



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** March 10, 2016  
**TO:** San Francisco Planning Commission  
**FROM:** Chelsea Fordham, Planning Department, MEA  
**RE:** Appeal of Preliminary Mitigated Negative Declaration for  
1066 Market Street, Assessor's Block 0350, Lot 003,  
Planning Department Case No. 2013.1753E

**HEARING DATE:** March 17, 2016

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

An appeal has been received concerning a preliminary mitigated negative declaration for the following project:

**Case No. 2013.1753E – 1066 Market Street:** The 1066 Market Street Project (proposed project) is a multi-family residential development project with ground floor retail space located within the Downtown Plan Area at 1066 Market Street (Assessor's Block 0350, Lot 003) in the Downtown/Civic Center neighborhood in the City and County of San Francisco. The project site is bounded by Golden Gate Avenue to the north, a three-story building and Market Street to the south, Jones Street to the west, and a two-story commercial building (1028 Market Street, also proposed for development) to the east. The project site is "L"-shaped and approximately 27,310 square feet in size (about 0.63 acre). The project site is currently occupied by a two-story, 5,066-gross square foot (gsf) vacant commercial building and an adjoining 23,419 gsf surface parking lot with 102 vehicle parking spaces.

The proposed project involves the demolition of the existing building and parking lot and construction of a new 12-story, 120-foot-tall, approximately 297,950 gsf residential building with ground-floor retail space and two levels of subterranean parking. The mixed-use building would provide approximately 304 dwelling units and 4,540 gsf of ground-floor commercial retail space. Residential amenities would include a lounge, lobby, and fitness center. The project would provide Class 1 bicycle storage for 304 bicycles on the ground floor. The 41,360 gsf subterranean parking area would provide 102 vehicle parking spaces. The proposed project would include 12,333 square feet of common useable open space in the form of an open-air courtyard and two roof terraces on the 13<sup>th</sup> floor. The proposed project also would include new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street, including 18 Class 2 bicycle parking spaces landscaping in compliance with the Better Streets Plan.

This matter is calendared for public hearing on March 17, 2016. Enclosed are the appeal letter, the staff response, the mitigated negative declaration, and the draft motion.

If you have any questions related to this project's environmental evaluation, please contact me at (415) 575-9071 or [Chelsea.Fordham@sfgov.org](mailto:Chelsea.Fordham@sfgov.org).

Thank you.

Memo



# SAN FRANCISCO PLANNING DEPARTMENT

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## Appeal of Preliminary Mitigated Negative Declaration Executive Summary

HEARING DATE: March 17, 2016

*Date:* March 10, 2016  
*Case No.:* **2013.1753E**  
*Project Address:* 1066 Market Street  
*Zoning:* Downtown General Commercial (C-3-G) Zoning District  
120-X Height and Bulk District  
*Block/Lot:* 0350/003  
*Project Sponsor:* Julie Burdick – (415) 772-7142  
Shorenstein Residential, LLC  
*Staff Contact:* Chelsea Fordham– (415) 575-9071  
Chelsea.Fordham@sfgov.org

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### COMMISSION ACTION:

Consider whether to uphold staff's decision to prepare a Mitigated Negative Declaration (MND) under the California Environmental Quality Act (CEQA), or whether to overturn that decision and require the preparation of an Environmental Impact Report due to specified potential significant environmental effects of the proposed project.

### PROJECT DESCRIPTION:

The 1066 Market Street Project (proposed project) is a multi-family residential development project with ground-floor retail space located within the Downtown Plan Area at 1066 Market Street (Assessor's Block 0350, Lot 003) in the Downtown/Civic Center neighborhood in the City and County of San Francisco. The project site is bounded by Golden Gate Avenue to the north, a three-story building and Market Street to the south, Jones Street to the west, and a two-story commercial building to the east.

The project site is "L"-shaped and approximately 27,310 square feet in size (about 0.63 acre). The project site is currently occupied by a two-story, 5,066-gross square foot (gsf) vacant commercial building and an adjoining 23,419 gsf surface parking lot with 102 vehicle parking spaces and landscaping in compliance with the Better Streets Plan.

The proposed project involves the demolition of the existing building and parking lot and construction of a new 12-story, 120-foot-tall, approximately 297,950 gsf residential building with ground floor retail space and two levels of subterranean parking. The mixed-use building would provide approximately 304 dwelling units and 4,540 gsf of ground-floor commercial retail space. Residential amenities would include a lounge, lobby, and fitness center. The project would provide Class 1 bicycle storage for 304 bicycles on the ground floor. The 41,360 gsf subterranean parking area would provide 102 vehicle parking spaces. The proposed project would include 12,333 square feet of common useable open space in the form of an open-air courtyard and two roof terraces on the 13<sup>th</sup> floor. The proposed project also would include

new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street, including 18 Class 2 bicycle parking spaces.

**ISSUES:**

The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) on January 13, 2016, and received an appeal letter from Sue Hestor, San Franciscans for reasonable Growth on February 2, 2016, appealing the determination to issue a MND. The appeal letter states that the PMND fails to adequately address the following issues:

1. Cumulative population and housing impacts of market-rate housing and hotel development in the Mid-Market area.
2. Potential Rezoning of the project site as part of the Mid-Market Arts & Education Special Use District (Mid-Market SUD) proposal.
3. Project information requests in regards to the proposed project and cumulative development projects including; income levels of potential tenants, potential sale price of future units, or rental prices of the units.

No other comments (not appeals of the PMND) were received. All of the issues raised in the Appeal Letter and other comments have been addressed in the attached materials, which include:

1. A draft Motion upholding the decision to issue a MND;
2. Exhibit A to draft Motion, Planning Department Response to the Appeal Letter;
3. Appeal Letter;
4. PMND and Initial Study.

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the motion to uphold the PMND. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of an Environmental Impact Report. By upholding the PMND (as recommended), the Planning Commission would not prejudge or restrict its ability to consider whether the proposed project's uses or design is appropriate for the neighborhood.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion [XXXX]

HEARING DATE: March 17, 2016

*Hearing Date:* March 17, 2015  
*Case No.:* **2013.1753E**  
*Project Address:* **1066 Market Street**  
*Zoning:* Downtown General Commercial (C-3-G) Zoning District  
120-X Height and Bulk District  
*Block/Lot:* 0350/003  
*Project Sponsor:* Julie Burdick – (415) 772-7142  
Shorenstein Residential, LLC  
San Francisco, CA 94XXX  
*Staff Contact:* Chelsea Fordham – (415) 575-9071  
Chelsea.Fordham@sfgov.org

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**ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2013.1753E FOR THE PROPOSED DEVELOPMENT ("PROJECT") AT 1066 MARKET STREET.**

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby AFFIRMS the decision to issue a Mitigated Negative Declaration, based on the following findings:

1. On February 12, 2014, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.
2. On January 13, 2016, the Department determined that the Project, as proposed, could not have a significant effect on the environment.
3. On January 13, 2016, a notice of determination that a Mitigated Negative Declaration would be issued for the Project was duly published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration posted in the Department offices, and distributed all in accordance with law.
4. On February 2, 2016, an appeal of the decision to issue a Mitigated Negative Declaration was timely filed by Sue Hestor for San Franciscans for Reasonable Growth.
5. A staff memorandum, dated March 10, 2016, addresses and responds to all points raised by appellant in the appeal letter. That memorandum is attached as Exhibit A and staff's findings as to those points



are incorporated by reference herein as the Commission's own findings. Copies of that memorandum have been delivered to the City Planning Commission, and a copy of that memorandum is on file and available for public review at the San Francisco Planning Department, 1660 Mission Street, Suite 500.

6. On March 17, 2016, the Commission held a duly noticed and advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.
7. All points raised in the appeal of the Preliminary Mitigated Negative Declaration at the February 2, 2016 City Planning Commission hearing have been responded to either in the Memorandum or orally at the public hearing.
8. After consideration of the points raised by appellant, both in writing and at the March 17, 2016 hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.
9. In reviewing the Preliminary Mitigated Negative Declaration issued for the Project, the Planning Commission has had available for its review and consideration all information pertaining to the Project in the Planning Department's case file.
10. The Planning Commission finds that Planning Department's determination on the Mitigated Negative Declaration reflects the Department's independent judgment and analysis.

The City Planning Commission HEREBY DOES FIND that the proposed Project, could not have a significant effect on the environment, as shown in the analysis of the Mitigated Negative Declaration, and HEREBY DOES AFFIRM the decision to issue a Mitigated Negative Declaration, as prepared by the San Francisco Planning Department.

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission on March 17, 2016.

Jonas Ionin

Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

## **Exhibit A**

### **Planning Department Response to the Appeal Letter**



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Exhibit A to Draft Motion Planning Department Response to Appeal of Preliminary Mitigated Negative Declaration

CASE NO. 2013.1753E – 1066 MARKET STREET PUBLISHED ON JANUARY 13, 2016

### BACKGROUND

An environmental evaluation application (2013.1753E) for the proposed project at 1066 Market Street (Assessor's Block 0350, Lot 003) was filed on behalf of Julie Burdick, Shorenstein Residential LLC on February 12, 2014 for a proposal to develop a multi-family residential project with ground-floor retail space located within the Downtown Plan Area at 1066 Market Street (Assessor's Block 0350, Lot 003) in the Downtown/Civic Center neighborhood in the City and County of San Francisco. The project site is bounded by Golden Gate Avenue to the north, a three-story building and Market Street to the south, Jones Street to the west, and a two-story commercial building to the east.

The project site is "L"-shaped and approximately 27,310 square feet in size (about 0.63 acre). The project site is currently occupied by a two-story, 5,066-gross square foot (gsf) vacant commercial building and an adjoining 23,419 gsf surface parking lot with 102 vehicle parking spaces.

