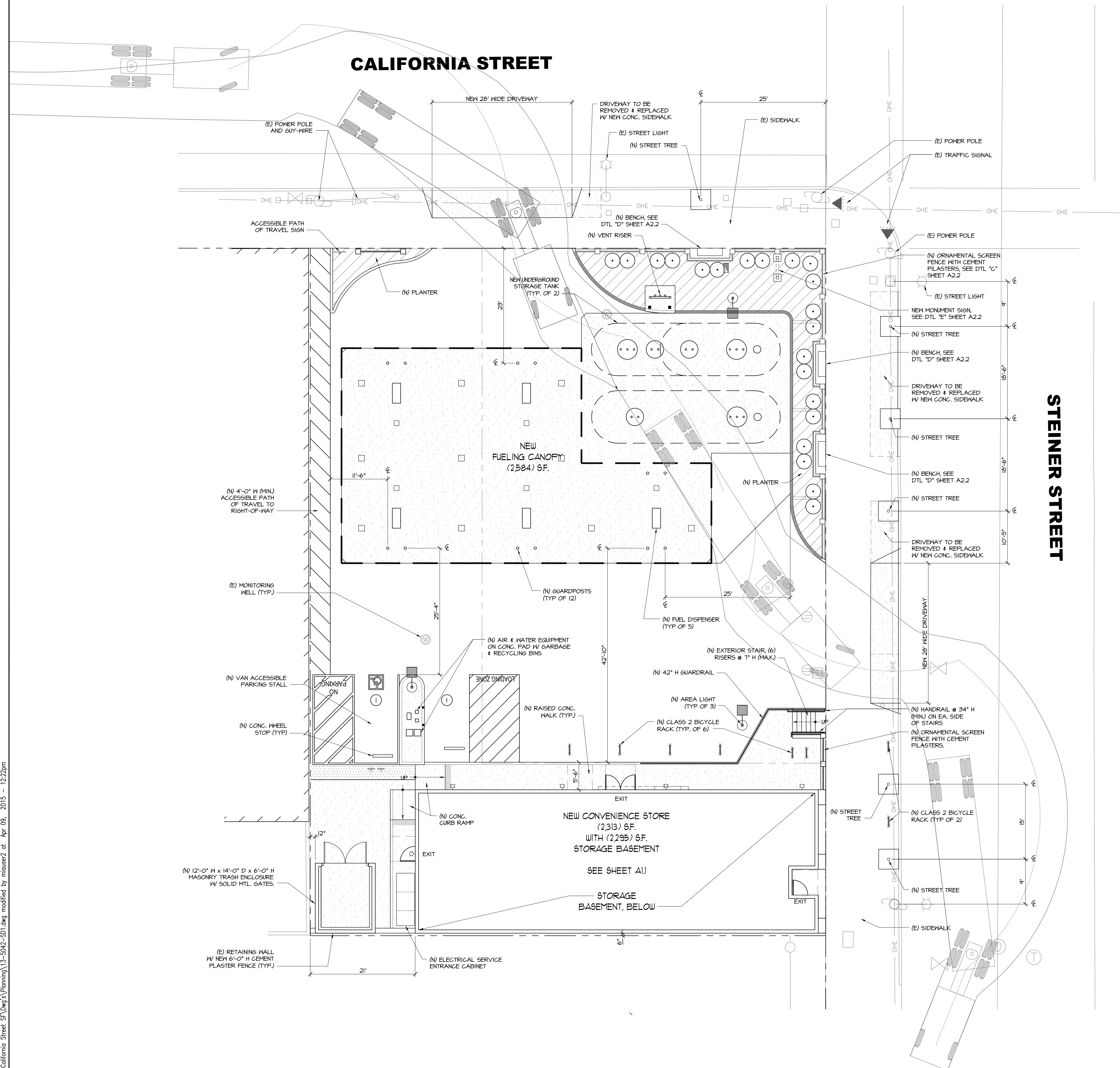
- |   |  |
|---|--|
| 1 | 2429 California Street, San Francisco, CA 94115, USA |
| 2 | 2443 Fillmore Street, San Francisco, CA 94115, USA   |
| 3 | 2400 Fillmore Street, San Francisco, CA 94115, USA   |
| 4 | 2306 Fillmore Street, San Francisco, CA 94115, USA   |
| 5 | 2223 Fillmore Street, San Francisco, CA 94115, USA   |

	2259 Fillmore Street, San Francisco, CA 94115, USA
	2310 Fillmore Street, San Francisco, CA 94115, USA
	2213 Fillmore Street, San Francisco, CA 94115, USA
	2207 Fillmore Street, San Francisco, CA 94115, USA
	2201 Fillmore Street, San Francisco, CA 94115, USA
	2226 Fillmore Street, San Francisco, CA 94115, USA
	2222 Fillmore Street, San Francisco, CA 94115, USA
	2226 Bush Street, San Francisco, CA 94115, USA
	2028 Fillmore Street, San Francisco, CA 94115, USA
	2055 Fillmore Street, San Francisco, CA 94115, USA
	2109 Fillmore Street, San Francisco, CA 94115, USA
	2325 Pine Street, San Francisco, CA 94115, USA
	2216 Fillmore Street, San Francisco, CA 94115, USA
	1971 Fillmore Street, San Francisco, CA 94115, USA
	2043 Fillmore Street, San Francisco, CA 94115, USA
	2208 Fillmore Street, San Francisco, CA 94115, USA
	1925 Fillmore Street, San Francisco, CA 94115, USA
	2011 Fillmore Street, San Francisco, CA 94115, USA
	2142 Fillmore Street, San Francisco, CA 94115, USA
	2197 Fillmore Street, San Francisco, CA 94115, USA
	1919 Fillmore Street, San Francisco, CA 94115, USA

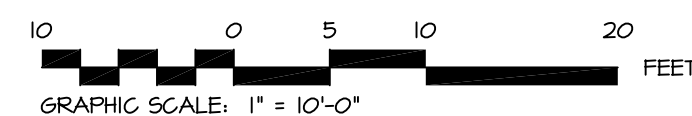
	2060 Fillmore Street, San Francisco, CA 94115, USA
	2124 Fillmore Street, San Francisco, CA 94115, USA
	2100 Fillmore Street, San Francisco, CA 94115, USA
	1900 Fillmore Street, San Francisco, CA 94115, USA
	2040 Fillmore Street, San Francisco, CA 94115, USA
	2133 Fillmore Street, San Francisco, CA 94115, USA

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# 1 PROPOSED SITE PLAN



## DRAWING INDEX

SD1	PROPOSED SITE PLAN
SD1-L	SITE LIGHTING PHOTOMETRIC
I OF I	TOPOGRAPHIC SURVEY
SD1A	EXISTING SITE PLAN
A1.0	EXISTING FLOOR PLAN
A1.1	PROPOSED FLOOR PLAN & BASEMENT PLAN
A2.0A	EXISTING BUILDING ELEVATIONS
A2.0B	EXISTING BUILDING ELEVATIONS
A2.1	PROPOSED BUILDING ELEVATIONS
A2.2	PROPOSED BUILDING ELEVATIONS
A2.3	CANOPY ELEVATIONS

## SITE INFORMATION

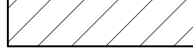





SITE AREA:	14,180 S.F.
EXISTING LANDSCAPE AREA:	717.4 S.F. - 5.1 %
NEW LANDSCAPE AREA:	900.3 S.F. - 6.3 %

## PROJECT DIRECTORY


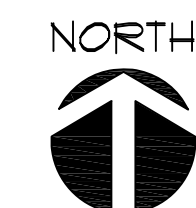
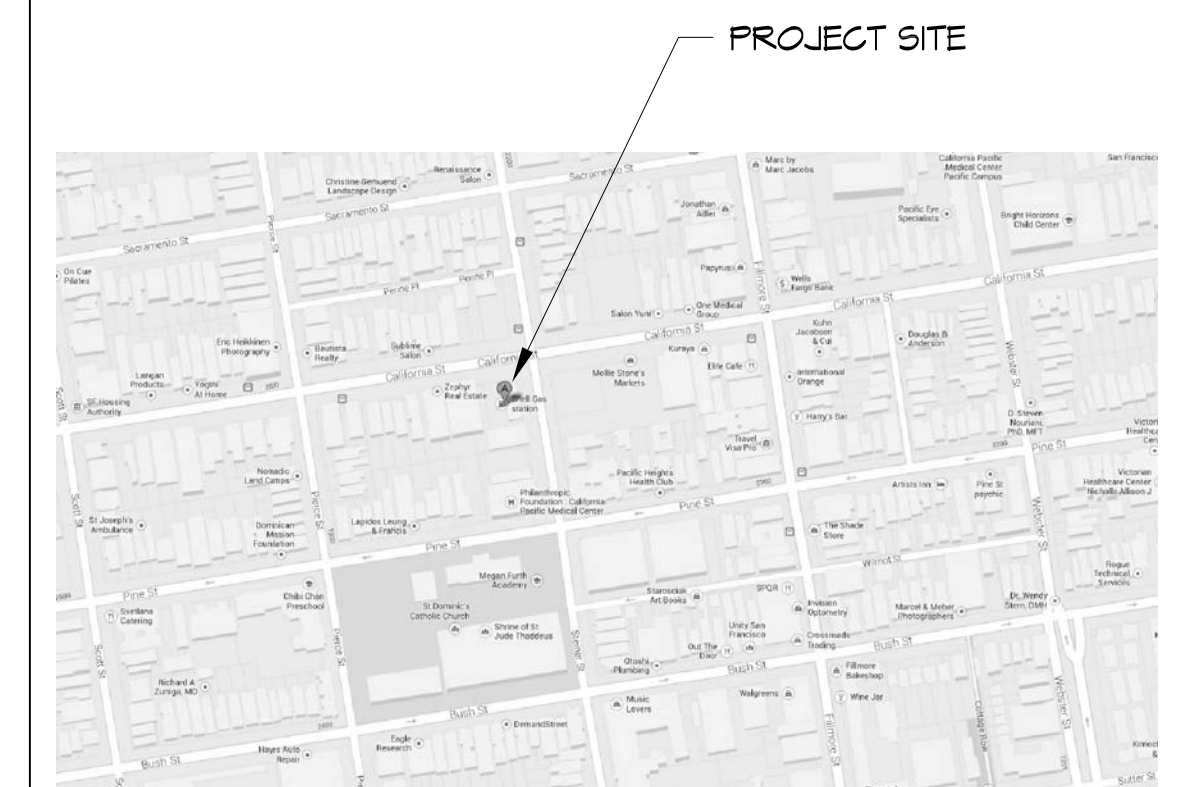
**ARCHITECT**  
M I ARCHITECTS, INC.  
2960 CAMINO DIABLO, SUITE 100  
WALNUT CREEK, CA 94597  
TEL: (925) 287-1174 x1  
FAX: (925) 943-1581  
CELL: (925) 878-4875  
MR. MUTHANA IBRAHIM, ARCHITECT

**DEVELOPER**  
A V ENERGY, LLC  
41805 ALBRAE ST., 2ND FLR.  
FREMONT, CA 94538  
TEL: (650) 868-7454  
FAX: -  
MR. NICK GOYAL

### SITE PLAN LEGEND

	NEW LANDSCAPING
	NEW CONCRETE PAVING
	4 FT. WIDE (MIN.) ACCESSIBLE ROUTE OF TRAVEL, SHALL NOT EXCEED 5% SLOPE IN THE DIRECTION OF TRAVEL AND 2% CROSS SLOPE
	EXISTING TO REMAIN
	EXISTING CURB TO REMAIN
	NEW CONCRETE CURB

## VICINITY MAP



## Architects

**M | Architects, Inc.**  
ARCHITECTURE  
PLANNING  
MANAGEMENT  
DESIGN  
2221 OLYMPIC BLVD.,  
SUITE 100  
WALNUT CREEK, CA  
94595  
925-287-1174 Tel  
925-443-1581 Fax  
925-878-4875 Cell  
mthana@miarchitect.com  
[www.miarchitect.com](http://www.miarchitect.com)

**SHELL GAS STATION &  
"LOOP" CONVENIENCE STORE  
2501 CALIFORNIA ST.  
SAN FRANCISCO, CA 94115**

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ISSUED FOR CONSTRUCTION

ISSUED FOR PLAN CHECK

ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
1	10-03-13	REVISED PER PLANNING COMMENT
2	09-10-14	REVISED PER CLIENT REQUEST
3	04-30-14	REVISED PER DPM COMMENTS
4	11-20-14	REVISED PER PLANNING COMMENT
5	04-09-15	REVISED PER PLANNING COMMENT

SITE PLAN

PROJECT #: 13-5042

DRAWN: BM                      CHECKED: MI

SCALE: AS NOTED DATE: 08-14-13

SD 1

SHEET OF

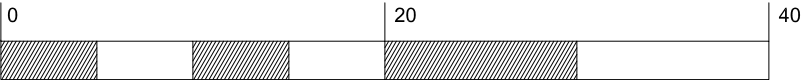
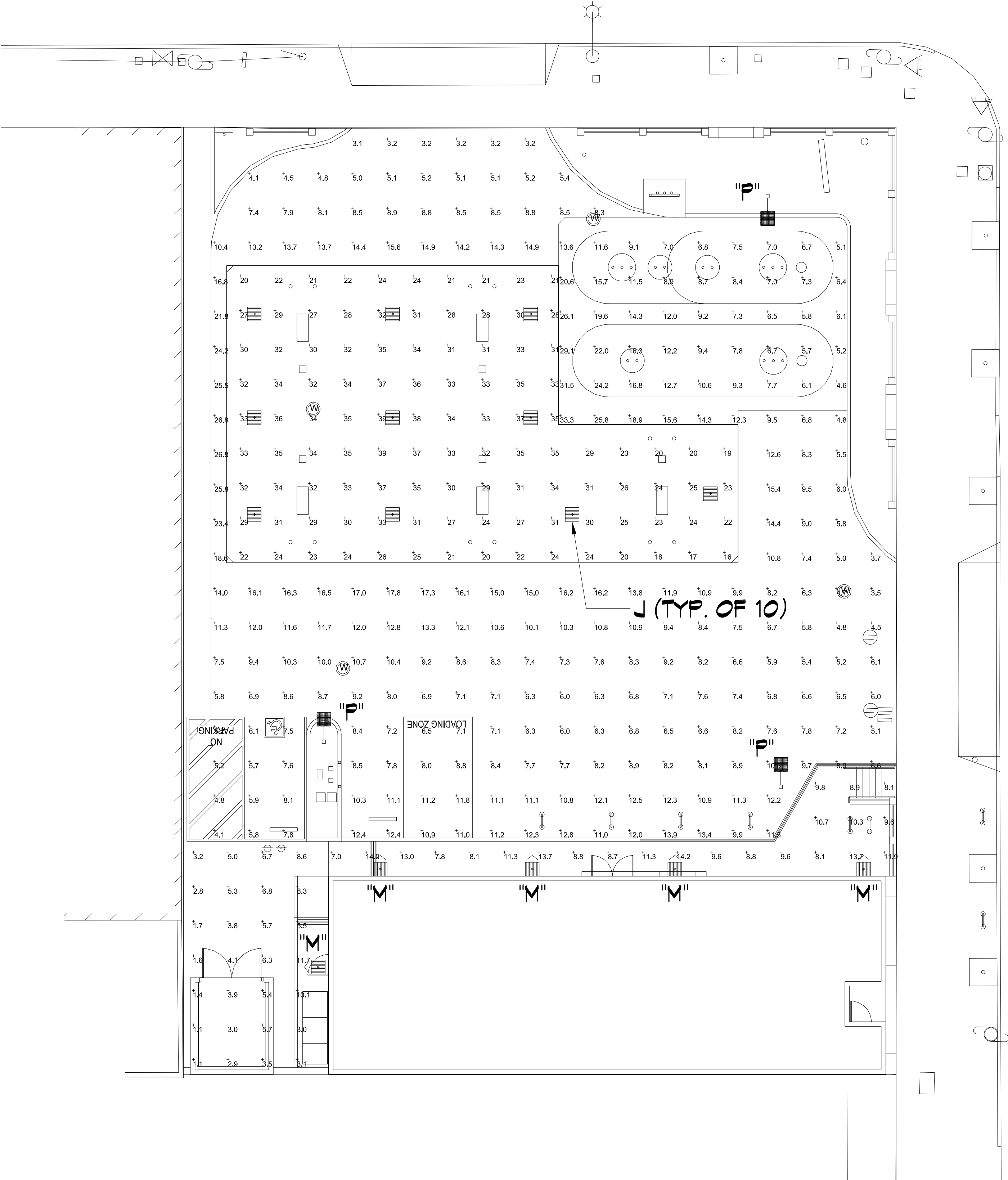
Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lumens/Lamp	LLF	Total Watts	Description
■	10	"P"	SINGLE	13000	0.970	1220	CPY250-A-DM-D-B-UL-WH
■	5	"M"	SINGLE	4108	0.990	210	XSPW-A-0-3-M-C-U-X
■	3	"P"	SINGLE	17117	0.920	504	OSQ-A-MM-MME-J-5FK-UL-XX w/OSO-DA-XX

Pole Schedule  
(3) PS4S17C1XX (17' X 4" X .125" STEEL SQUARE POLE)  
Proposed poles meet 140 MPH sustained winds.