The proposed project involves the demolition of the existing building and parking lot and construction of a new 12-story, 120-foot-tall, approximately 297,950 gsf residential building with ground-floor retail space and two levels of subterranean parking. The mixed-use building would provide approximately 304 dwelling units and 4,540 gsf of ground-floor commercial retail space. Residential amenities would include a lounge, lobby, and fitness center. The project would provide Class 1 bicycle storage for 304 bicycles on the ground floor. The 41,360 gsf subterranean parking area would provide 102 vehicle parking spaces. The proposed project would include 12,333 square feet of common useable open space in the form of an open-air courtyard and two roof terraces on the 13<sup>th</sup> floor. The proposed project also would include new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street, including 18 Class 2 bicycle parking spaces and landscaping in compliance with the Better Streets Plan. The project would require Downtown Project Authorization and a Conditional Use Authorization.

A Preliminary Mitigated Negative Declaration (PMND) was published on January 13, 2016. On February 2, 2016, Sue Hestor for San Franciscans for Reasonable Growth filed a letter appealing the PMND. The concerns listed below are summarized from the appeal letter, copies of which are included within this appeal packet. The concerns are listed in the order presented in the appeal letter.

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The concerns, listed below by environmental topic, are summarized from the appeal letter and comments received, copies of which are included within this appeal packet.

## COMPATIBILITY WITH EXISTING ZONING AND PLANS

### **ZONING AND PLANS CONCERN 1: The appellant states that the Mid-Market Arts & Education Special Use District (Mid-Market SUD) was not adequately discussed in the 1066 Market Street PMND.**

The appellant's letter states:

The rezoning of this area of Mid-Market - which is the subject of a PMND issued AFTER that for 1066 Market in conjunction with development of 950 Market Street -needs to be discussed in conjunction with the 1066 Market project. It is ridiculous and an understatement to gloss this over by stating the "Mid-Market Area, which has been the focus of a concentrated revitalization effort resulting in a number of new construction projects" - p. 8

### **RESPONSE TO COMPATIBILITY WITH EXISTING PLANS AND POLICIES CONCERN 1:**

The Preliminary Mitigated Negative Declaration (PMND) for the 1066 Market Street project stated that the project site is located within the potential (but not adopted) Mid-Market Arts & Education Special Use District (Mid-Market SUD) (see pages 14, 55, and 108 of the PMND). The 1066 Market Street project site is located within the Downtown General Commercial (C-3-G) zoning district, and a 120-X height and bulk district. The Mid-Market SUD was considered in order to encourage the development of arts and education uses on qualifying sites within the SUD. It would apply to parcels fronting Market Street between 5th and 8th Streets and, if approved, would provide a two-to-one floor area ratio (2:1 FAR) bonus to projects that include arts activities and education space. The Mid-Market Arts and Arts Education Special Height and Bulk District within the Mid-Market SUD would, if approved, permit height exceptions of up to a maximum building height of 200 feet at 950–974 Market Street, and 120 feet at 1089 Market Street and 1053–1055 Market Street for projects that obtain an FAR exemption pursuant to the Mid-Market SUD. The Planning Department has surveyed the properties that would be eligible to utilize the density and height bonuses defined in the potential Mid-Market SUD and Special Height and Bulk District and currently no properties within the SUD area have applied to utilize the density and height bonuses, including the proposed project. As such, the Planning Department, Mayor's Office or Board of Supervisors has not sought approvals for the proposed Mid-Market SUD and Special Height and Bulk District legislation. Accordingly, the project description for the Mid-Market Arts and Arts Education Special Use and Special Height and Bulk Districts and the 950- 974 Market Street PMND has changed and the Planning Department is issuing a new environmental determination.

Even if the Mid-Market SUD and/or Special Height and Bulk District were to be approved, they would not affect the proposed 1066 Market Street project because (1) this project does not include arts or education space and thus would not qualify for an FAR bonus; and (2) the project site is not one of the three properties that could obtain a height increase in conjunction with an FAR bonus. Therefore, the PMND adequately discussed and analyzed the potential Mid-Market SUD and Special Height and Bulk District as they apply to the proposed 1066 Market Street project level and cumulative analyses. The PMND accurately analyzed the proposed project, and confirmed that the project sponsor is not seeking the potential Mid-Market SUD zoning for the project. The PMND concluded that the proposed project is consistent with existing applicable zoning. The discussion on page 8 of the PMND acknowledges that the Mid-Market area has been the focus of a concentrated revitalization effort recently with considerable renovation and construction activity. This discussion (on PMND page 8) is however not referring to the potential Mid-Market SUD or its possible application to the proposed project.

## POPULATION AND HOUSING

**POPULATION AND HOUSING CONCERN 1: The appellant states that the PMND is insufficient with respect to discussing cumulative development of market-rate housing, and displacement of low-income residents in both the Tenderloin and South of Market (SoMa) neighborhoods. The appellant states that the discussion of income levels of potential future residents of the proposed project and other identified cumulative projects in the population and housing impact discussion is inadequate.**

The appellant's letter states:

The basic reason the 1066 Market PMND must be rewritten is because it includes insufficient discussion of cumulative development of market rate housing. That housing -of which 1066 Market is an integral part - is decimating and pushing out the existing low income housing community in both the Tenderloin and South of Market. Throughout the grossly insufficient discussion of this area, the people, particularly the low-income people are ignored. The discussion is dry and misses the point. Employment growth is set out on page 17 with numbers without any analysis of the income level of the people that are part of that growth. How San Francisco has rapidly shifted in income disparity, with new housing (except for the minimum needed affordable housing on site) priced at levels for new high income residents.

## RESPONSE TO POPULATION AND HOUSING CONCERN 1:

The PMND, **Impact C-PH**, page 18 evaluated the cumulative impacts on population and housing as a result of the proposed project in combination with any past, present, and reasonably foreseeable projects in vicinity of the project area. Cumulative population and housing impacts were evaluated in the context of consistency with *Plan Bay Area*. *Plan Bay Area* is the current regional transportation plan and Sustainable Communities Strategy that was adopted by Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) in July 2013, in compliance with California's governing greenhouse gas reduction legislation, Senate Bi11 375. *Plan Bay Area* calls for an increasing percentage of Bay Area growth to occur as infill development in areas with good transit access and where services necessary to daily living are provided in proximity to housing and jobs. With its abundant transit service and mixed-use neighborhoods, San Francisco is expected to accommodate an increasing share of future regional growth. Therefore, the *Plan Bay Area* projections represent the context for cumulative analyses and housing and employment growth. The PMND determined that the proposed project is consistent with the projections in *Plan Bay Area*.

The PMND identified all past, present, and reasonably foreseeable projects, including all market-rate residential development projects within one-quarter mile of the project site, including 950-974 Market Street (250 dwelling units), 1028 Market Street (186 dwelling units), 1125 Market Street (150 dwelling units), 1055 Market Street (hotel development), 1075 Market Street (90 dwelling units), 121 Golden Gate Avenue (90 affordable senior dwelling units), 180 Jones Street/181 Turk Street (37 dwelling units), and 168 Eddy Street (103 affordable dwelling units), which when combined altogether would add approximately 2,483 new residents within 1,079 new dwelling units in Census Tract 125.01 (the census tract where the proposed project is located).<sup>1</sup> Overall, these approved and proposed projects when combined with the proposed 1066 Market Street project (304 dwelling units and 736 residents), would add 3,219 new residents and 1,439 dwelling units in this census tract, which would represent a residential population increase of 60.3 percent and an occupied dwelling unit increase of 83.1 percent in this census tract. All of the proposed market-rate projects (including the proposed project) would be required to pay an affordable housing in-lieu fee or provide a percentage of the total number of units, either on-site or off-site, as affordable units.

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<sup>1</sup> Assumes 2.42 persons per household for 229 Ellis Street (18 dwelling units), 180 Jones Street/181 Turk Street (37 dwelling units), 168 Eddy Street (103 dwelling units), 950-974 Market Street (250 dwelling units), 1028 Market Street (186 dwelling units), 19-25 Mason Street (155 dwelling units), 1075 Market (90 dwelling units), and 1125 Market (150 dwelling units). Assumes 1.00 person per household for 121

Over the last several years, supply of housing has not met demand within San Francisco. In July 2013, ABAG projected overall regional housing needs in the Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022. The jurisdictional need of San Francisco for 2014-2022 is 28,869 dwelling units, consisting of 6,234 dwelling units within the very low income level (0-50 percent of Area Median Income, or AMI), 4,639 within the low income level (51-80 percent of AMI), 5,460 within the moderate income level (81-120 percent of AMI), and 12,536 within the above-moderate income level (120 percent plus of AMI).<sup>2</sup> These numbers are consistent with the development pattern identified for San Francisco in Plan Bay Area.<sup>3</sup> As part of the planning process for *Plan Bay Area*, San Francisco identified Priority Development Areas, which are areas where new development would support the day-to-day needs of residents and workers in a pedestrian-friendly environment that would be served by transit. Census Tract 125.01 is within a Priority Development Area (PDA). Additionally, none of the above listed cumulative projects would demolish existing housing, resulting in a cumulative impact to direct displacement due to the removal of housing. Planning Code Section 317 also requires that the removal of any dwelling unit is subject to Mandatory Discretionary review to be reviewed and approved by the Planning Commission. Additionally, the PMND analyzed the physical environmental impacts due to population growth in the area and determined that the proposed 1066 Market Street project would not result in any significant impacts related to physical displacement of either housing or substantial numbers of people, resulting in the need to construct replacement housing elsewhere.

The appellant raises concerns related to topics that are outside the scope of CEQA, including socioeconomic issues such as displacement of existing low-income residents due to increased development of market-rate housing and the income levels of new residents associated with cumulative growth anticipated to occur in the project area. Environmental analysis under CEQA is required to focus on the direct and indirect physical changes to the environment that could reasonably result from a proposed project. Economic or social effects of a project are not considered significant environmental impacts, unless they lead to physical changes in the environment (CEQA Guidelines 15131). Accordingly, the displacement issue addressed under CEQA refers specifically to the direct loss of housing units that would result from proposed demolition of existing housing and the demand to construct replacement housing elsewhere. This is because demolition of existing housing

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Golden Gate Avenue (90 senior dwelling units). No new residents were assumed for the 1055 Market Street because it is a proposed hotel development.