Footcandles calculated using predicted lumen values after 50K hours of operation					
Label	Avg	Max	Min	Avg/Min	Max/Min
CANOPY	28.87	39	16	1.80	2.44
PAVEMENT	10.12	33.3	3.1	3.26	10.74
SIDEWALK	7.18	14.2	1.1	6.53	12.91

CALIFORNIA STREET

STEINER STREET



Project Name: 2501 CALIFORNIA STREET, SAN FRANCISCO, CA			Customer No: 09676
Date: 2/13/2015	Scale: 1"=10'	Footcandles calculated at grade	
Filename: V:\Common\Eng\BETA PET\TM150210SFAC\BR1.AGI		Layout by: CHRIS BOSANEC	

Illumination results shown on this lighting design are based on project parameters provided to Cree, Inc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting, or energy code.

LEGEND			
AC	ASPHALT	PIV	POST INDICATOR VALVE
APN	ASSESSOR PARCEL NUMBER	PLTR	PLANTER
BFP	BACK FLOW PREVENTOR	PM	PARKING METER
BLDG	BOLLARD	PP	POWER POLE
BSL	BUILDING SETBACK LINE	PL	PROPERTY LINE
CB	CATCH BASIN	PUE	PUBLIC UTILITY EASEMENT
CL	CENTERLINE	SL	SQUARE FEET
CONC	CONCRETE	SLB	STREET LIGHT BOX
CP	CONCRETE PAD	SSDH	STORM DRAIN MANHOLE
DCV	DOUBLE CHECK VALVE	SSCO	SANITARY SEWER CLEANOUT
DWY	DRIVEWAY	SSMH	SANITARY SEWER MANHOLE
EB	ELECTRICAL BOX	TE	TRASH ENCLOSURE
EC	ELECTRICAL CABINET	TEL	TELEPHONE
EV	ELECTRICAL VAULT	TRANS	TRANSFORMER
FC	FACE OF CURB	TSB	TRAFFIC SIGNAL BOX
FDC	FIRE DEPARTMENT CONNECTION	VT	VAULT
FH	FIRE HYDRANT	WM	WATER METER
GM	GAS METER	WV	WATER VALVE
GV	GAS VALVE	YL	YARD LIGHT
MH	MANHOLE	⊕	DENOTES ENCROACHMENTS
MW	MONITORING WELL	⊕	CORRESPONDS TO SCHEDULE B

#### ZONING INFORMATION

THE ZONING INFORMATION WAS PROVIDED BY THE CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT  
1600 MISSION STREET  
SAN FRANCISCO, CA 94103-2414  
TEL: (415) 558-6377  
HTTP://WWW.SFGOV.ORG

ZONE NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE SCALE)  
SETBACKS

FRONT	0
SIDE	0
REAR	0
HEIGHT	40'
BULK	0
PARKING	ONE FOR EACH 500 SQUARE FEET OF OCCUPIED FLOOR AREA UP TO 20,000 WHERE THE OCCUPIED FLOOR AREA EXCEEDS 5,000 SQUARE FEET, PLUS ONE FOR EACH 250 SQUARE FEET OF OCCUPIED FLOOR AREA IN EXCESS OF 20,000.

\*ZONING AND RESTRICTIONS SHOWN HEREON WERE OBTAINED BY A GENERAL REQUEST AT THE PUBLIC COUNTER OF THE ABOVE NAMED DEPARTMENT. NO REPRESENTATION IS MADE FOR THE ACCURACY OR COMPLETENESS OF SAID THIRD PARTY INFORMATION. THIS FIRM IS NOT AN EXPERT IN THE INTERPRETATION OF COMPLEX ZONING ORDINANCES. COMPLIANCE IS BEYOND THE SCOPE OF THIS SURVEY. ANY USER OF SAID INFORMATION IS URGED TO CONTACT THE LOCAL AGENCY DIRECTLY.

#### GENERAL NOTES

OBSERVED NO DISCERNIBLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS

OBSERVED NO DISCERNIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.

OBSERVED NO DISCERNIBLE EVIDENCE OF SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

OBSERVED NO DISCERNIBLE EVIDENCE OF SITE BEING USED AS A CEMETERY OR BURIAL GROUNDS.

THE EXISTENCE AND LOCATION OF ALL UTILITIES, PIPES, POLES, AND/OR STRUCTURES SHOWN ON THIS SURVEY WERE OBTAINED BY OBSERVED EVIDENCE ONLY. THE POINT OF ENTRY ON SAID UTILITIES CANNOT BE DETERMINED

ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS OTHERWISE SHOWN.

THIS SURVEY HAS BEEN PREPARED FOR TITLE INSURANCE PURPOSES ONLY. THIS SURVEY MAY NOT CONTAIN SUFFICIENT DETAIL FOR DESIGN PURPOSES. THE BOUNDARY DATA AND TITLE MATTERS AS SHOWN HEREON HAVE BEEN DEVELOPED FROM THE REFERENCED TITLE REPORT.

UNLESS THIS PLAN HAS THE SEAL AND SIGNATURE OF THE SURVEYOR AND/OR ENGINEER RESPONSIBLE FOR ITS PREPARATION, THIS IS NOT AN AUTHENTIC COPY OF THE ORIGINAL SURVEY AND SHALL NOT BE DEEMED RELIABLE.

#### BASIS OF BEARINGS

THE BOUNDARY WAS PLACED BASED ON FOUND BUILDING CUTS AS DEPICTED ON THE CITY AND COUNTY OF SAN FRANCISCO MON. MAP 29. NO BASIS OF BEARINGS WAS PROVIDED.

#### BENCHMARK

THE BENCHMARK USED FOR THIS SURVEY WAS IN THE COUNTY OF SAN FRANCISCO BENCHMARK AT THE NORTHEAST CORNER OF STEINER STREET AND PINE STREET. THE BENCHMARK IS 3 CUTS ON THE LOWER STOP COCK OF A FIRE HYDRANT HELD AT AN ELEVATION OF 140.90'.

#### STATEMENT OF ENCROACHMENTS

NONE OBSERVED

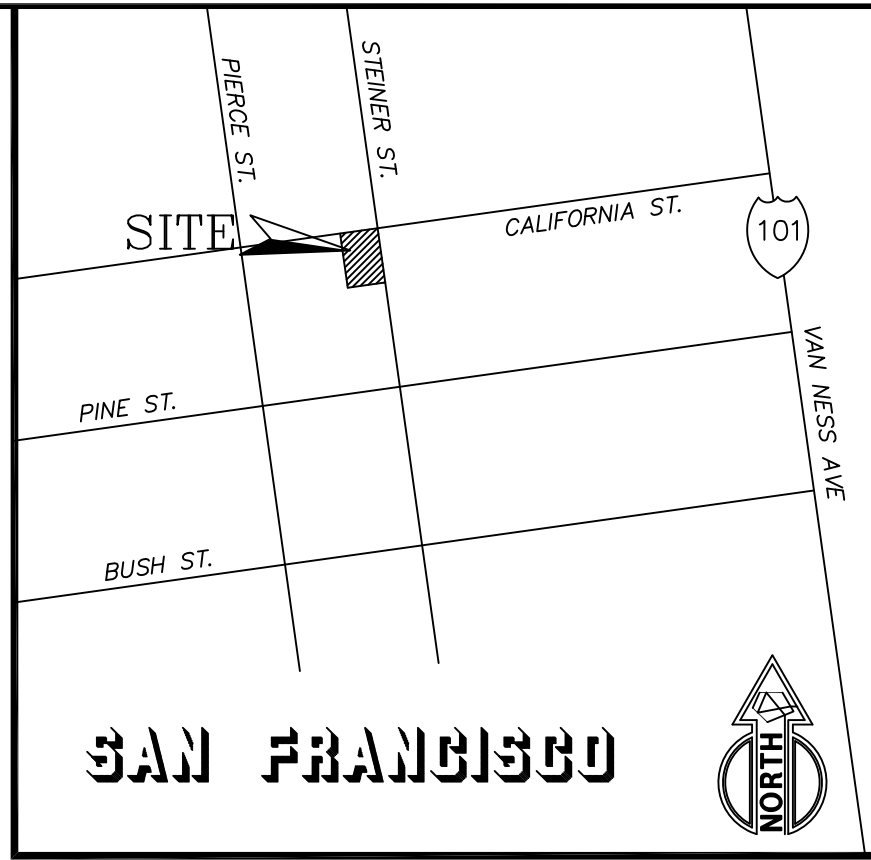
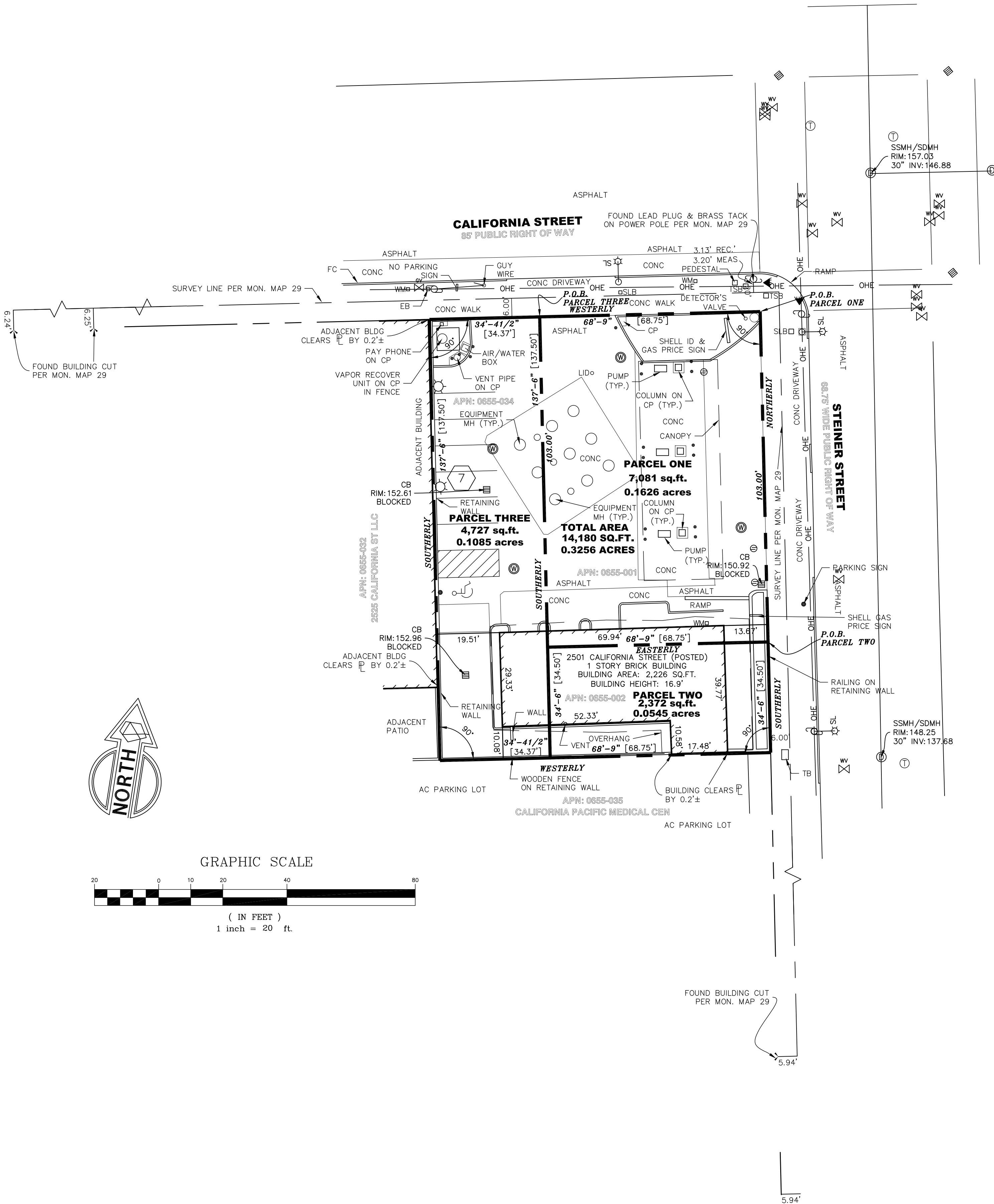
\* THIS IS A LISTING OF OBSERVED IMPROVEMENTS THAT CROSS PROPERTY LINES. STATEMENT OF OWNERSHIP OR POSSESSION IS NOT THE INTENT OF THIS LISTING.

#### PARCEL SUMMARY

PARCEL 1: 7,081 SQ.FT.; 0.1626 ACRES  
PARCEL 2: 2,372 SQ.FT.; 0.1085 ACRES  
PARCEL 3: 4,727 SQ.FT.; 0.1085 ACRES  
TOTAL AREA: 14,180 SQ.FT.; 0.3256 ACRES

#### PARKING SUMMARY

7 STALLS  
1 HANDICAP STALLS  
8 TOTAL STALLS



VICINITY MAP  
NOT TO SCALE

#### LEGAL DESCRIPTION

THE PROPERTY HEREIN BELOW DESCRIBED IS THE SAME PROPERTY GRANTED FROM SHELL OIL COMPANY TO EQUILON ENTERPRISES LLC IN THE CORPORATE GRANT DEED, RECORDED ON JULY 01, 1998 AS DOC. NO. 98-G380524-00.

#### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

#### PARCEL ONE:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF CALIFORNIA STREET AND THE WESTERLY LINE OF STEINER STREET; RUNNING THENCE WESTERLY ALONG THE SOUTHERLY LINE OF CALIFORNIA STREET 68 FEET AND 9 INCHES; THENCE AT RIGHT ANGLES SOUTHERLY 103 FEET; THENCE AT RIGHT ANGLES EASTERLY 68 FEET AND 9 INCHES; TO THE WESTERLY LINE OF STEINER STREET; THENCE AT RIGHT ANGLES NORTHERLY ALONG THE LAST NAMED LINE 103 FEET TO THE POINT OF BEGINNING.