<sup>2</sup> Association of Bay Area Governments. 2013. *Regional Housing Need Plan for the San Francisco Bay Area: 2014 – 2022*. July. Available: [http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22\\_RHNA\\_Plan.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf). Accessed: October 8, 2015.

<sup>3</sup> Metropolitan Transportation Commission and Association of Bay Area Governments. 2013. *Plan Bay Area*. July. Available: <http://onebayarea.org/plan-bay-area/final-plan-bay-area.html>. Accessed: October 8, 2015.

has the potential to result in displacement of substantial numbers of people and would necessitate the construction of replacement housing elsewhere. This would in turn result in a number of direct and indirect physical changes to the environment associated with demolition and construction activities and new operational impacts.

The project site does not contain any existing residential units and the proposed project would not result in any direct displacement of low-income residents. Moreover, since the proposed project includes new market-rate housing, it must comply with the requirements of the City's Inclusionary Affordable Housing program. Compliance with this program would address the project's need to construct new affordable housing. Finally, the possibility that the proposed project would contribute to rising residential rents is speculative, and is not a physical environmental effect subject to analysis under CEQA.

Comments on the merits of the project that are not related to environmental analyses topics will be provided to decision-makers for consideration in their review of approval actions for the proposed project.

**POPULATION AND HOUSING CONCERN 2: The appellant states that the PMND should analyze cumulative housing and hotel development in the Mid-Market area and the City. The appellant also states that additional information in regards to recently constructed housing is required to be provided in the PMND.**

The Neg Dec should incorporate INFORMATION on ALL new housing proposed or approved within at least a mile radius of 1066 Market. MARKET RATE HOUSING AND HOTELS ARE CHANGING THE POPULATION of the area and City.

For each new housing that has been completed in the past 5 years:

How many units at what address?

What was the sale price of each unit that was sold? (Recorder has that information)

What size, how many bedrooms? Same source

What the asking price for all rental units? (This is available for marketing material)

What size, how many bedrooms?

What income is necessary to buy or rent each unit?

For affordable units

How many units at what address?

What level of affordability?

What size, how many bedrooms?

Who is developer of these units?



For each new housing project that has been approved but not completed in the past 5 years:

How many units at what address?

What was the contemplated sale price/market for each unit?

What size, how many bedrooms?

What the asking price for all rental units?

What size, how many bedrooms?

What income is necessary to buy or rent each unit?

For affordable units

How many units at what address?

What level of affordability?

What size, how many bedrooms?

Who is developer of these units?

For each new housing project under environmental review, for which a PPA has been requested, or which is otherwise the subject of an application in the Department, please provide the same information for projects approved but not completed.

**RESPONSE TO POPULATION AND HOUSING CONCERN 2:** As discussed under Population and Housing Concern 1, the 1066 Market Street PMND, **Impact C-PH**, page 18 evaluated the cumulative impacts on population and housing as a result of the proposed project in combination with other past, present, and reasonably foreseeable future projects. As discussed in the above response, the PMND identified all cumulative projects within a quarter mile (or generally three blocks in every direction of the project site) of the proposed 1066 Market Street project, which is consistent with the approach for conducting cumulative analysis as required under CEQA. CEQA requires that an analysis be conducted for a project's potentially considerable contributions to cumulative environmental impacts, in addition to proposed project's-specific impacts. CEQA Guidelines Section 15130(a)(1) states that a "cumulative impact consists of an impact which is created as a result of the combination of the proposed plan evaluated in the EIR together with other proposed plans causing related impacts."

CEQA Guidelines Section 15130(b)(1) states that the approach to the cumulative impact analysis may be based on either of the following approaches, or a combination thereof:

- A list of past, present, and probable future projects producing related or cumulative impacts

- A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or areawide conditions

The proposed project's cumulative population and housing analysis in the PMND is based upon a combination of citywide growth projections and a list of related past, present, and probable future projects and plans identified by Planning Department staff as relevant to the proposed project. Additionally, footnote 11 on page 18 of the PMND identifies such projects within a quarter-mile radius of the project site. As stated in the footnote 11, 2.42 persons per household were assumed for 229 Ellis Street (18 dwelling units), 180 Jones Street/181 Turk Street (37 dwelling units), 168 Eddy Street (103 dwelling units), 950–974 Market Street (250 dwelling units), 1028 Market Street (186 dwelling units), 19–25 Mason Street (155 dwelling units), 1075 Market (90 dwelling units), and 1125 Market (150 dwelling units). For 121 Golden Gate Avenue (90 senior dwelling units), 1.00 person per household was assumed. No new residents were assumed for the 1055 Market Street because it is a proposed hotel development.

The additional information requested by the appellant such as the sale prices or rental prices, income levels of future residents, and developers of cumulative projects are information requests regarding non-environmental topics and would not provide any additional information in regards to the cumulative population and housing environmental impacts of the proposed project.

## CONCLUSION

Staff recommends that the Planning Commission adopt the motion to uphold the Preliminary Mitigated Negative Declaration. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of an Environmental Impact Report. By upholding the PMND (as amended), the Planning Commission would not prejudice or restrict its ability to consider whether the proposed project's uses or design are appropriate for the neighborhood.

## **Exhibit B**

### **Appeal Letter from Ms. Sue Hestor – San Franciscans for Reasonable Growth**

## Appeal of Preliminary Mitigated Negative Declaration

1066 Market Street

2013.1733 Date of PMND 1/13/2016

San Franciscans for Reasonable Growth appeals the PMND for the project at 1066 Market Street.

870 Market St #1128

San Francisco CA 94102

The basic reason the 1066 Market PMND must be rewritten is because it includes insufficient discussion of cumulative development of market rate housing. That housing -of which 1066 Market is an integral part - is decimating the existing <sup>pushing out</sup> ~~and being pushed out~~ low income housing community in both the Tenderloin and South of Market.

The rezoning of this area of Mid-Market - which is the subject of a PMND issued AFTER that for 1066 Market in conjunction with development of 950 Market Street - needs to be discussed in conjunction with the 1066 Market project. It is ridiculous and an understatement to gloss this over by stating the "Mid-Market Area, which has been the focus of a concentrated revitalization effort resulting in a number of new construction projects" - p. 8

Throughout the grossly insufficient discussion of this area, the PEOPLE, particularly the LOW-INCOME PEOPLE are ignored. The discussion is dry and misses the point. Employment growth is set out on page 17 with NUMBERS without any analysis of the INCOME LEVEL of the people that are part of that growth.

How San Francisco has rapidly shifted in income disparity, with new housing (except for the minimum needed affordable housing on site) priced at levels for new high income residents.

The Neg Dec should incorporate INFORMATION on ALL new housing proposed or approved **within at least a mile radius of 1066 Market.** MARKET RATE HOUSING AND HOTELS ARE CHANGING THE POPULATION of the area and City.

For each new housing that has been **completed** in the past 5 years:

How many units at what address?

What was **the sale price** of each unit that was sold? (Recorder has that information)

What size, how many bedrooms? Same source

What the asking price for all **rental units**? (This is available <sup>8/2011</sup> by marketing material)

What size, how many bedrooms?

What income is necessary to buy or rent each unit?

**For affordable units**

How many units at what address?

What level of affordability?

What size, how many bedrooms?

Who is developer of these units?

For each new housing project that has been **approved but not completed** in the past 5 years:

How many units at what address?

What was the contemplated sale price/market for each unit?

What size, how many bedrooms?

What the asking price for all rental units?

What size, how many bedrooms?

What income is necessary to buy or rent each unit?

**For affordable units**

How many units at what address?

What level of affordability?

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Who is developer of these units?

For each new housing project under environmental review, for which a PPA has been requested, or which is otherwise the subject of an application in the Department, please provide the same information for projects approved but not completed.



Sue Hestor

Attorney for San Franciscans for Reasonable Growth

**Exhibit C**  
**Notice of Availability of and Intent to Adopt a Mitigated**  
**Negative Declaration**

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# SAN FRANCISCO PLANNING DEPARTMENT

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

*Date:* January 13, 2016  
*Case No.:* 2013.1753E  
*Project Title:* 1066 Market Street  
*Zoning:* Downtown General Commercial (C-3-G) Zoning District  
120-X Height and Bulk District  
*Block/Lot:* 0350/003  
*Project Sponsor:* Julie Burdick, Shorenstein Residential LLC, (415) 772-7142  
*Staff Contact:* Elizabeth Purl – (415) 575-9028, elizabeth.purl@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

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

### Project Description

The 1066 Market Street Project (proposed project) is a multi-family residential development project with ground floor retail space located within the Downtown Area Plan at 1066 Market Street (Assessor's Block 0350, Lot 003) in the Downtown/Civic Center neighborhood in the City and County of San Francisco. The project site is bounded by Golden Gate Avenue to the north, a three-story building and Market Street to the south, Jones Street to the west, and a two-story commercial building to the east.

The project site is "L"-shaped and approximately 27,310 square feet in size (about 0.63 acre). The project site is currently occupied by a two-story, 5,066-gross square foot (gsf) vacant commercial building and an adjoining 23,419-gsf surface parking lot.

The proposed project involves the demolition of the existing building and parking lot and construction of a new 12-story, 120-foot-tall, approximately 297,950-gsf residential building with ground floor retail space and two levels of subterranean parking. The mixed-use building would provide approximately 304 dwelling units and 4,540 gsf of ground-floor commercial retail space. Residential amenities would include a lounge, lobby, and fitness center. The project would provide Class 1 bicycle storage for 304 bicycles on the ground floor. The 41,360-gsf subterranean parking area would provide 102 vehicle parking spaces. The proposed project would include 12,333 square feet of common useable open space in the form of an open-air courtyard and two roof terraces. The proposed project also would include new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street, including 18 Class 2 bicycle parking spaces.

The project would require a Downtown Project Authorization, pursuant to Planning Code Section 309, from the Planning Commission, along with an exception from the provisions of Planning Code Section 134(d) governing the configuration of rear yards, an exception from the provisions of Planning Code Section 161(i) for a reduction of the number of off-site freight loading spaces from two to one, and an exception from the provisions of Planning Code Section 148 governing ground-level wind current requirements. The project sponsor would seek conditional use authorization from the Planning Commission under Planning Code Section 124(f) to exclude the 36 on-site affordable units from the calculation of gross floor area. The project sponsor would seek a variance to the "Use of Inner Courts" requirements to count the inner courtyard as common open space although it does not strictly meet the one-to-one ratio of depth to height required under Planning Code Section 135(g)(2). Project approval would also require General Plan and Proposition M (Planning Code Section 101.1) consistency findings.

The project would require demolition and building permits from the Department of Building Inspection, and may also require Street and Sidewalk Permits for modifications to public sidewalks, street trees, and curb cuts, and a condominium (subdivision) map from the Department of Public Works; approval for sewer connections and of a stormwater control plan from the Public Utilities Commission; and, from the Municipal Transportation Agency, approval of the 20-foot long passenger loading space along Jones Street and reconfigurations to the location of curb cuts and on-street parking spaces.

As a new high-rise project of more than five units and greater than or equal to 75 feet in height, the proposed project would also be required to comply with the requirements of the Green Building Ordinance. Accordingly, the proposed project will comply with the City's Green building Ordinance (San Francisco Building Code Chapter 13C) by attaining at least a LEED Silver rating or at least 75 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist.

The project site is included on the following list compiled pursuant to Section 65962.5 of the California Government Code.

List: Leaking Underground Storage Tank Sites, State Water Resources Control Board  
Regulatory Identification Number: T0607500201  
Address of Listed Site: 99 Golden Gate Avenue, San Francisco, CA 94102  
Assessor's Block/Lot: 0350/003  
Date of List: May 18, 1993

The PMND is available to view or download from the Planning Department's Negative Declarations and EIRs web page (<http://www.sf-planning.org/sfceqadocs>). Paper copies are also available at the Planning Information Center (PIC) counter on the ground floor of 1660 Mission Street, San Francisco.

If you have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the PMND (i.e., by 5:00 p.m. on February 2, 2016), any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter that specifies the grounds for such appeal, accompanied by a \$562 check payable to the San Francisco Planning Department.<sup>1</sup> An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Sarah B. Jones, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$562.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on February 2.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the PMND. If the PMND is appealed, the Final Mitigated Negative Declaration (FMND) may be appealed to the Board of Supervisors. The first approval action, as identified in the Initial Study, would establish the start of the 30-day appeal period for the FMND pursuant to San Francisco Administrative Code Section 31.16(h).

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

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



# **Exhibit D**

## **Preliminary Mitigated Negative Declaration**

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Mitigated Negative Declaration

*Date:* January 13, 2016  
*Case No.:* 2013.1753E  
*Project Title:* **1066 Market Street**  
*Zoning:* Downtown General Commercial (C-3-G) Zoning District  
120-X Height and Bulk District  
*Block/Lot:* 0350/003  
*Lot Size:* 27,310 square feet (0.63 acre)  
*Project Sponsor:* Julie Burdick – (415) 772-7142  
Shorenstein Residential, LLC  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Elizabeth Purl – (415) 575-9028, [elizabeth.purl@sfgov.org](mailto:elizabeth.purl@sfgov.org)

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## PROJECT DESCRIPTION

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The proposed project involves the demolition of the existing building and parking lot and construction of a new 12-story, 120-foot-tall, approximately 297,950 gsf residential building with ground floor retail space and two levels of subterranean parking. The mixed-use building would provide approximately 304 dwelling units and 4,540 gsf of ground-floor commercial retail space. Residential amenities would include a lounge, lobby, and fitness center. The project would provide Class 1 bicycle storage for 304 bicycles on the ground floor. The 41,360 gsf subterranean parking area would provide 102 vehicle parking spaces. The proposed project would include 12,333 square feet of common useable open space in the form of an open-air courtyard and two roof terraces. The proposed project also would include new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street, including 18 Class 2 bicycle parking spaces.

## FINDING

This proposed 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

proposed project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See Section F, Mitigation Measures.

cc: Julie Burdick, Project Sponsor  
Tina Chang, Current Planner  
Master Decision File

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# Initial Study

## 1066 Market Street

### Planning Department Case No. 2013.1753E

#### A. PROJECT DESCRIPTION

##### PROJECT LOCATION AND SITE CHARACTERISTICS

The project site is located within the Downtown Plan Area at 1066 Market Street (Assessor's Block 0350, Lot 003) in the Downtown/Civic Center neighborhood of San Francisco. **Figure 1** shows the project location. The "L"-shaped, 27,310-square-foot (sf) project site is bounded by a three-story building and Market Street to the south, Jones Street to the west, Golden Gate Avenue to the north, and a two-story commercial building to the east.

The project site is currently occupied by a two-story, 5,066-gross-square-foot (gsf) vacant commercial building and adjoining 23,419 gsf surface parking lot. The commercial building, which was constructed in 1966, fronts Market Street on the south side of the property. The privately-owned paid parking lot holds approximately 102 vehicles. Existing vehicle and pedestrian access to the surface parking lot is provided on Golden Gate Avenue and Jones Street. Two curb cuts/driveways currently exist on the project site, including one on Golden Gate Avenue and one on Jones Street. Pedestrian access to the commercial building is provided on Market Street. There are no trees on the project site; five street trees are located along the sidewalks surrounding the site.

The site slopes down gradually from the northwest to the southeast, from an elevation of approximately 47 feet San Francisco City Datum (SF Datum) in the northwest corner of the project site to an elevation of approximately 34 feet SF Datum at the southeast corner of the project site. The project site is in a Downtown General Commercial (C-3-G) Zoning District and a 120-X Height and Bulk District. The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses: retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. The 120-X Height and Bulk District permits buildings up to 120 feet in height, with no bulk restrictions.

##### PROJECT CHARACTERISTICS

The proposed project includes the construction of a 12-story mixed-use building containing approximately 304 dwelling units, with commercial retail on the ground floor, bicycle parking, and two levels of subterranean parking with 102 spaces.<sup>1</sup> Residential amenities would include a lounge, lobby, fitness center, leasing office, and bicycle parking. The proposed building would be approximately 113 to 120 feet tall (129 to 136 feet with parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). **Table 1**

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<sup>1</sup> The project has 14 levels, but because of the slope of the site, it is 12 stories in height at all street frontages.

summarizes the characteristics of the proposed project and **Figure 2** shows the project site plan. Unless otherwise noted, all square footage figures in the table refer to gross floor area, as defined in *San Francisco Planning Code (Planning Code)* Section 102.9.

**TABLE 1: PROJECT CHARACTERISTICS**

| Use/Characteristic                 | Area / Amount  |
|------------------------------------|--|
| Residential and Amenity Space*     | 252,050 gsf  |
| Dwelling Units                     | 304 units<br>61 Studio units<br>76 Junior One-Bedroom units<br>56 One-Bedroom units<br>111 Two-Bedroom units         |
| Commercial Retail                  | 4,540 gsf  |
| Parking Levels                     | 41,360 gsf   |
| Parking Spaces                     | 102 spaces (including 37 standard, 51 compact, 8 electric vehicle charging, 4 ADA-compliant, and 2 car share spaces) |
| Total Building                     | 297,950 gsf  |
| <b>Other Project Elements</b>      |  |
| Common Open Space                  | 12,333 sf  |
| Courtyard                          | 6,333 sf   |
| Roof Terraces                      | 6,000 sf   |
| Bicycle Parking (Class 1)          | 304 spaces   |
| Sidewalk Bicycle Parking (Class 2) | 18 spaces  |
| Building Height                    | 113 to 120 feet<br>(129 to 136 feet including parapets, rooftop access, and mechanical equipment)                    |
| Number of Stories                  | 12 stories + 2 levels of subterranean parking  |
| Street Trees                       | 13 new street trees and 2 replacement street trees   |