BEING PORTION OF WESTERN ADDITION BLOCK NO. 389.

#### PARCEL TWO:

BEGINNING AT A POINT ON THE WESTERLY LINE OF STEINER STREET, DISTANT THEREON 103 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF CALIFORNIA STREET; RUNNING THENCE SOUTHERLY ALONG SAID LINE OF STEINER STREET 34 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE WESTERLY 68 FEET AND 9 INCHES; THENCE AT A RIGHT ANGLE NORTHERLY 34 FEET AND 6 INCHES; AND THENCE AT A RIGHT ANGLE EASTERLY 68 FEET AND 9 INCHES TO THE POINT OF BEGINNING.

BEING PORTION OF WESTERN ADDITION BLOCK NO. 389.

EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS INTERESTS RESERVED IN DEED BY SHELL OIL COMPANY, A DELAWARE CORPORATION RECORDED JULY 01, 1998 AS INSTRUMENT NO. 98-G380524-00, BOOK/REEL H166, PAGE/IMAGE 0461 OF OFFICIAL RECORDS.

#### PARCEL THREE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF CALIFORNIA STREET, DISTANT THEREON 68 FEET AND 9 INCHES WESTERLY FROM THE WESTERLY LINE OF STEINER STREET; RUNNING THENCE WESTERLY AND ALONG SAID LINE OF CALIFORNIA STREET 34 FEET AND 4-1/2 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 34 FEET AND 4-1/2 INCHES; THENCE AT A RIGHT ANGLE NORTHERLY 137 FEET AND 6 INCHES TO THE POINT OF BEGINNING.

BEING PART OF WESTERN ADDITION BLOCK NO. 389.

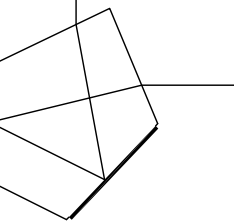
ASSESSOR'S LOT: 001, BLOCK: 0655 (AFFECTS: PARCEL ONE); LOT: 002, BLOCK: 0655 (AFFECTS: PARCEL TWO) AND LOT: 034, BLOCK: 0655 (AFFECTS: PARCEL THREE)

#### SURVEYOR'S CERTIFICATION

THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION.

DIRK SLOOTEN  
LS 5342  
STATE OF CALIFORNIA  
DATE OF PLAT OR MAP: 07/12/2013

SLOOTEN CONSULTING INC.  
SURVEYING & ENGINEERING



4740 NORTHGATE BL., SUITE 115  
SACRAMENTO, CA 95834

CALIFORNIA

TOPOGRAPHIC  
SURVEY

AU ENERGY  
2501 CALIFORNIA STREET  
SAN FRANCISCO

SHEET 1  
OF 1 SHEETS  
JOB No.  
8228-02

#### FLOOD NOTE:

THE CITY AND COUNTY OF SAN FRANCISCO DOES NOT PARTICIPATE IN THE FEDERAL FLOOD INSURANCE PROGRAM





ARCHITECTURE  
PLANNING  
MANAGEMENT  
DESIGN  
2221 OLYMPIC BLVD.,  
SUITE 100  
WALNUT CREEK, CA  
94545  
925-287-1174 Tel  
925-443-1581 Fax  
925-878-9875 Cell  
muthana@miarchitect.com  
[www.miarchitect.com](http://www.miarchitect.com)

**SHELL GAS STATION &  
"LOOP" CONVENIENCE STORE  
2501 CALIFORNIA ST.  
SAN FRANCISCO, CA 94115**

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ISSUED FOR CONSTRUCTION
ISSUED FOR PLAN CHECK
ISSUED FOR PLANNING

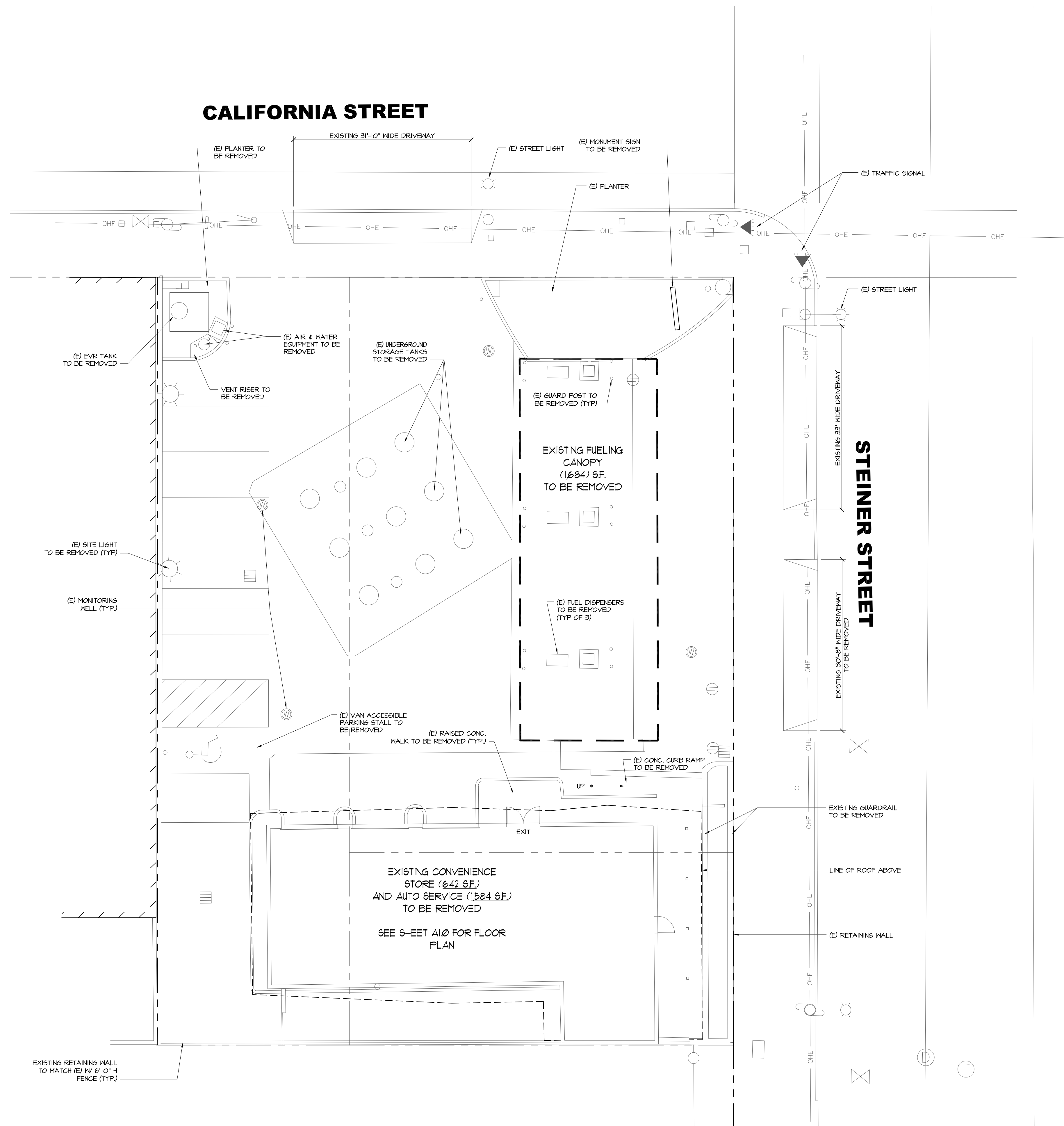
NO.	DATE	DESCRIPTION
1	10-03-13	REVISED PER PLANNING COMMENT
2		
3		
4		
5		

EXISTING / DEMO  
SITE PLAN

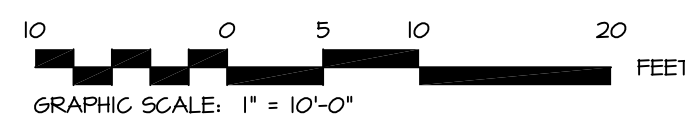
PROJECT #: 13-5042  
DRAWN: BM CHECKED: MI  
SCALE: AS NOTED DATE: 08-14-13

SD 1A

SHEET OF

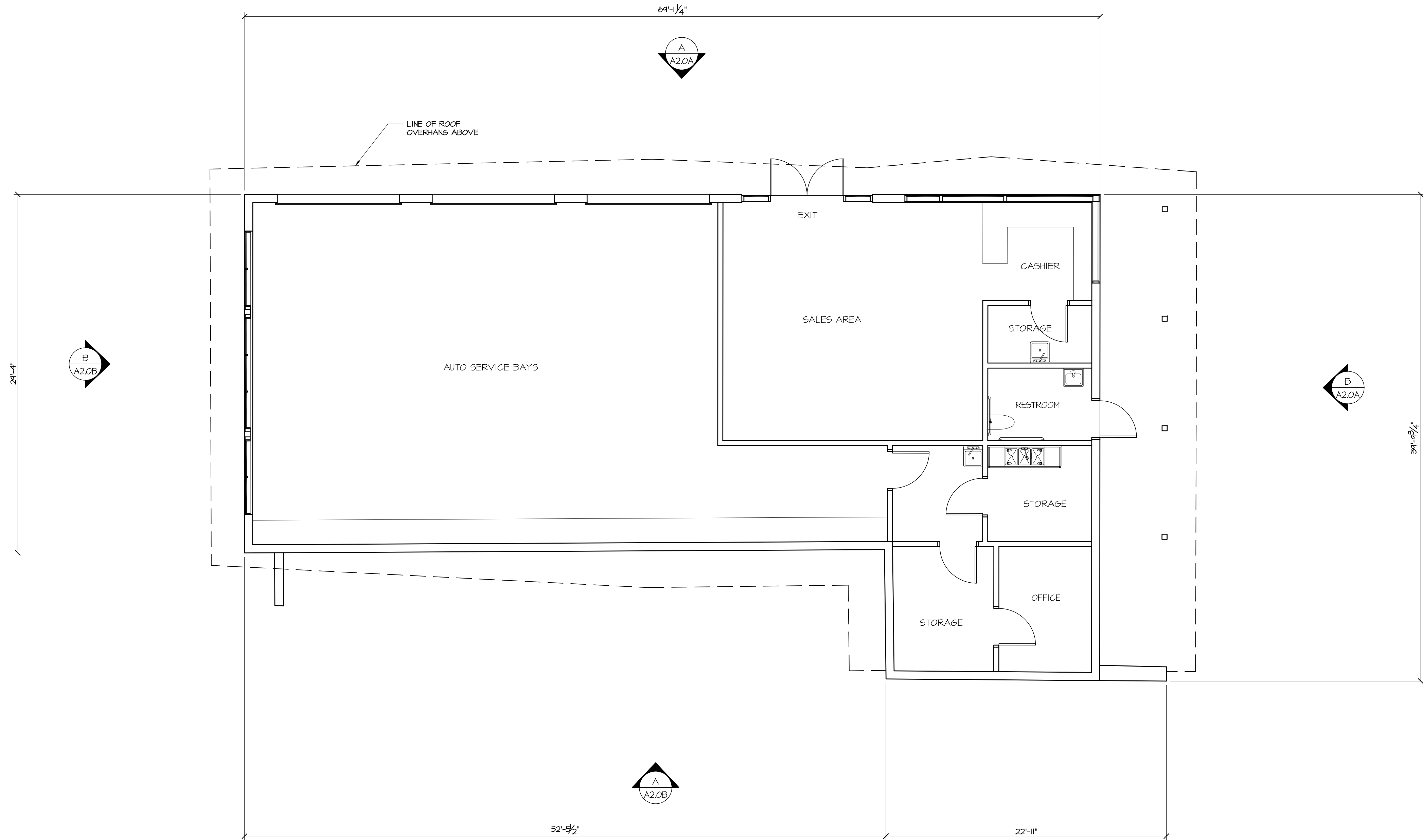


1) **EXISTING / DEMO SITE PLAN**  
SCALE: 1" = 10'-0"

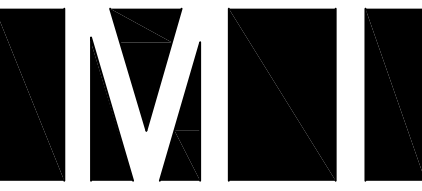
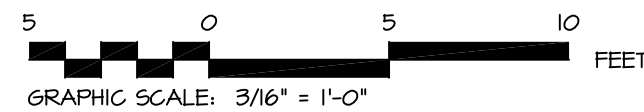


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S:\1-Projects\13-5042 California Street SF\Drawings\Planning\13-5042-A1.0.dwg modified by User1 at Mar 13, 2015 - 9:11am



1 **EXISTING FLOOR PLAN**  
3/16" = 1'-0"



*Architects*

M I Architects, Inc.  
ARCHITECTURE  
PLANNING  
MANAGEMENT  
DESIGN  
2221 OLYMPIC BLVD.,  
SUITE 100  
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- ISSUED FOR CONSTRUCTION
- ISSUED FOR PLAN CHECK
- ISSUED FOR PLANNING

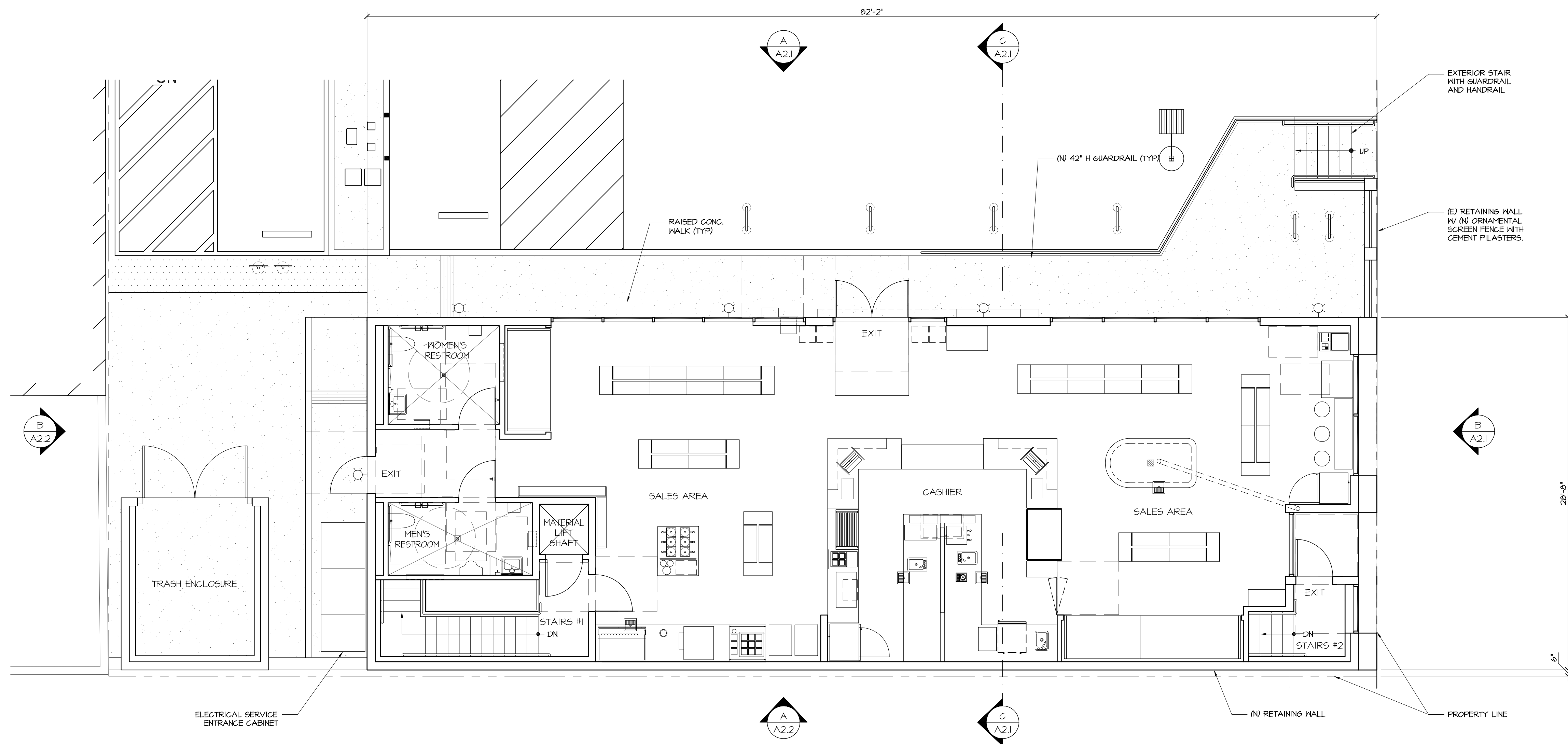
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EXISTING  
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PROJECT #: 13-5042  
DRAWN: JM CHECKED: MI  
SCALE: AS NOTED DATE: 08-14-13