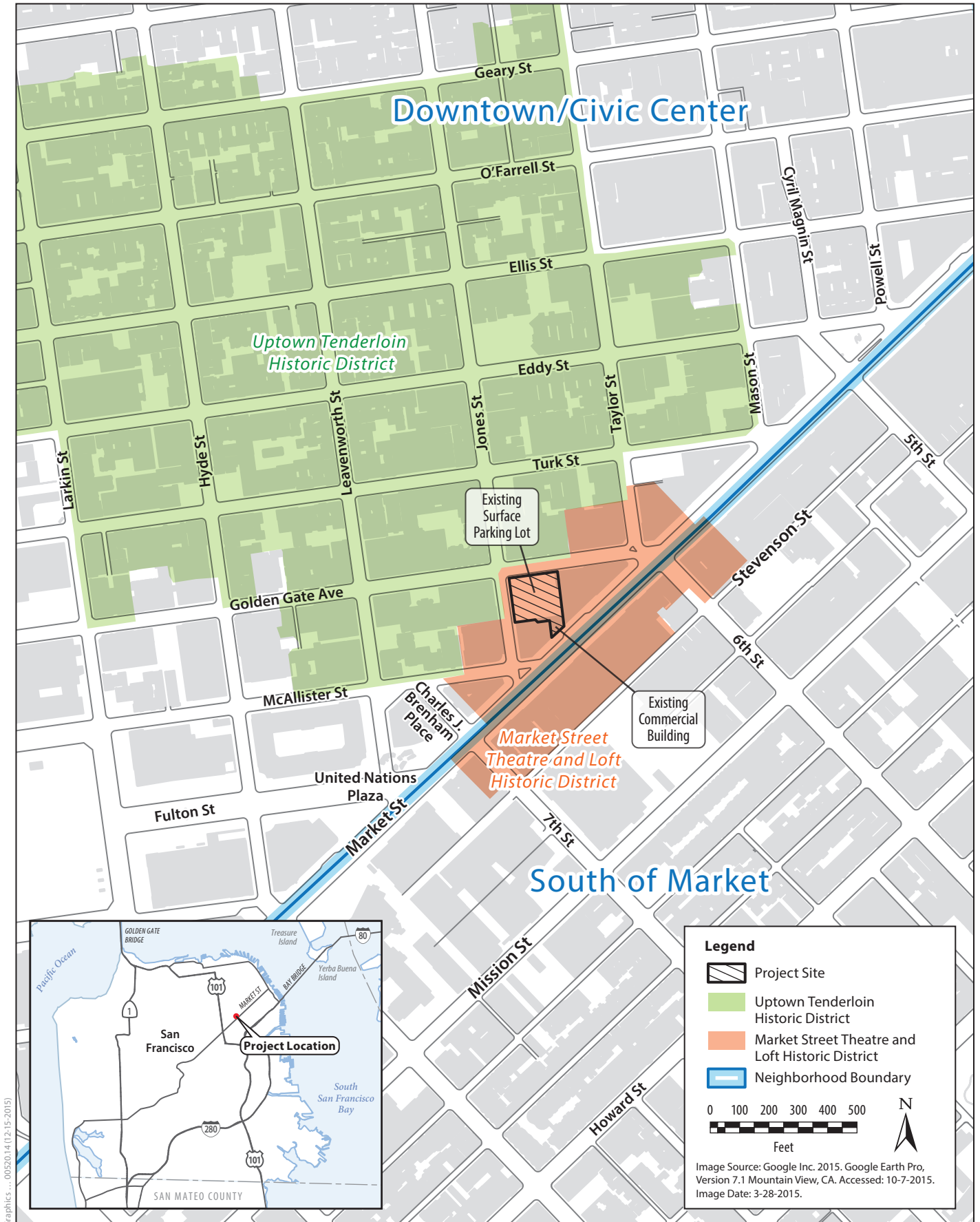
Source: Arquitectonica. 2014. *1066 Market Street Concept Package*. June 18; Shorenstein Residential LLC, 2014.

Note:

\* Amenity space refers to the lounge, lobby, fitness center, leasing office, and bicycle storage (for Class 1 bicycle parking spaces).

**Subterranean Levels.** The 41,360 gsf subterranean parking area would include two levels, up to 36 feet in depth below ground surface (bgs), to provide approximately 102 vehicle parking spaces (i.e., 51 compact spaces and 51 standard spaces, including eight electric vehicle charging spaces, four Americans with Disabilities Act– [ADA–] compliant spaces, and two spaces reserved for car share), a ratio of 0.33 vehicle parking spaces per dwelling unit. **Figure 3** shows the parking level plans.

**Ground Levels (including the courtyard).** The proposed project would include approximately 4,540 sf of ground-floor commercial retail space along Market Street, Golden Gate Avenue, and Jones Street. Because of a change of grade of approximately 13 feet between the northwest corner

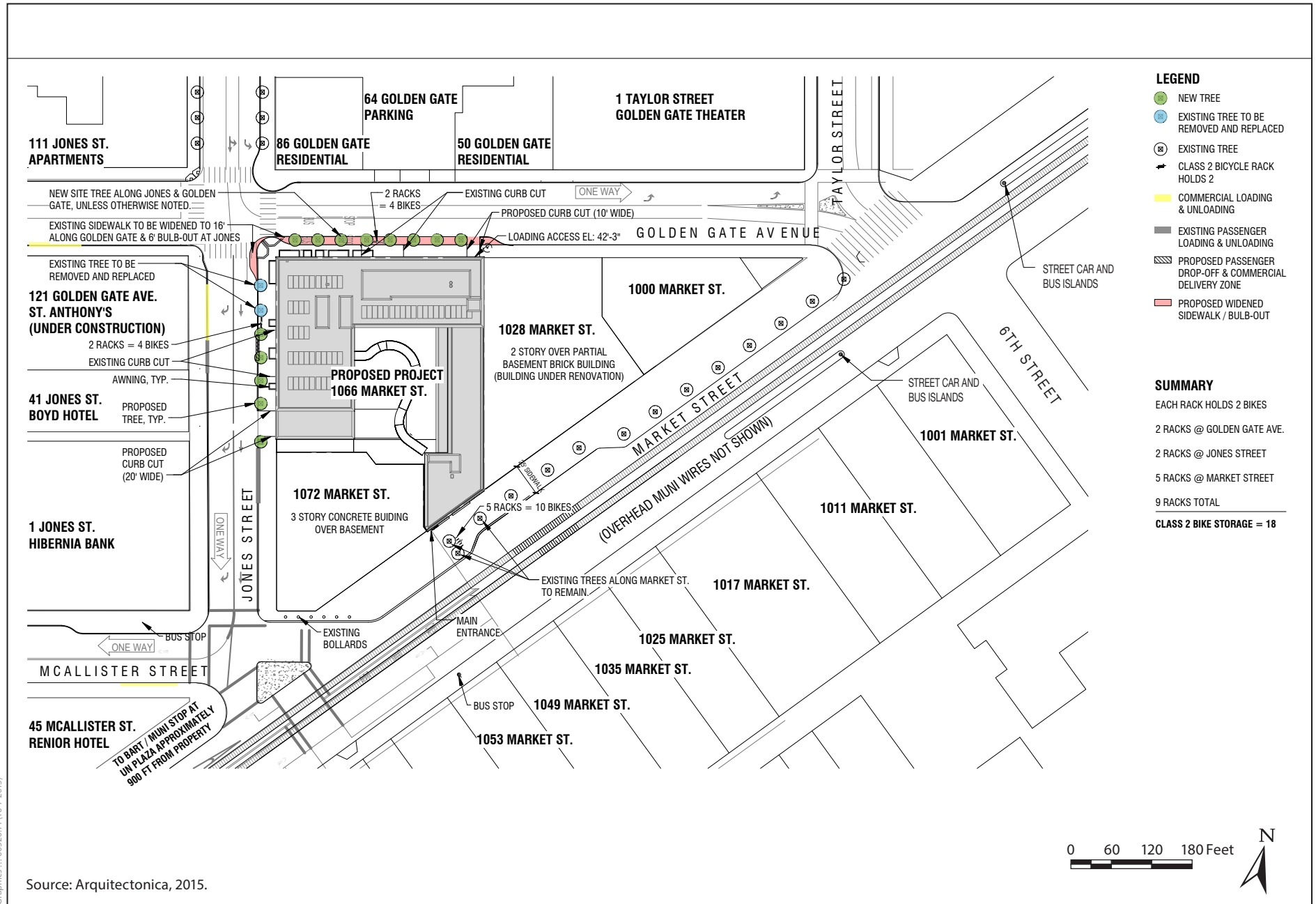


1066 Market Street Project  
Case No. 2013.1753E

**Figure 1**  
**Project Location**



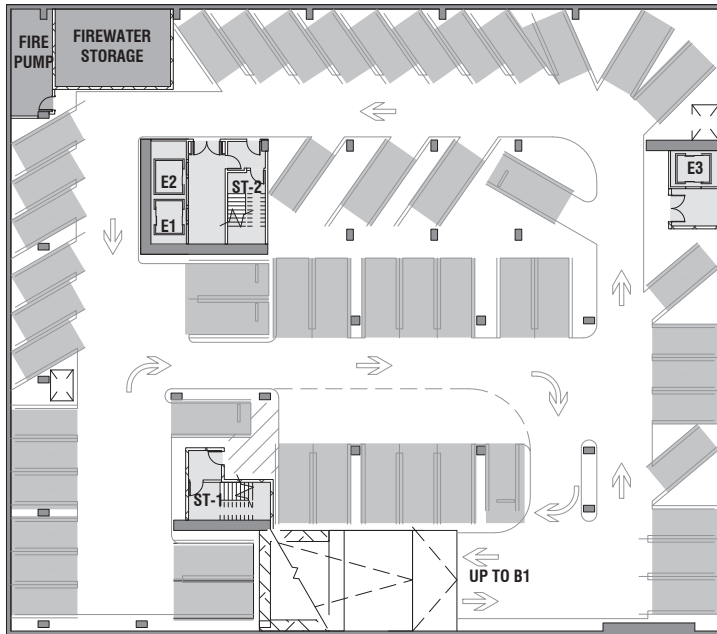




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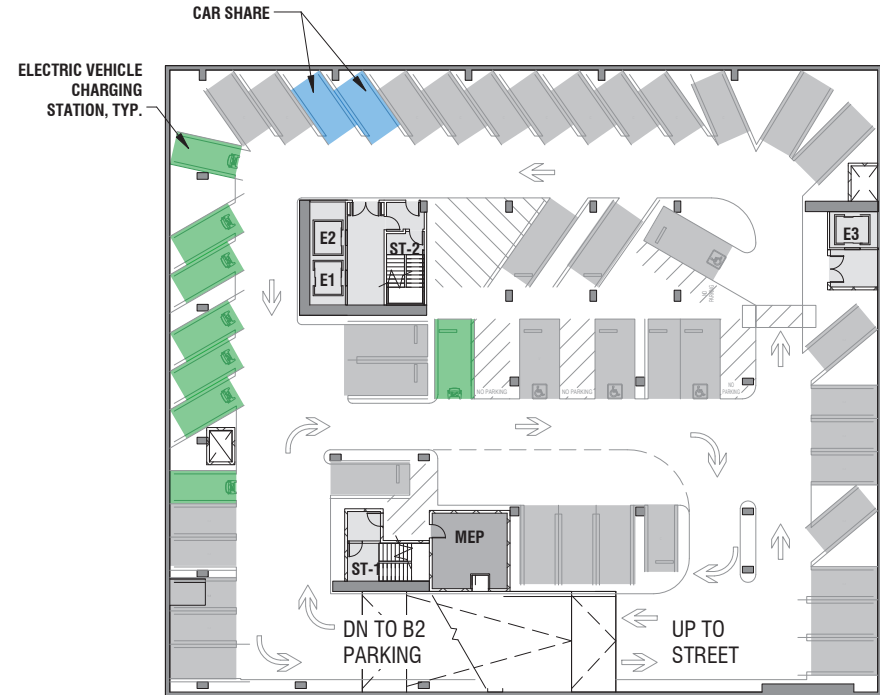
**Figure 2**  
**Project Site Plan and Surrounding Uses**





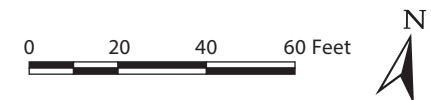
**LEVEL B2 PARKING PLAN**

**PARKING THIS LEVEL:**  
 24 STANDARD  
 29 COMPACT  
  
 TOTAL 53 SPACES



**LEVEL B1 PARKING PLAN**

**PARKING THIS LEVEL:**  
 14 STANDARD  
 4 ACCESSIBLE  
 21 COMPACT  
 2 CAR SHARE  
 8 ELECTRIC VEHICLE STATIONS  
  
 TOTAL 49 SPACES



Source: Arquitectonica, 2015.



of the project site and the southeast corner of the project site, street access to the building would occur from two separate ground floors: one with access from Market Street (Level 1) and one with access from Jones Street and Golden Gate Avenue (Level 2).

**Figure 4** shows the ground level plans for Level 1 and Level 2.

Level 1 would include 1,646 gsf of commercial storefront on Market Street, nine residential units, Class 1 bicycle storage for 304 bicycles, electrical rooms, pump room, fitness center, and storage room. A 6,333 sf open-air courtyard would be located in the center of the proposed project at Level 1, with an elevated walkway through the courtyard providing access to the at-grade lobby, amenity, and lounge area on Level 2. The courtyard would have approximately 3,200 sf of landscaped area abutted by a commercial patio (intended for the Market Street commercial space) and seven private patios for ground-floor residential units. Landscaping would include trees, planters, an elevated deck space with step seating and furniture, an outdoor fitness space adjacent to the indoor fitness center (with accordion door openings to the courtyard), and a landscaped area above the garage ramp. A residential exit-only doorway to Market Street would be located at the eastern portion of the commercial storefront. In the northern portion of the project site, Level 1 would include building infrastructure areas and would be located below-grade due to the grade change between the northwest corner of the project site and the southeast corner of the project site.

Level 2 would include 2,894 gsf of commercial space on the corner of Jones Street and Golden Gate Avenue, a residential lobby, lounge, leasing office, 11 residential units, electrical room, trash room, off-street freight loading space, and access to the elevated walkway spanning the center courtyard and leading to Market Street. Entrances to the residential lobby and adjacent lounge area would be located along the east side of Jones Street. A separate bike entrance would be located between the lounge and commercial space along Jones Street. One residential egress doorway would also be provided along Golden Gate Avenue between the loading and trash access areas. The proposed commercial space at the corner of Golden Gate Avenue and Jones Street would contain three access points: one along the east side of Jones Street and two along the south side of Golden Gate Avenue.

**Figure 5** shows a typical residential floor (Floors 4 through 10), with 27 residential units per floor. Floors 11 and 12 contain 23 units per floor. **Figure 6** shows Level 13, with 16 residential units and the proposed roof terraces. Level 14 also contains 16 residential units.

**Roof Terraces.** The roof would include two terraces totaling approximately 6,000 sf. The 4,600-sf terrace on the eastern portion of the roof would include planters, multiple seating areas, and an outdoor kitchen and barbeque area. The 1,400-sf terrace on the western portion of the roof would include planters, trees, and seating areas, and would be accessible from an indoor amenity room.

**Parking and Loading.** Vehicular access to and from the proposed 102-space subterranean parking area would be via a 20-foot-wide curb cut located along the east side of Jones Street, approximately 145 feet north of the intersection of Jones/McAllister and Market Streets and 260 feet south of the intersection of Jones Street and Golden Gate Avenue. The driveway ramp would

include two travel lanes for two-way traffic flow. The parking garage ramp would be gated with controlled entry. The proposed project would also remove the existing 30-foot-wide curb cut along the south side of Golden Gate Avenue and replace it with a new 10-foot-wide curb cut, creating additional on-street parking (and increasing the on-street parking supply from the existing 14 spaces to 15 spaces). The new curb cut on Golden Gate Avenue would provide access to an off-street freight loading space. In addition, the proposed project would remove the existing 36-foot-wide curb cut along the east side of Jones Street, allowing for the addition of a 20-foot-wide passenger loading space and commercial loading zone along Jones Street.

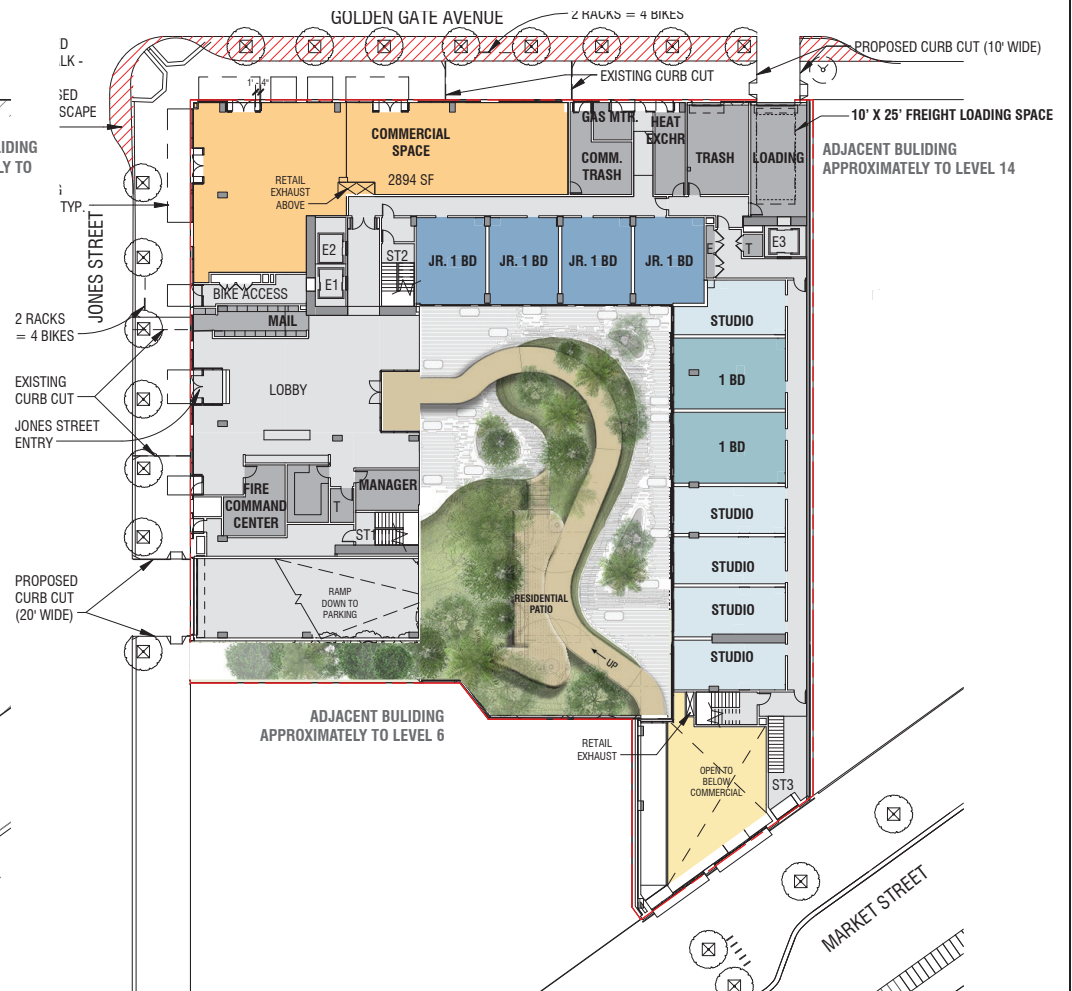
The proposed project would provide access to the Class 1 bicycle storage on Level 1 from a dedicated entry on Jones Street, which would require taking an elevator one level down, and via the Market Street entry and the courtyard. The proposed project would also place several bicycle racks along adjacent sidewalk areas, providing a total of 18 Class 2 bicycle parking spaces. As proposed, four Class 2 spaces would be located along Jones Street, four Class 2 spaces would be located along Golden Gate Avenue, and 10 Class 2 bicycle parking spaces would be located along Market Street. See **Figure 2** for the locations of the Class 2 bicycle parking spaces. The location of Class 2 bicycle parking spaces would be subject to review and approval by the San Francisco Municipal Transportation Authority (SFMTA).

**Building Articulation and Character.** The base of the building, composed of storefront windows and a transom level, which would be recessed from the plane of the upper stories, would be divided vertically into bays by large piers that would be finished with integrally colored pre-cast concrete panels on all façades except Market Street where the finish would be decorative stone. The upper stories of the building would be clad in a panelized system of integrally colored pre-cast concrete units in four graded color variations: dark, two intermediate shades, and a light shade. The panelized system would have deep punched openings with a glazed aluminum window frame system and painted metal spandrel panels. The windows would be Chicago style, with a central fixed light flanked by operable casements over smaller fixed lights. Most of the recessed Chicago windows would be combined in pairs, either horizontally or vertically, to create a façade composition of interlocking vertical and horizontal elements. Similarly, not all of the column lines that would define the bays on the upper stories would extend down to the street level, allowing the storefront bays to vary in width. **Figures 7–10** illustrate the southeast (Market Street), south, west, and north building elevations, respectively.