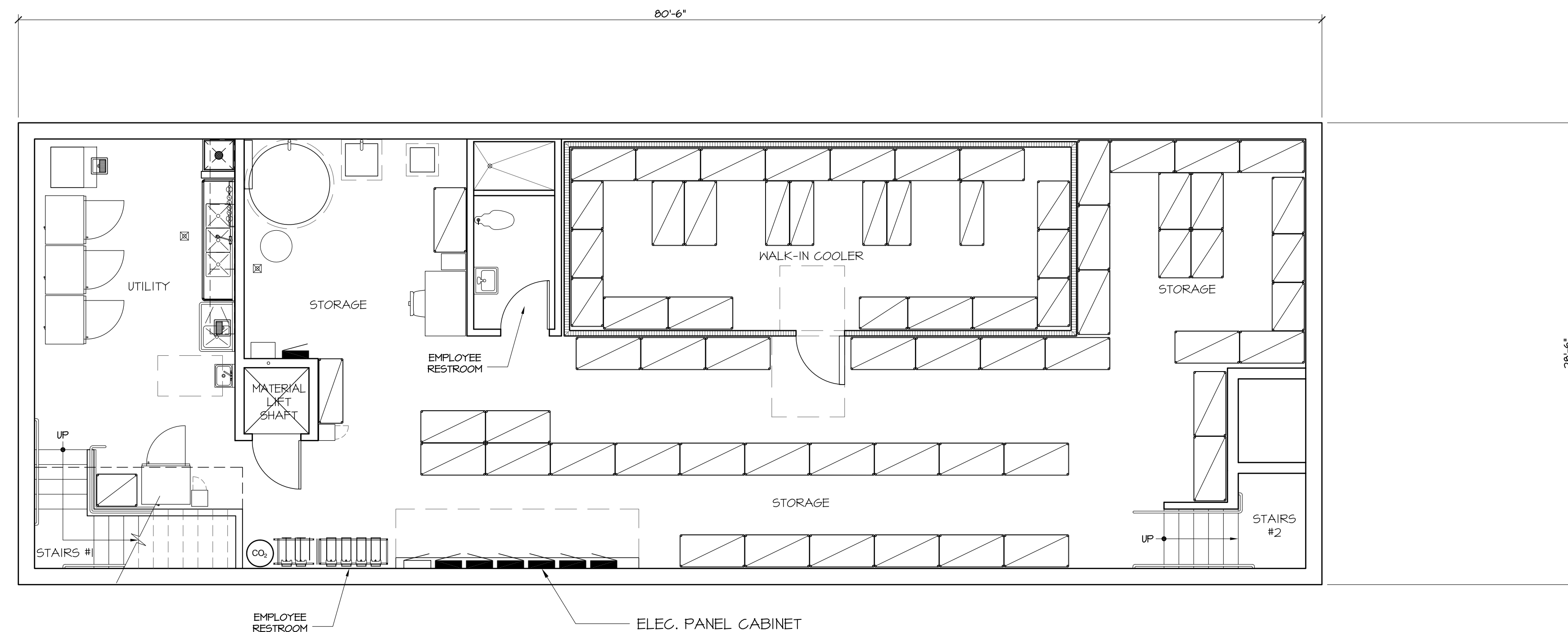
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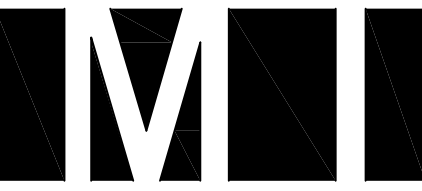
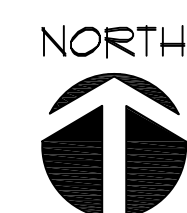
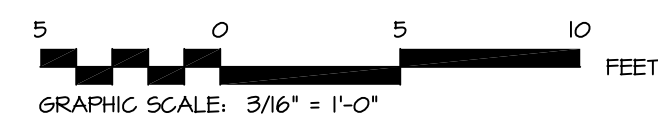
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1 PROPOSED FLOOR PLAN  
3/16" = 1'-0"



2 PROPOSED BASEMENT PLAN  
3/16" = 1'-0"



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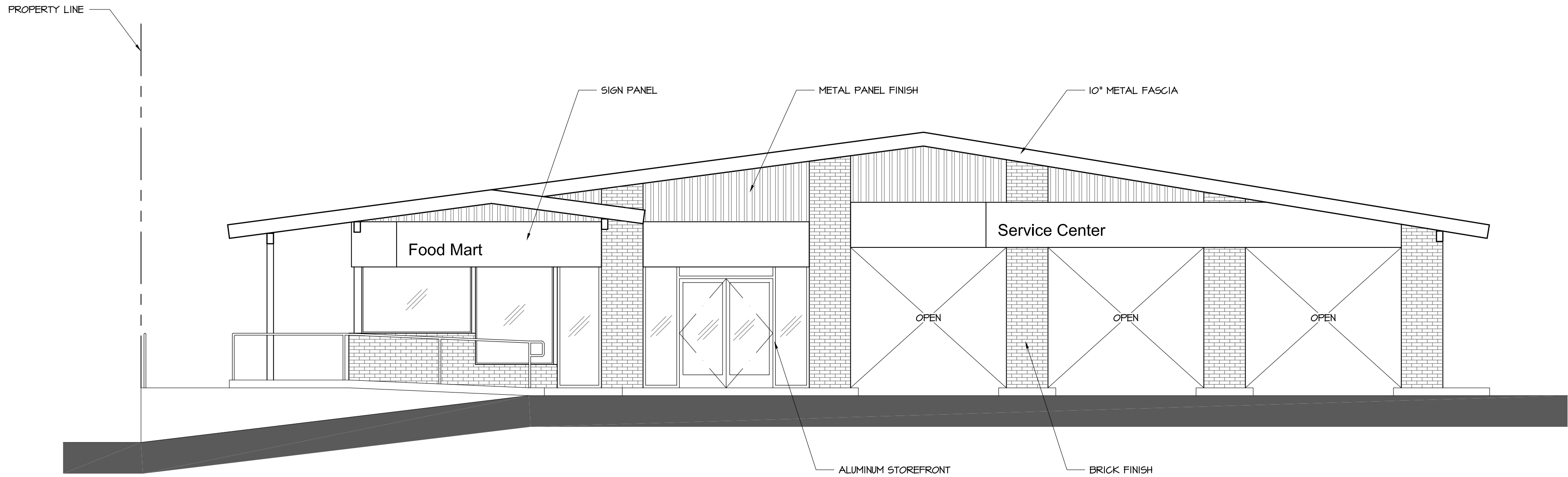
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PROPOSED  
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PROJECT #: 13-5042  
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SCALE: AS NOTED DATE: 08-14-13

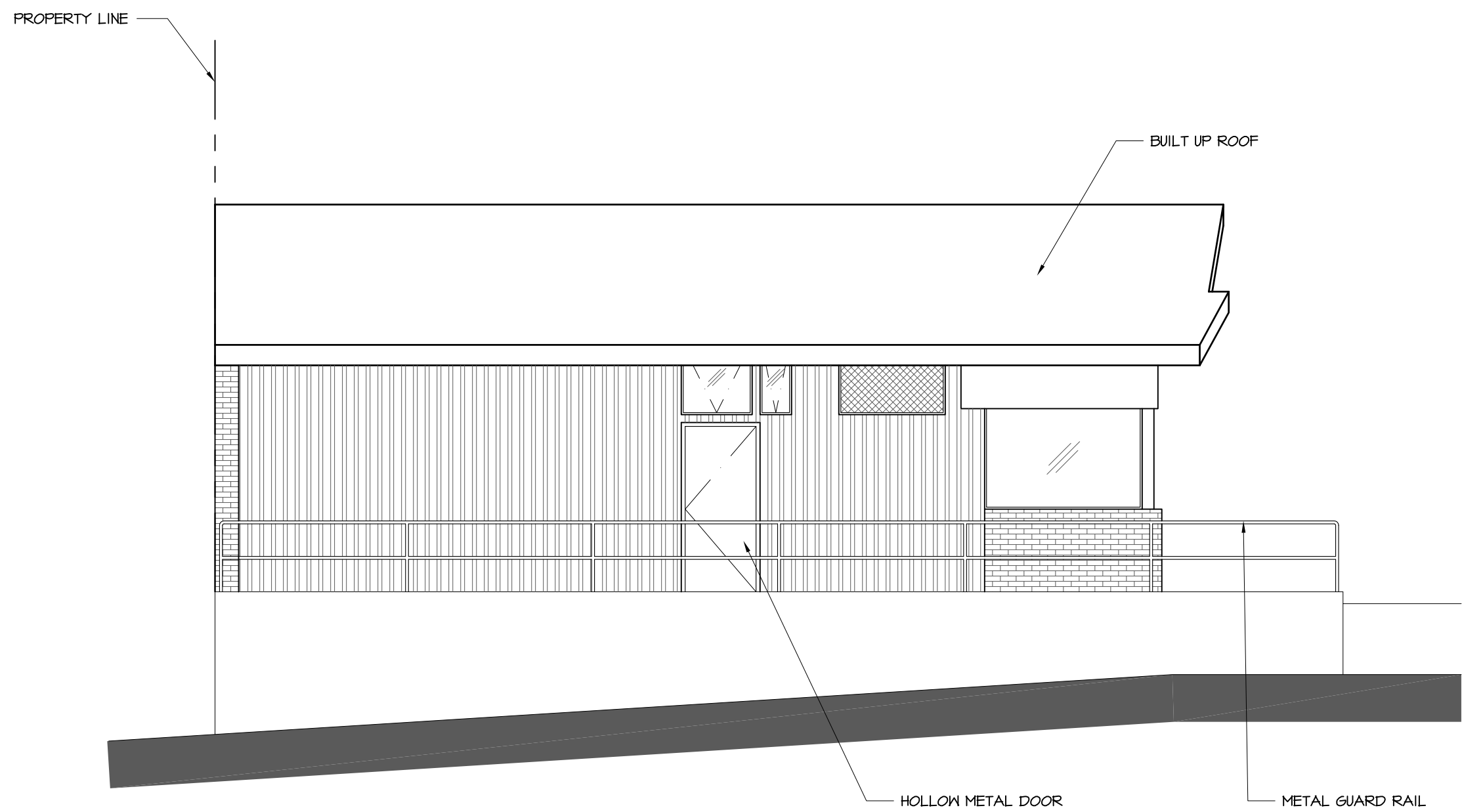
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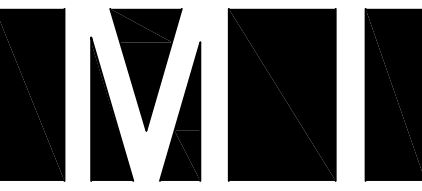
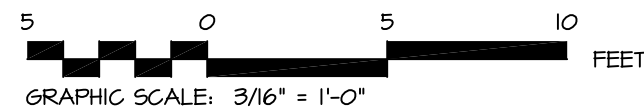
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**A** EXISTING NORTH BUILDING ELEVATION (FACING CALIFORNIA ST.)  
SCALE: 3/16" = 1'-0"



**B** EXISTING EAST BUILDING ELEVATION (FACING STEINER ST.)  
SCALE: 3/16" = 1'-0"



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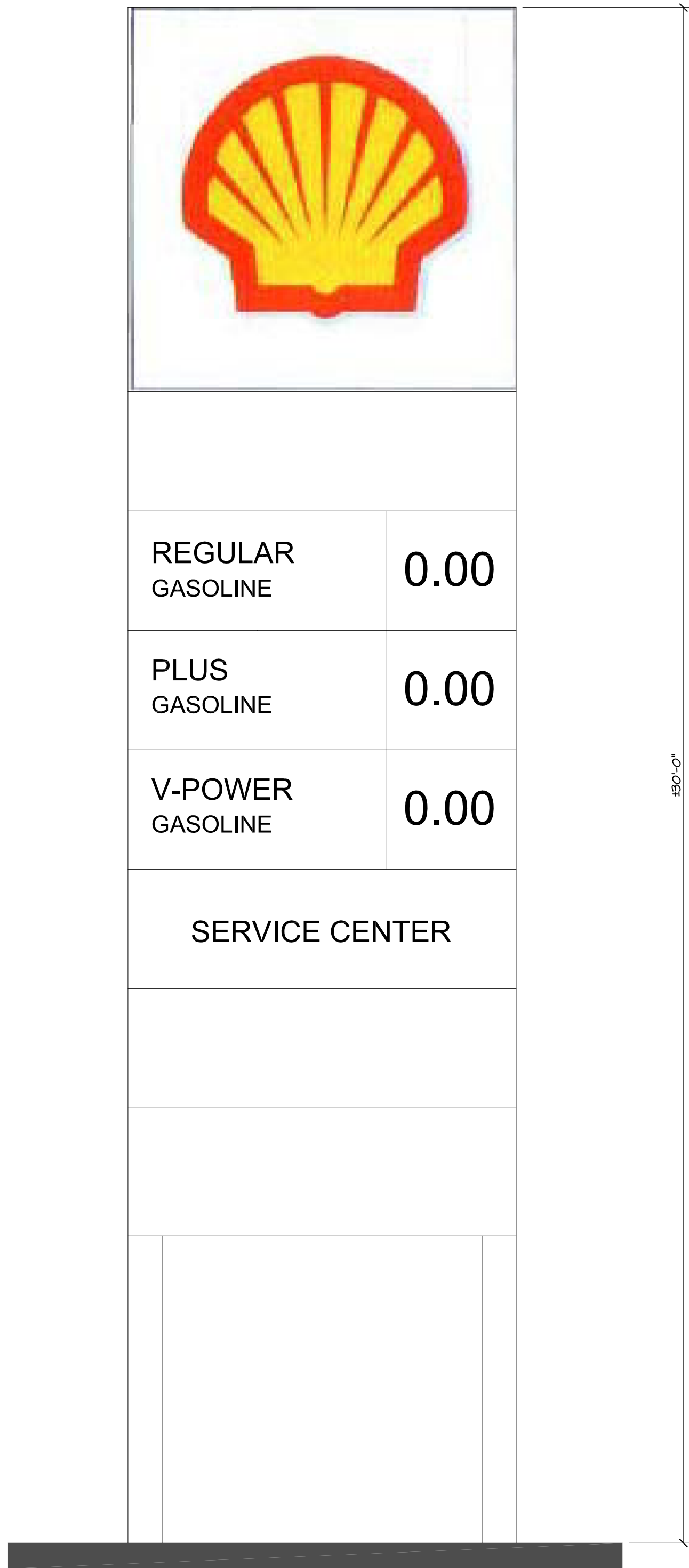
EXISTING  
BUILDING ELEVATIONS