**Streetscape.** The proposed project would include new streetscape features within the sidewalk areas along Golden Gate Avenue, Jones Street, and Market Street. Approximately five new street trees would be planted along the east side of Jones Street and two existing street trees would be removed and replaced along this street, pursuant to Department of Public Works (Public Works) review and approval. The two trees to be removed along Jones Street are protected due to their status as “street trees,” or trees that are growing within the public right-of-way but are not identified as landmark trees. These trees include one Callery pear (trunk diameter of four inches) and one Brisbane box (trunk diameter of six inches). Approximately eight new street trees would be planted along the south side of Golden Gate Avenue; no existing street trees would be removed, nor would any new street trees be planted along the north side of Market Street.



**LEVEL 1 PLAN**  
Market Street Access



**LEVEL 2 PLAN**  
Jones Street & Golden Gate Avenue Access

0 20 40 60 Feet

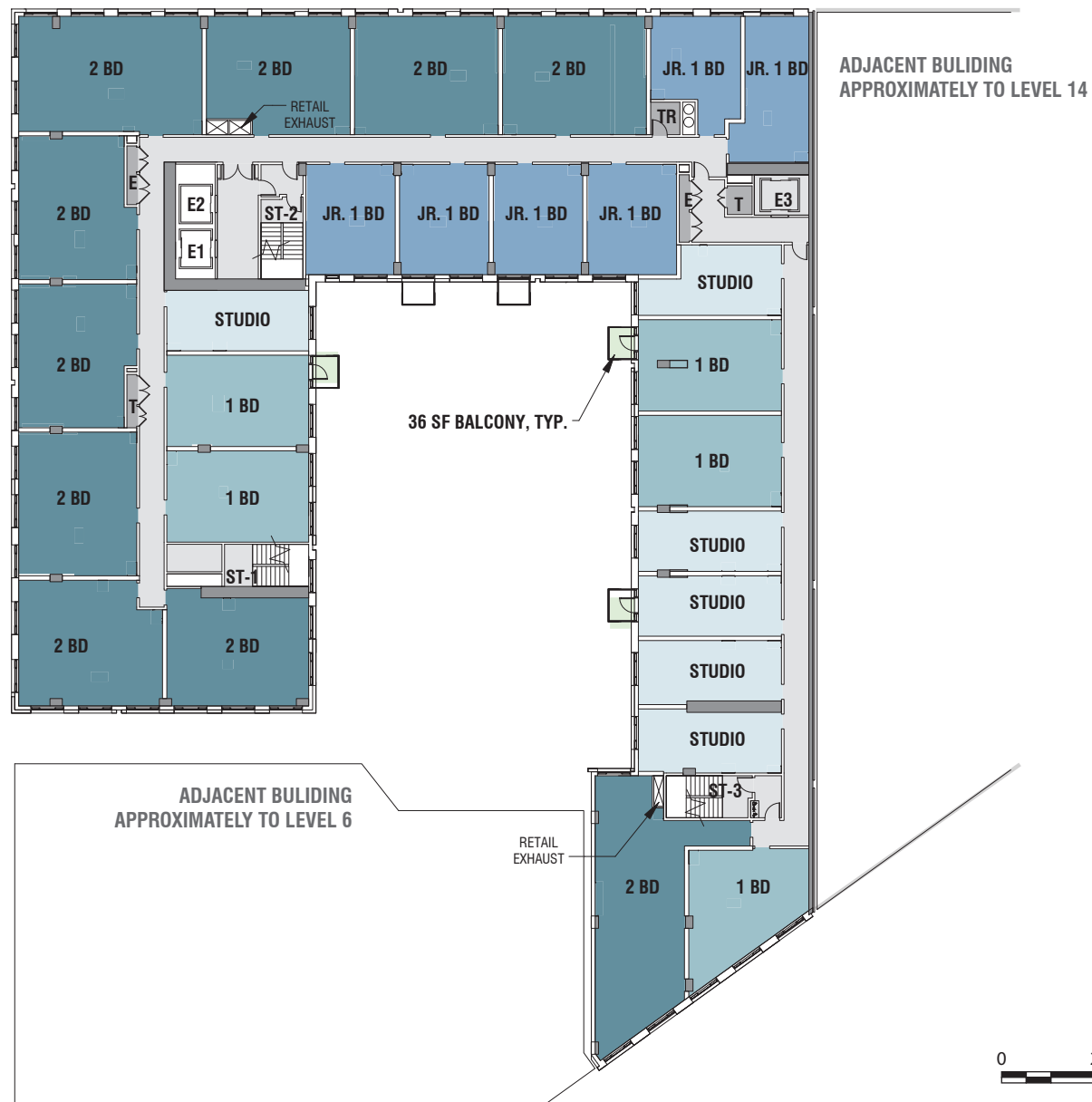


Source: Arquitectonica, 2015.





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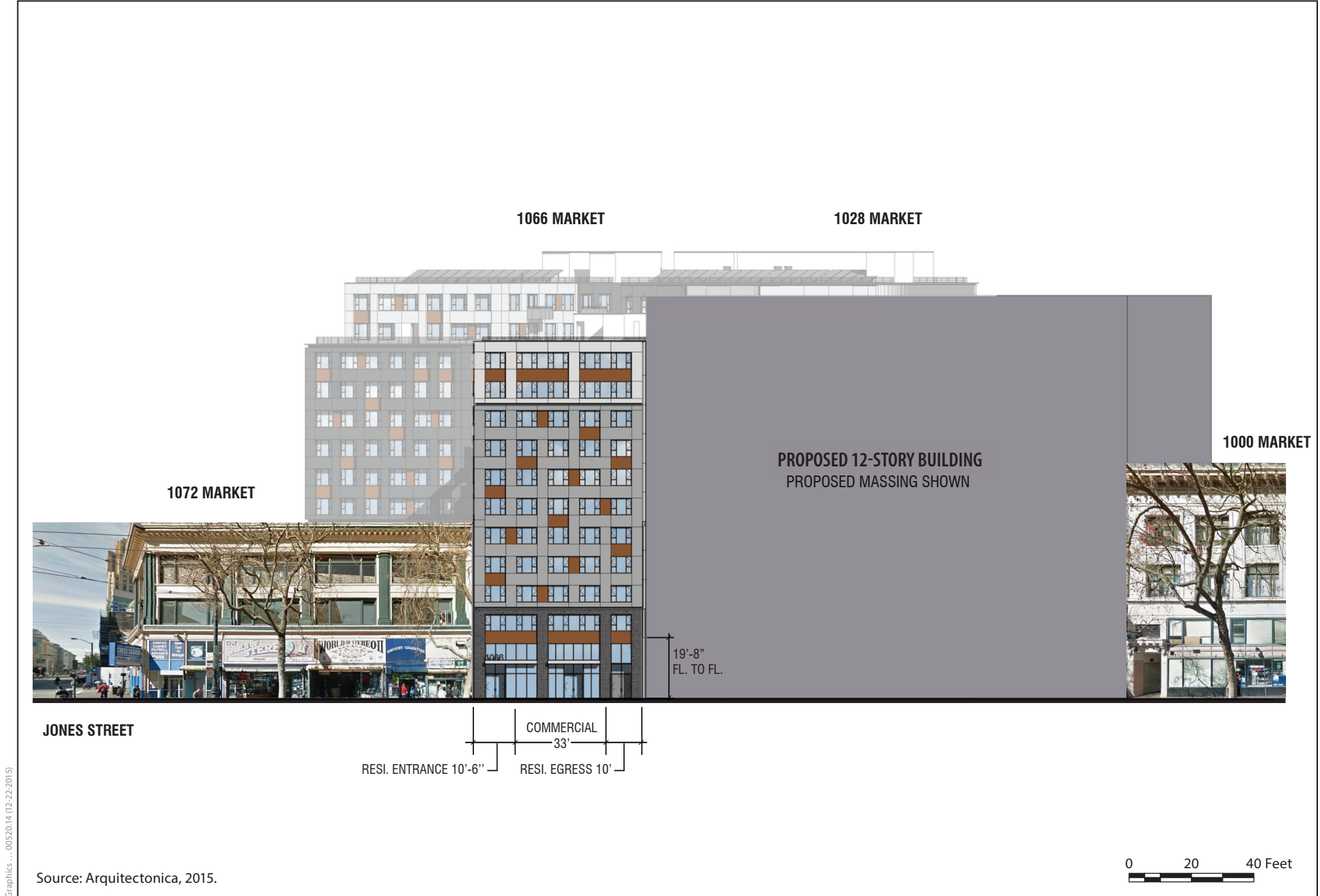






Source: Arquitectonica, 2015.