PROJECT #: 13-5042  
DRAWN: JM CHECKED: MI  
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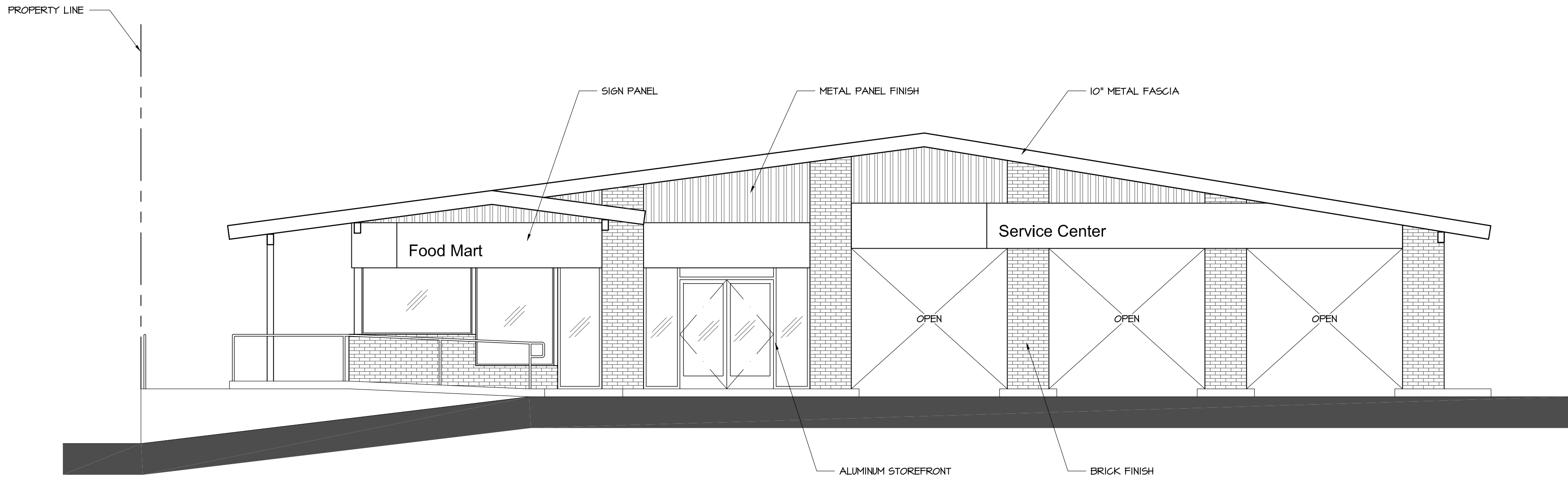
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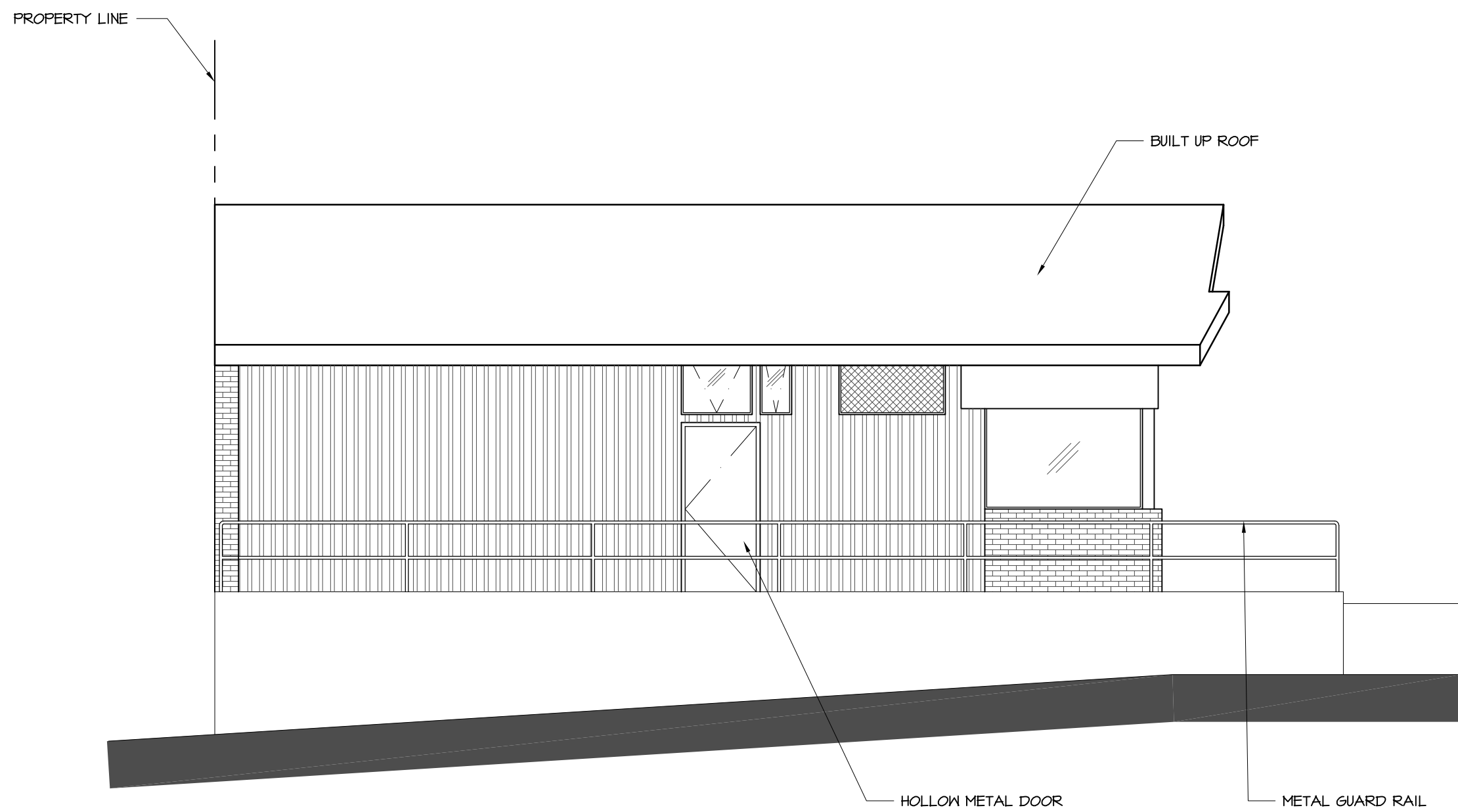
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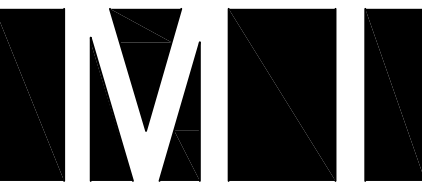
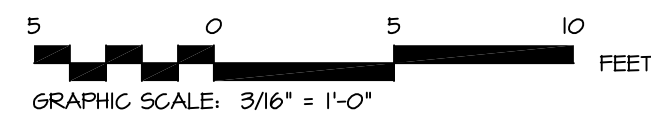
**C** EXISTING MONUMENT SIGN (FACING STEINER ST.)  
SCALE: 1/2" = 1'-0"



**A** EXISTING NORTH BUILDING ELEVATION (FACING CALIFORNIA ST.)  
SCALE: 3/16" = 1'-0"



**B** EXISTING EAST BUILDING ELEVATION (FACING STEINER ST.)  
SCALE: 3/16" = 1'-0"



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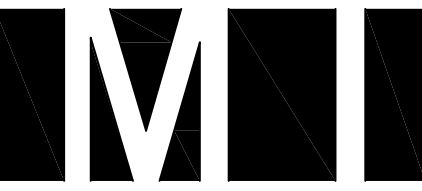
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EXISTING  
BUILDING ELEVATIONS  
PROJECT #: 13-5042  
DRAWN: JM CHECKED: MI  
SCALE: AS NOTED DATE: 08-14-13

**A2.0A**

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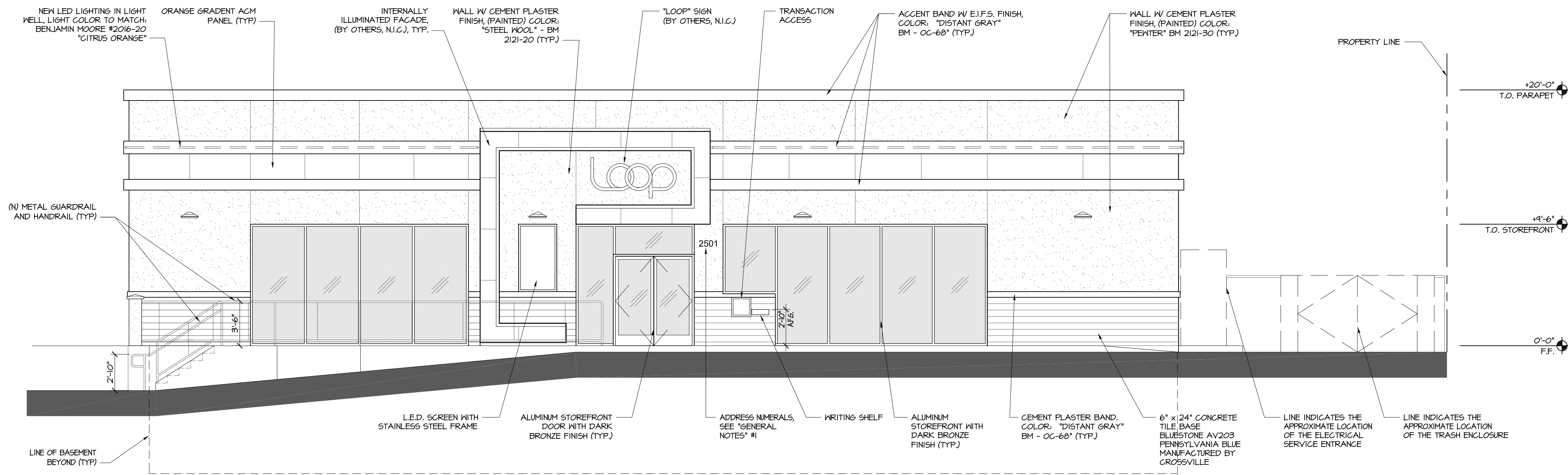
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PROPOSED  
BUILDING ELEVATIONS

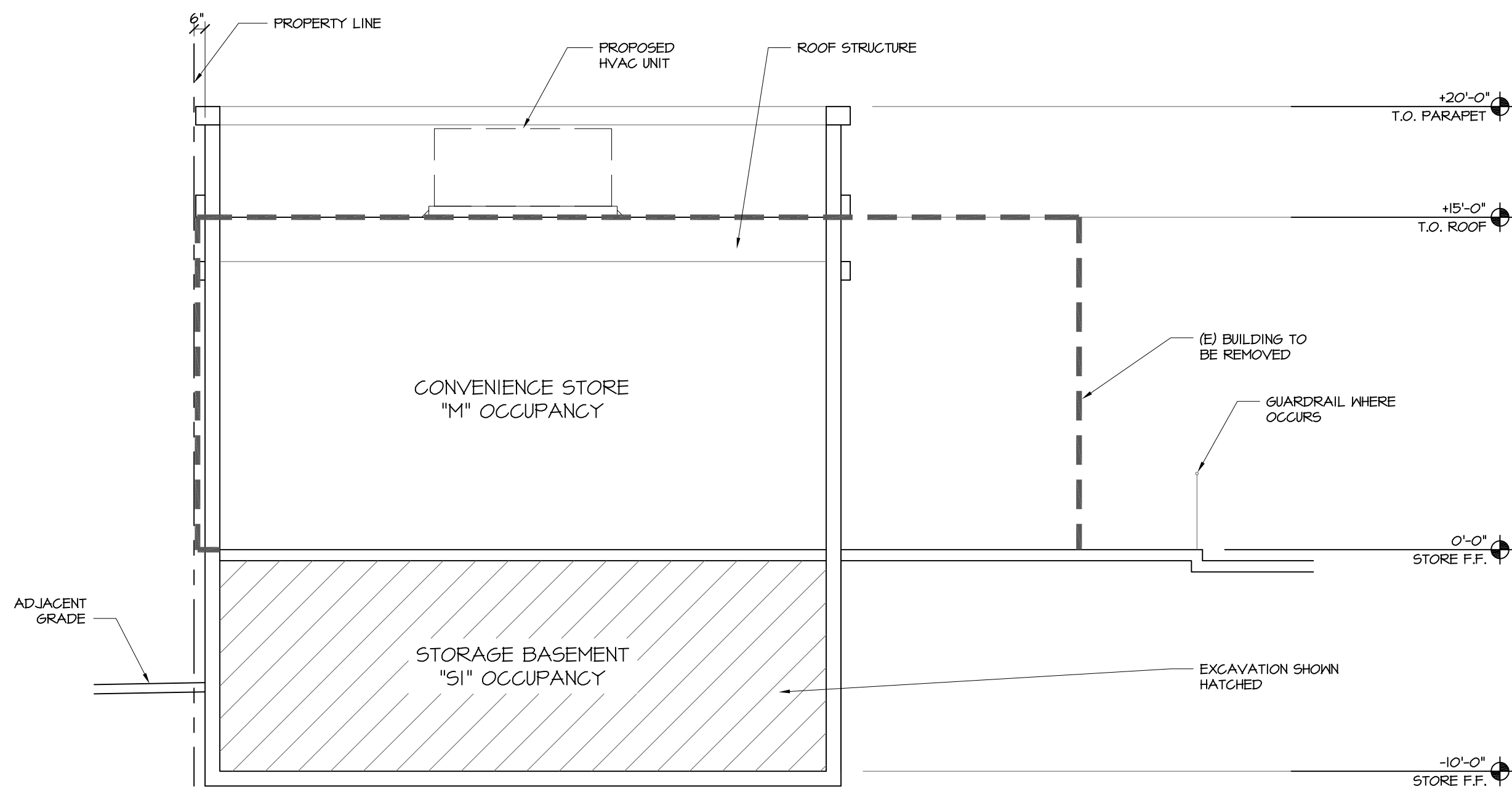
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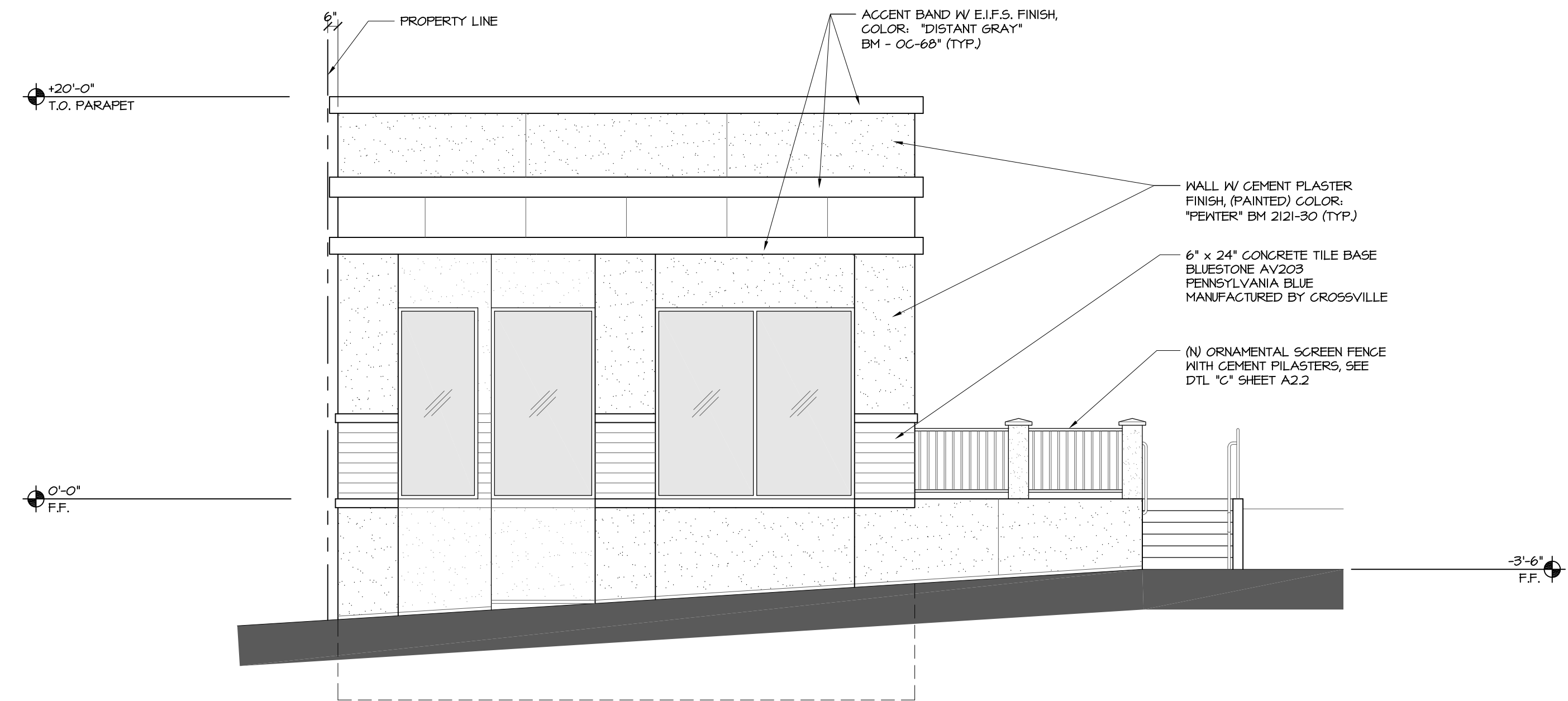
SHEET OF



**A** PROPOSED NORTH BUILDING ELEVATION (FACING CALIFORNIA ST.)  
SCALE: 3/16" = 1'-0"



**C** BUILDING SECTION C-C  
SCALE: 3/16" = 1'-0"



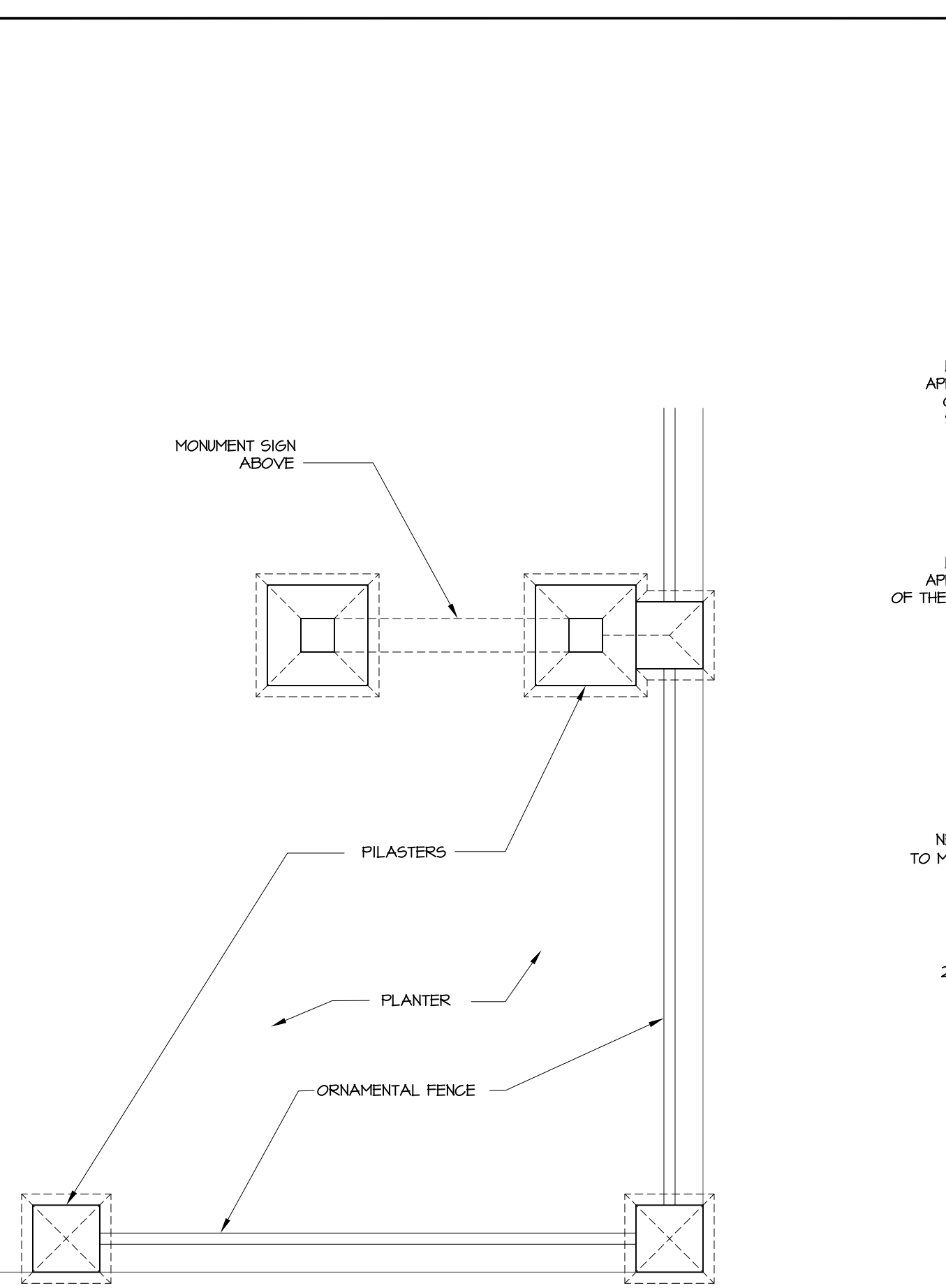
**B** PROPOSED EAST BUILDING ELEVATION (FACING STEINER ST.)  
SCALE: 3/16" = 1'-0"

5 0 5 10  
GRAPHIC SCALE: 3/16" = 1'-0"

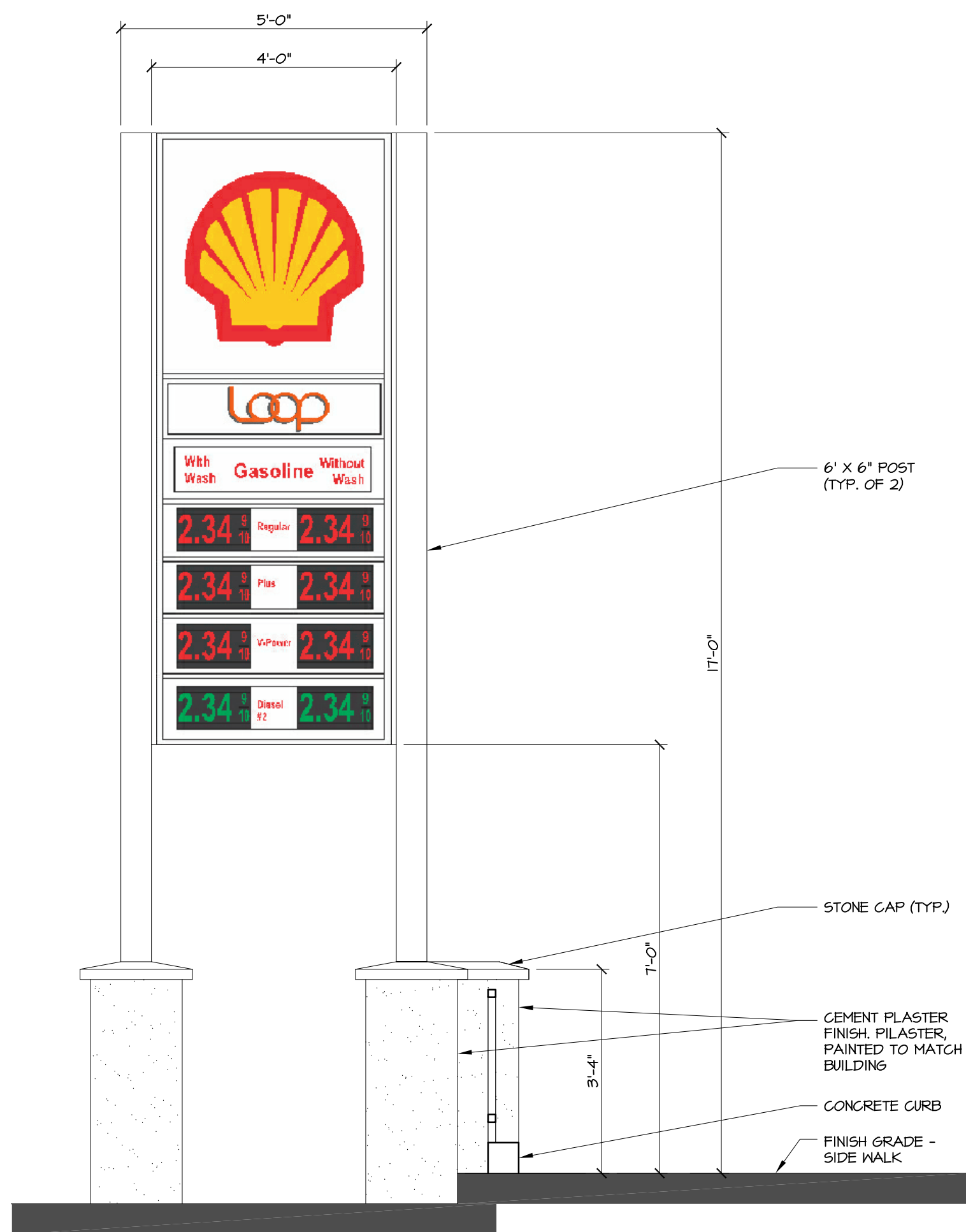
## GENERAL NOTES

- PROVIDE ILLUMINATED ADDRESS NUMERALS VISIBLE FROM THE STREET W/ CONTRASTING CHARACTERS. CHARACTERS SHALL BE MIN. 6" HIGH W/ 1" STROKE, PER FIRE DEPT. REQUIREMENTS.
- PROVIDE SHOP DRAWINGS OF STOREFRONT PRIOR TO FABRICATION. DETAILING MATERIALS, FINISHES, SIZES, PROFILES, CONNECTIONS, ETC.
- CEMENT PLASTER SHALL BE NATURAL FINISH (PAINTED), TYPICAL.
- PAINT TO BE VOC-COMPLIANT URETHANE. SEE TECHNICAL SPECIFICATIONS, SHEET SP-4.
- ALL PAINT SHALL BE APPROVED BY OWNER REPRESENTATIVE PRIOR TO APPLICATION. PREPARE SURFACE AND APPLY PAINT, PER PAINT MFR. RECOMMENDATIONS.
- PAINT ALL MECH. AND PLUMBING PENETRATIONS TO MATCH ADJACENT WALL.
- GLAZING, STOREFRONT, AND DOORS ARE TO BE (T)= TEMPERED, AS NOTED.
- A KNOX BRAND BOX SHALL BE INSTALLED ON THE PREMISES TO FACILITATE EMERGENCY ACCESS TO THE BUILDING. KNOX BOXES SHALL BE MOUNTED 5 FEET ABOVE GRADE ON THE RIGHT SIDE OF EACH MAIN ENTRANCE, PER FIRE DEPT. REQUIREMENTS.
- CEMENT PLASTER SHALL BE 7/8" OVER METAL LATH ON (2) LAYERS GRADE "D" BUILDING PAPER, PER UBC TABLE 25A-C (TYP.)
- EMERGENCY PUMP SHUT-OFF DEVICE SHALL BE WITHIN 100 FT. OF, BUT NOT LESS THAN 20 FT. FROM, THE FUEL DISPENSERS. EMERGENCY FUEL SHUT-OFF SWITCH SHALL BE MOUNTED @ 48" ABOVE GRADE. PROVIDE A PERMANENT ENGRAVED PLASTIC SIGN, VISIBLE FROM THE FUEL DISPENSERS, WHICH READS: "EMERGENCY FUEL SHUT-OFF", MINIMUM 5.5" HIGH x 8.5" WIDE, 1" HIGH LETTERING W/ 1/8" LETTER STROKE, WHITE LETTERING ON RED BACKGROUND.

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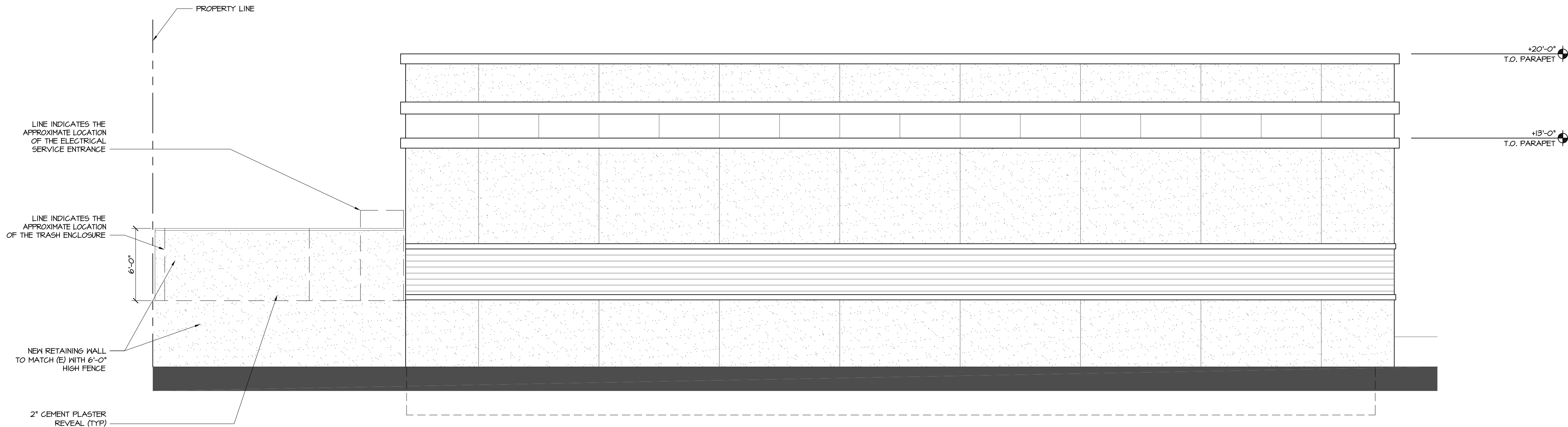


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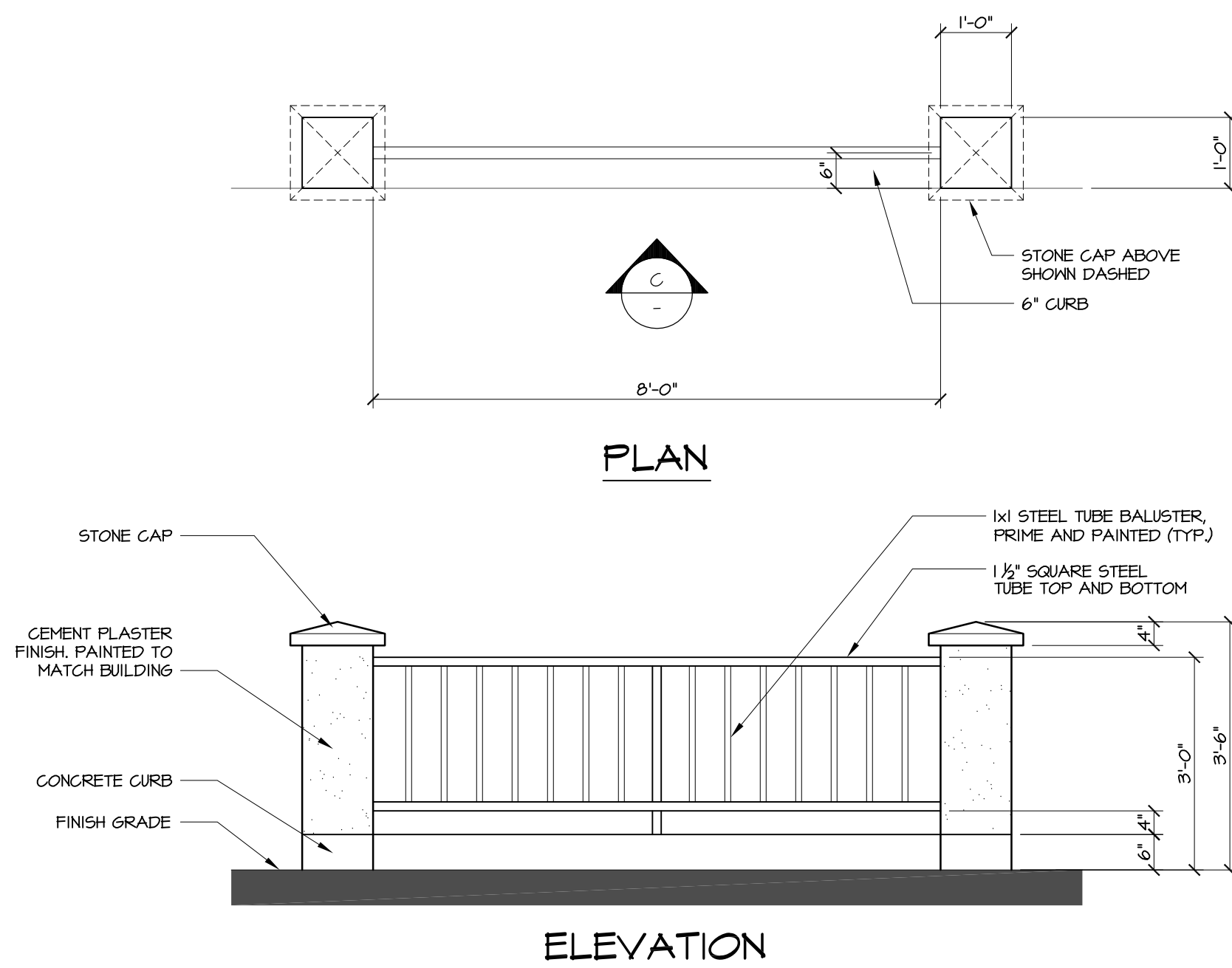


ELEVATION

**E** MONUMENT SIGN PLAN & ELEVATION  
SCALE: 1/2" = 1'-0"



**A** PROPOSED SOUTH BUILDING ELEVATION  
SCALE: 3/16" = 1'-0"



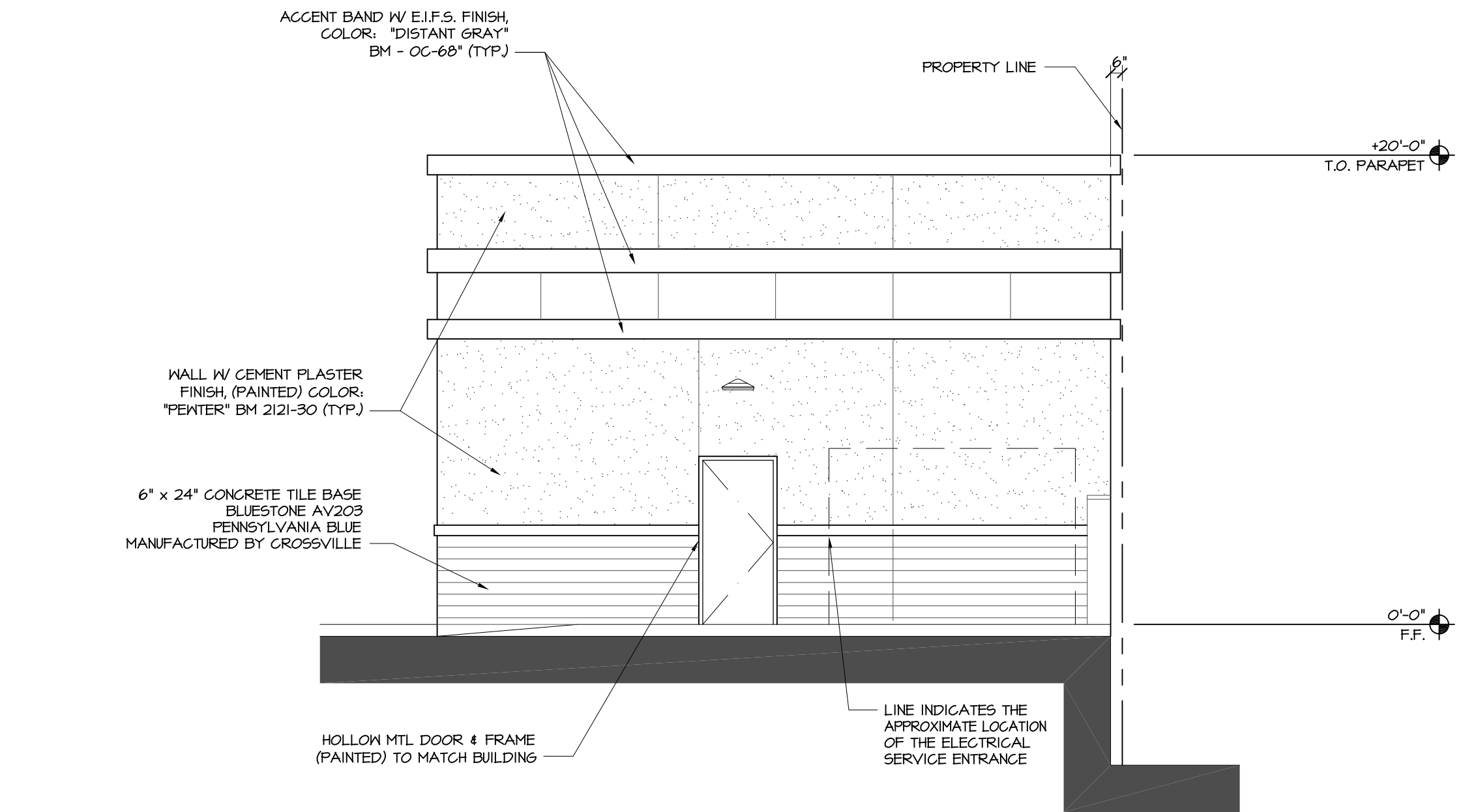
PLAN

ELEVATION

**C** PROPOSED ORNAMENTAL FENCE PLAN AND ELEVATION  
SCALE: 1/2" = 1'-0"



**D** PROPOSED BENCH  
NOT TO SCALE

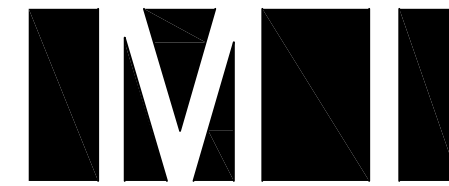


**B** PROPOSED WEST BUILDING ELEVATION  
SCALE: 3/16" = 1'-0"

## GENERAL NOTES

- PROVIDE ILLUMINATED ADDRESS NUMERALS VISIBLE FROM THE STREET W/ CONTRASTING CHARACTERS. CHARACTERS SHALL BE MIN. 6" HIGH W/ 1" STROKE, PER FIRE DEPT. REQUIREMENTS.
- PROVIDE SHOP DRAWINGS OF STOREFRONT PRIOR TO FABRICATION. DETAILING MATERIALS, FINISHES, SIZES, PROFILES, CONNECTIONS, ETC.
- CEMENT PLASTER SHALL BE NATURAL FINISH (PAINTED), TYPICAL.
- PAINT TO BE VOC-COMPLIANT URETHANE. SEE TECHNICAL SPECIFICATIONS, SHEET SP-4.
- ALL PAINT SHALL BE APPROVED BY OWNER REPRESENTATIVE PRIOR TO APPLICATION. PREPARE SURFACE AND APPLY PAINT, PER PAINT MFR. RECOMMENDATIONS.
- PAINT ALL MECH. AND PLUMBING PENETRATIONS TO MATCH ADJACENT WALL.
- GLAZING, STOREFRONT, AND DOORS ARE TO BE (T) TEMPERED, AS NOTED.
- A KNOX BRAND BOX SHALL BE INSTALLED ON THE PREMISES TO FACILITATE EMERGENCY ACCESS TO THE BUILDING. KNOX BOXES SHALL BE MOUNTED 5 FEET ABOVE GRADE ON THE RIGHT SIDE OF EACH MAIN ENTRANCE, PER FIRE DEPT REQUIREMENTS.
- CEMENT PLASTER SHALL BE 7/8" OVER METAL LATH ON (2) LAYERS GRADE "D" BUILDING PAPER, PER UBC TABLE 25A-C (TYP.)
- EMERGENCY PUMP SHUT-OFF DEVICE SHALL BE WITHIN 100 FT. OF, BUT NOT LESS THAN 20 FT. FROM, THE FUEL DISPENSERS. EMERGENCY FUEL SHUT-OFF SWITCH SHALL BE MOUNTED @ 48" ABOVE GRADE. PROVIDE A PERMANENT ENGRAVED PLASTIC SIGN, VISIBLE FROM THE FUEL DISPENSERS, WHICH READS: "EMERGENCY FUEL SHUT-OFF", MINIMUM 5.5" HIGH x 8.5" WIDE, 1" HIGH LETTERING W/ 1/8" LETTER STROKE, WHITE LETTERING ON RED BACKGROUND.

5 0 5 10  
GRAPHIC SCALE: 3/16" = 1'-0"



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1	11-20-14	REVISED PER PLANNING COMMENTS
2	04-09-15	REVISED PER PLANNING COMMENTS
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PROPOSED  
BUILDING ELEVATIONS

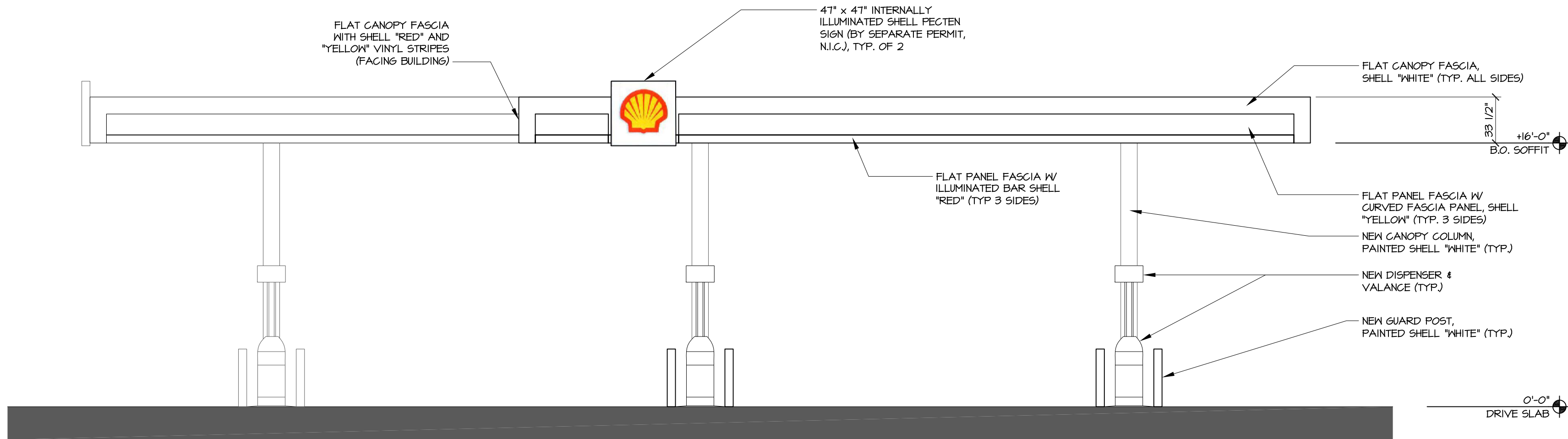
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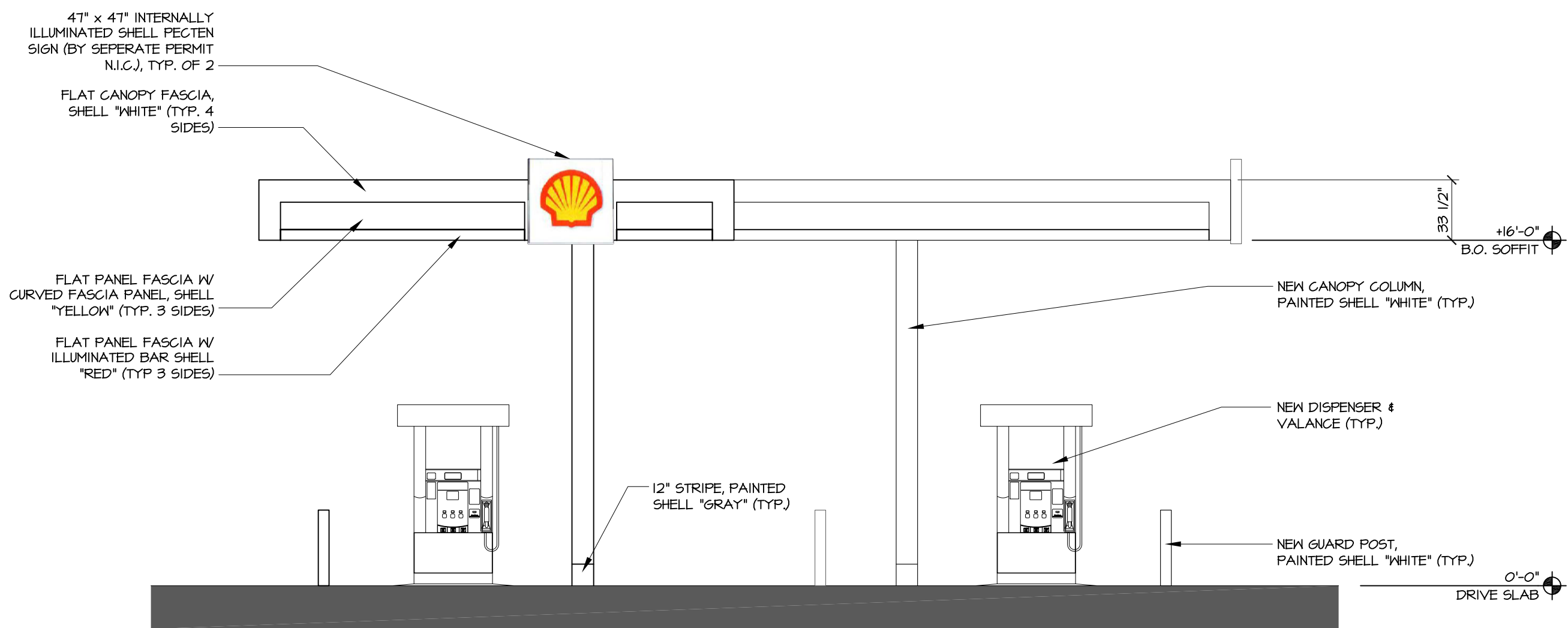
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**A NORTH CANOPY ELEVATION (FACING CALIFORNIA STREET)**  
SCALE: 3/16" = 1'-0"



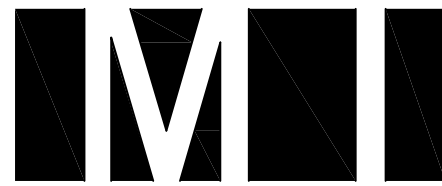
**B EAST CANOPY ELEVATION (FACING STEINER STREET)**  
SCALE: 3/16" = 1'-0"

5 0 5 10  
GRAPHIC SCALE: 3/16" = 1'-0"

NOTE:  
WALL SIGNS ARE BY SEPERATE PERMIT

### GENERAL NOTES

1. PROVIDE ILLUMINATED ADDRESS NUMERALS VISIBLE FROM THE STREET W/ CONTRASTING CHARACTERS. CHARACTERS SHALL BE MIN. 6" HIGH W/ 1" STROKE, PER FIRE DEPT. REQUIREMENTS.
2. PROVIDE SHOP DRAWINGS OF STOREFRONT PRIOR TO FABRICATION, DETAILING MATERIALS, FINISHES, SIZES, PROFILES, CONNECTIONS, ETC.
3. CEMENT PLASTER SHALL BE NATURAL FINISH (PAINTED), TYPICAL.
4. PAINT TO BE VOC-COMPLIANT URETHANE. SEE TECHNICAL SPECIFICATIONS, SHEET SP.4.
5. ALL PAINT SHALL BE APPROVED BY OWNER REPRESENTATIVE PRIOR TO APPLICATION. PREPARE SURFACE AND APPLY PAINT, PER PAINT MFR. RECOMMENDATIONS.
6. PAINT ALL MECH. AND PLUMBING PENETRATIONS TO MATCH ADJACENT WALL.
7. GLAZING, STOREFRONT, AND DOORS ARE TO BE (T)= TEMPERED, AS NOTED.
8. A KNOX BRAND BOX SHALL BE INSTALLED ON THE PREMISES TO FACILITATE EMERGENCY ACCESS TO THE BUILDING. KNOX BOXES SHALL BE MOUNTED 5 FEET ABOVE GRADE ON THE RIGHT SIDE OF EACH MAIN ENTRANCE, PER FIRE DEPT REQUIREMENTS.
9. CEMENT PLASTER SHALL BE 1/8" OVER METAL LATH ON (2) LAYERS GRADE "D" BUILDING PAPER, PER USC TABLE 25A-C (TYP)
10. EMERGENCY PUMP SHUT-OFF DEVICE SHALL BE WITHIN 100 FT. OF, BUT NOT LESS THAN 20 FT. FROM, THE FUEL DISPENSERS. EMERGENCY FUEL SHUT-OFF SWITCH SHALL BE MOUNTED @ +48" ABOVE GRADE. PROVIDE A PERMANENT ENGRAVED PLASTIC SIGN, VISIBLE FROM THE FUEL DISPENSERS, WHICH READS: "EMERGENCY FUEL SHUT-OFF", MINIMUM 5.5" HIGH x 8.5" WIDE, 1" HIGH LETTERING W/ 1/8" LETTER STROKE, WHITE LETTERING ON RED BACKGROUND.



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BUILDING ELEVATIONS

PROJECT #: 13-5042

DRAWN: JM CHECKED: MI

SCALE: AS NOTED DATE: 08-14-13

**A2.3**

SHEET

OF



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**A** PROPOSED NORTH BUILDING ELEVATION (FACING CALIFORNIA ST.)  
SCALE: 3/16" = 1'-0"



**B** PROPOSED EAST BUILDING ELEVATION (FACING STEINER ST.)  
SCALE: 3/16" = 1'-0"

5 0 5 10  
FEET  
GRAPHIC SCALE: 3/16" = 1'-0"



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PROPOSED  
BUILDING ELEVATIONS

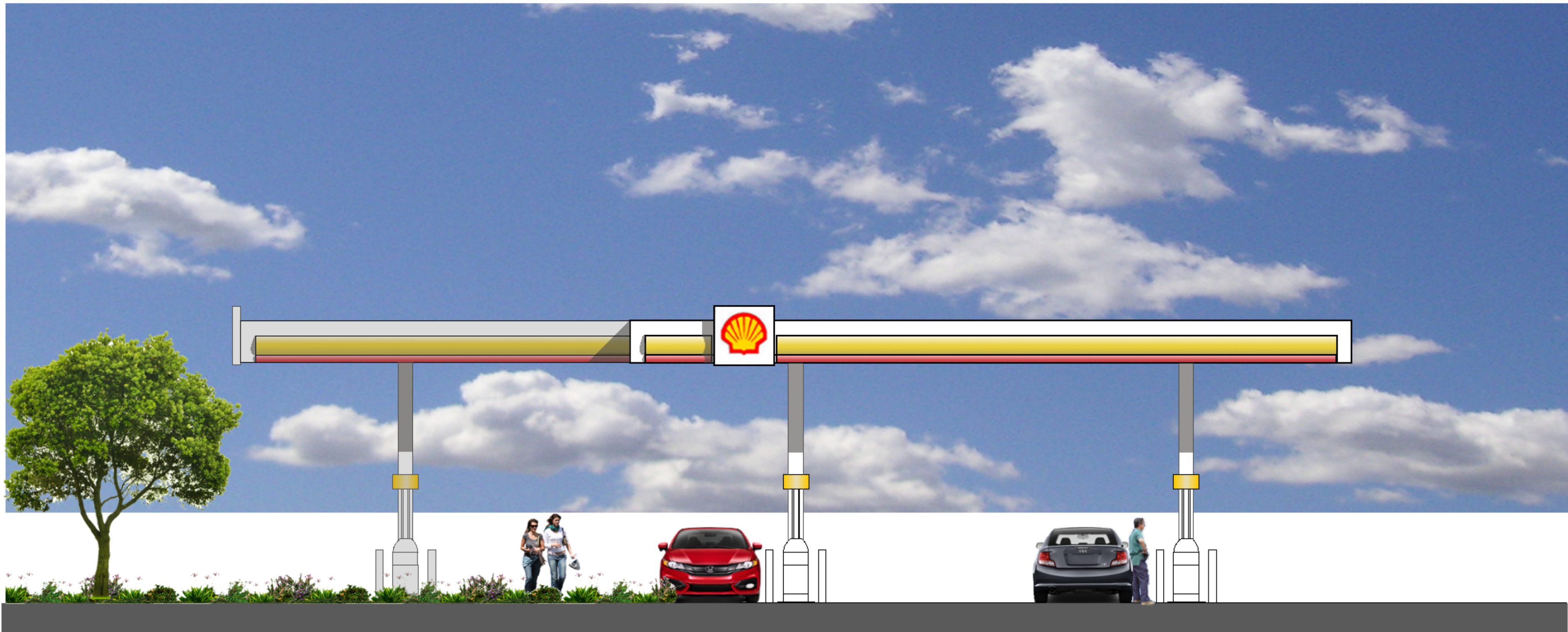
PROJECT #: 13-5042  
DRAWN: JM CHECKED: MII  
SCALE: AS NOTED DATE: 08-14-13

A2.1

SHEET OF



S:\1-Projects\13-5042 California Street SF\Drawings\Planning\Rendering\Reference\13-5042-CO2.dwg modified by mluser2 at Apr 08, 2015 - 11:28am



**A** NORTH CANOPY ELEVATION (FACING CALIFORNIA STREET)  
SCALE: 3/16" = 1'-0"



**B** EAST CANOPY ELEVATION (FACING STEINER STREET)  
SCALE: 3/16" = 1'-0"

5 0 5 10  
GRAPHIC SCALE: 3/16" = 1'-0"



*Architects*

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SHELL GAS STATION &  
"LOOP" CONVENIENCE STORE  
2501 CALIFORNIA ST.  
SAN FRANCISCO, CA 94115

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- ISSUED FOR CONSTRUCTION  
- ISSUED FOR PLAN CHECK  
11-14-15 ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

FUELING CANOPY  
ELEVATIONS  
PROJECT #: 13-5042  
DRAWN: JM CHECKED: MII  
SCALE: AS NOTED DATE: 01-12-15

CA2

SHEET OF



# AFFIDAVIT FOR Formula Retail Uses

## 1. Location and Classification

STREET ADDRESS OF PROJECT:

2501 CALIFORNIA ST.

ASSESSORS BLOCK/LOT:

0655 1 001,002,034 NCD - UPPER FILLMORE ST.

ZONING DISTRICT:

HEIGHT/BULK DISTRICT:

40-X

## 2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8):

718.40 & 718.57 (Convenience Store & Retail Gasoline Sales)

PROPOSED BUSINESS NAME:

Shell Gas Station and "Loop" Convenience Store

DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES:

See attached "Written Description"

BUILDING PERMIT APPLICATION NO.: (if applicable)

PLANNING DEPARTMENT CASE NO.: (if applicable)

## 3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are there worldwide? Please include any property for which a land use permit or entitlement has been granted.	12
3.b	How many of the above total locations are in San Francisco?	2

If the number entered on Line 3.a above is 11 or more, then the proposed use *may* be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.a above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

## 4. Standardized Features

Will the proposed business use any of the following Standardized Features?

	FEATURES	YES	NO
A	Array of Merchandise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Trademark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Servicemark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Décor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E	Color Scheme	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Façade	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G	Uniform Apparel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H	Signage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	TOTAL	7	1

Enter the total number of Yes/No answers above.

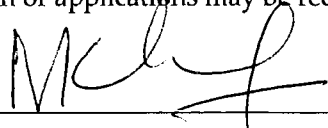
If the total YES responses are **two (2) or more**, then the proposed use is a Formula Retail Use.

5. Applicant's Affidavit

NAME: <u>Alt Energy, LLC / Mr. Nick Goyal</u>		<input checked="" type="checkbox"/> Property Owner	<input type="checkbox"/> Authorized Agent
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) <u>41805 Albrae St., 2nd Flr., Fremont CA 94538</u>			
PHONE: <u>(650) 868-7454</u>	EMAIL: <u>nick@vintnersdist.com</u>		

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

\* Applicant's Signature:  \* Date: 3/13/15

**PLANNING DEPARTMENT USE ONLY**

PLANNING CODE SECTION(S) APPLICABLE:

HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?

- ☐ Principally Permitted
- ☐ Principally Permitted, Neighborhood Notice Required (Section 311/312)
- ☐ Not Permitted
- ☐ Conditional Use Authorization Required

COMMENTS:

VERIFIED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Phone: \_\_\_\_\_



**SAN FRANCISCO  
PLANNING  
DEPARTMENT**

**FOR MORE INFORMATION:**

Call or visit the San Francisco Planning Department

**Central Reception**

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

TEL: **415.558.6378**

FAX: **415 558-6409**

WEB: <http://www.sfplanning.org>

**Planning Information Center (PIC)**

1660 Mission Street, First Floor  
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.  
No appointment is necessary.*



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(925) 878-9875

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muthana@miarchitect.com

Website:  
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### WRITTEN DESCRIPTION FOR:

#### **Shell Gas Station & "Loop" Convenience Store w/ Storage Basement 2501 California Street, San Francisco, CA 94115**

On behalf of our Client AU Energy, LLC, we are submitting the Conditional Use Authorization permit application for the redevelopment of the above referenced gas station. The project scope of the work consists of demolishing the existing +/- 1,684 sf. Fueling Canopy covering three (3) fuel dispensers, demolishing the existing +/- 2,226 sf. Auto Service / Food Mart building containing approximately +/- 642 sf. of retail space, remove three (3) existing Underground Storage Tanks & the associated underground piping, remove the aboveground vent risers & associated EVR equipment. Two (2) existing driveways will remain and one (1) driveway along the Steiner Street frontage will be relocated to accommodate the proposed Convenience Store & Fueling Canopy locations and improve on-site circulation. The proposed scope of work for the facility consists of constructing a new 2,309 sf. Convenience Store w/ a 1,720 sf. Storage Basement, constructing a new 2,584 sf. Fueling Canopy covering five (5) new fuel dispensers, installing two (2) new Underground Storage Tanks, install new aboveground vent riser w/ Veeder-Root Carbon Canister EVR equipment. The site improvements include: parking stalls, accessible path of travel to the right-of-way, masonry trash enclosure, site lighting, landscaping & self-service air & water equipment.

- **ITEMS TO BE SOLD AT THIS FACILITY:** The gas station will sell gasoline, the Convenience Store Food Mart will sell mostly pre-packaged food items, sundry items, some automobile accessories (i.e.- air fresheners, cell phone accessories, anti-freeze, motor oil, etc.) self-service beverages, fresh and/or pre-packaged pastries & can and/or bottles of soda, water & sports/energy drinks. There will be NO cooking or preparing of food or beverages. **EMPLOYEES:** Currently there are (4) employee for the Snack shop and (2) for the service bays. The proposed gas station will have (4) full time employees per shift, (1) manager and (1) assistant manager. There will be (3) shifts per day. Total employee is (14) full time employees five days a week and (12) part-time employees two days a week.
- **HOURS OF OPERATION:** The current hours of operation of the gas station and food mart are: 24 hours per day, 7days a week, 365 days per year. The proposed hours of operation are 6:00 am to 2:00 am, 7 days a week, 365 days a year.
- **FUEL DELIVERY:** The fuel delivery truck will make deliveries 5 times / week. There will be truck deliveries to the Convenience Store 1 time / week.
- **SITE LIGHTING:** The exterior lighting levels will be enough to ensure the safety of the facility, but to not provide glare or excessive light spillage onto adjacent properties or the public right-of-way. The proposed exterior light fixtures will be LED, down-lit and fully shielded to avoid potential glare toward the street or adjacent properties.
- **LOT MERGER:** The project include combining the (3) parcels into (1) parcel. We will process a lot merger after the approval of the planning entitlement and before the building occupancy.
- **GREEN BUILDING:** This facility will be designed to meet & exceed the City & County of San Francisco Green Building Code.

Please don't hesitate to call, if you have any questions. I can be reached at (925) 287-1174 x1.

Sincerely,

*Muthana Ibrahim*

Architect, President  
**M I Architects, Inc.**

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