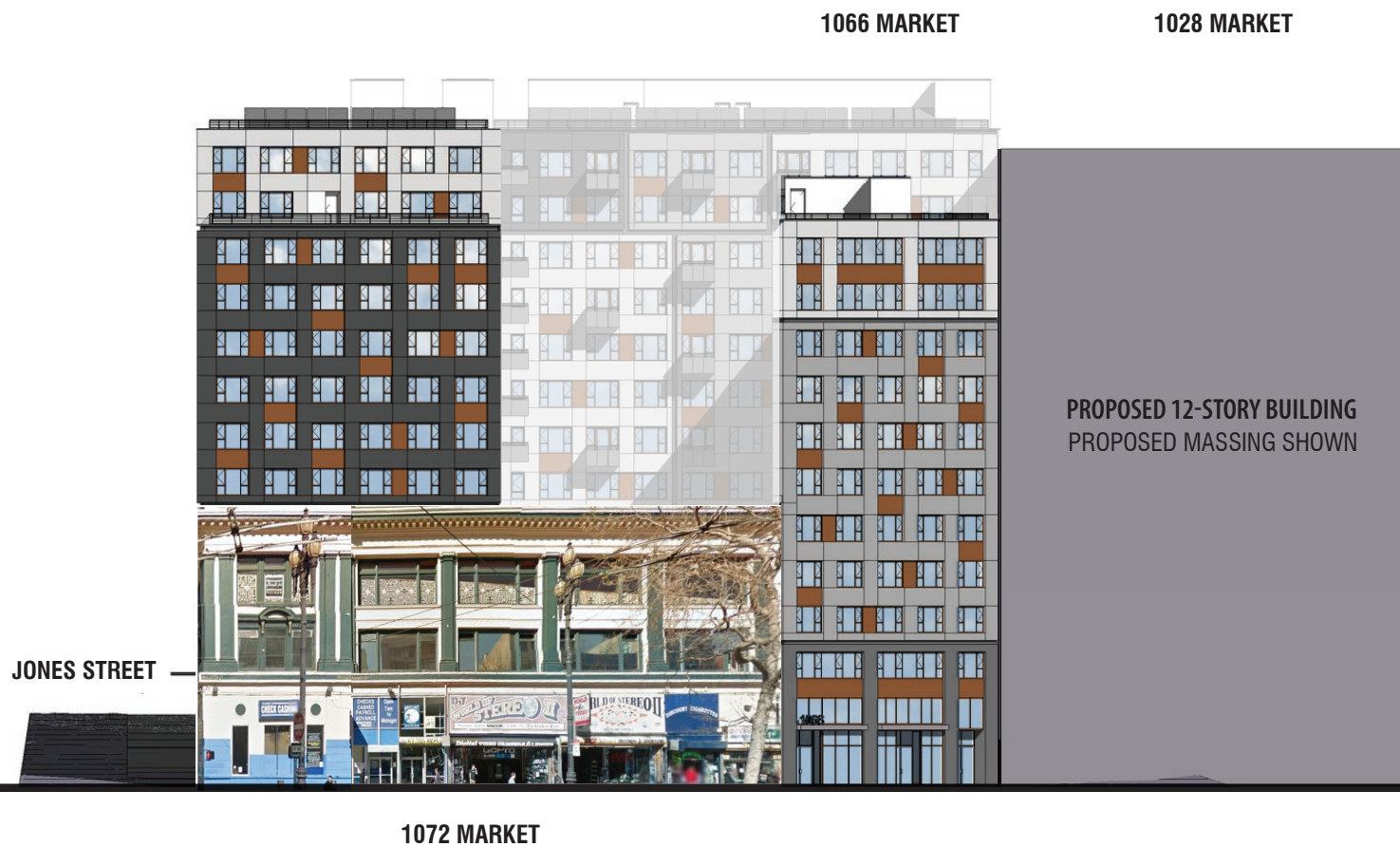




1066 Market Street Project  
Case No. 2013.1753E

**Figure 7**  
**Elevation – Southeast (Market Street)**





Source: Arquitectonica, 2015.

1066 Market Street Project  
Case No. 2013.1753E

**Figure 8**  
**Elevation – South**







1066 Market Street Project  
Case No. 2013.1753E

Figure 9  
Elevation – West (Jones Street)





1066 Market Street Project  
Case No. 2013.1753E

**Figure 10**  
**Elevation – North (Golden Gate Avenue)**



The proposed project is subject to the Better Streets Plan requirements as specified in *Planning Code* Section 138.1. Because the existing sidewalk widths, paved areas, and other streetscape elements along Golden Gate Avenue, Jones Street, and Market Street are currently in compliance with specific sidewalk requirements per the Better Streets Plan, the proposed project would not modify these current sidewalk features. However, the proposed project would include replacing and repaving the 10-foot-wide sidewalk along the south side of Golden Gate Avenue and the 15-foot-wide sidewalk along the east side of Jones Street. The sidewalk along the north side of Market Street would not be replaced or repaved due to other physical constraints along the street.

**Affordable Housing.** The proposed project is subject to the Inclusionary Affordable Housing Program requirements, and the project sponsor intends to satisfy the requirement by providing 12 percent of the units (approximately 36 units) as on-site affordable housing units. This is discussed further below, under Section C, *Compatibility with Existing Zoning and Plans*.

**Construction.** The depth of excavation would be 25 to 36 feet bgs. Drilled piers, a mat foundation, or a combination of both may be used. A total of 30,000 cubic yards (cy) of material would be exported off-site. Construction would occur in approximately eight overlapping phases: (1) demolition (10 work days); (2) shoring and excavation (64 work days); (3) foundation (23 work days); (4) structure (152 work days); (5) exterior skin (97 work days); (6) interior framing, drywall, and finishes (160 work days); (7) testing and inspections (80 work days); and (8) landscaping and site work (60 work days). In total, construction would be expected to take approximately 21 months.

Construction would occur Monday through Friday, 7:00 a.m. to 5:00 p.m. and occasionally until 8:00 p.m. The daily construction-related truck trips would be 5 to 50 trips, with a maximum of 60 trips during the peak construction period. No specific construction-related truck routing has been identified. The number of construction workers would typically range from 20 to 140 per day, with a maximum of approximately 160.

**Project Approvals.** The applicable *Planning Code* section is cited at the end of each approval item below.

The following actions would be required by the Planning Commission:

- Section 309 Downtown Project Authorization (*Planning Code* Section 309) with exceptions for the following features:
  - Exception to the rear yard requirements (*Planning Code* Section 134(d)).
  - Exception for the reduction of the number of off-site freight loading spaces from two to one (*Planning Code* Section 161(i)).
  - Exception to the ground-level wind current requirement (*Planning Code* Section 148).
- Conditional use to exempt on-site inclusionary housing units from the FAR calculation (*Planning Code* Section 124(f)).

- A variance to the “Use of Inner Courts” requirements to count the inner courtyard as common open space although it does not strictly meet the one-to-one ratio of horizontal dimension to height required (*Planning Code* Sections 135(g)(2)).
- General Plan and Proposition M (*Planning Code* Section 101.1) consistency findings.

The following actions would be required by other City Departments:

- Demolition and Building Permits (Department of Building Inspection) for the demolition of the existing buildings and construction of the new structure.
- Street and Sidewalk Permits (Bureau of Streets and Mapping, Department of Public Works) for modifications to public sidewalks, street trees, and curb cuts.
- Condominium map (Bureau of Streets and Mapping, Department of Public Works).
- Approval of the 20-foot-long passenger loading space along Jones Street and reconfigurations to the location of curb cuts and on-street parking spaces (SFMTA).
- Stormwater Control Plan (San Francisco Public Utilities Commission), because the proposed project would result in ground disturbance of an area greater than 5,000 sf.

As a new high-rise project of more than five units and greater than or equal to 75 feet in height, the proposed project would also be required to comply with the requirements of the Green Building Ordinance. Accordingly, the proposed project will comply with the City’s Green building Ordinance (San Francisco Building Code Chapter 13C) by attaining at least a LEED Silver rating or at least 75 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist.

**Approval Action:** Approval of the Section 309 Downtown Project 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 Mitigated Negative Declaration to the Board of Supervisors pursuant to Section 31.04(h) of the San Francisco Administrative Code.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the PMND.

## **B. PROJECT SETTING**

Land uses in the immediate area of the project site include a mix of low- and mid-rise mixed-use commercial buildings, tourist and residential hotels, multifamily housing, entertainment uses, and government institutions. The project site is bounded by a three-story building and Market Street to the south, Jones Street to the west, Golden Gate Avenue to the north, and a two-story commercial building to the east. The properties in the vicinity of the project site include a two-story commercial/retail building (1028–1056 Market Street) to the east that is currently occupied by a “pop-up” food and beverage court (“The Hall”) (an application has been filed to demolish the existing building and construct a new mixed-use development project); a three-story commercial/retail building (1072–1098 Market Street) to the south; a 10-story low-income and

senior housing development (121 Golden Gate Avenue) to the west, across Jones Street; a seven-story, 82-unit homeless housing facility (39–42 Jones Street) to the west, across Jones Street; a nine-story, 108-unit apartment building (111 Jones Street) to the northwest, across the intersection of Jones Street and Golden Gate Avenue; a two-story mixed commercial building (86–98 Golden Gate Avenue) to the north, across Golden Gate Avenue; and an underground parking garage (64 Golden Gate Avenue) to the north, across Golden Gate Avenue.

The closest public open space to the project site is the United Nations Plaza, located approximately 500 feet southeast of the 1066 Market Street entrance. This plaza is owned by the City and County of San Francisco and is generally bounded by Market Street to the south, McAllister Street to the north, Seventh Street to the east, and Hyde Street to the west. The plaza consists of a 2.6-acre pedestrian mall with seating, lawns, fountain, public art installations, trees, and small gardens with a clear view of City Hall. The plaza is used twice a week for the Heart of the City Farmers Market and is near the San Francisco Public Library, Asian Art Museum, various governmental institutions, offices, and numerous public transportation stops and stations.

In addition to the mixed-uses in the area, described above, the project site is also near live performance venues (Golden Gate, Warfield, and Strand Theaters); schools (De Marillac Middle School, located 0.07 mile west of the project site; San Francisco City Academy, located 0.10 mile north of the project site; and Cal Fed Youth Chance High, located 1.30 miles east of the project site); centers of worship (one of which, Alsabeel Mosque, is located adjacent to the project site to the southwest); small stores; the Civic Center station for the Bay Area Rapid Transit (BART) and San Francisco Municipal Railway (Muni) light-rail and bus lines; and parking garages. Interstate 80 (I-80) is approximately 0.6 mile south of the project site.

### C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

|   | Applicable                          | Not Applicable           |
|---|-------------------------------------|--------------------------|
| Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.  | <input checked="" type="checkbox"/> | <input 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 *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and 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*.

**Uses.** The project site is currently zoned C-3-G (Downtown General Commercial), which is intended to support a variety of functions in the area including retail, offices, hotels,



entertainment, clubs and institutions, and high-density residential. The project site is also within Mid-Market Area, which has been the focus of a concentrated revitalization effort resulting in a number of renovation and new construction projects, including significant residential construction and relocation of technology companies to several buildings within this area.

Additional exceptions and a variance would be required to permit construction. These exceptions and variance, including the applicable *Planning Code* sections, are described in detail in the Project Approvals section above.

**Height and Bulk.** The project site is within the 120-X Height and Bulk District, which permits construction to a height of 120 feet. The “X” indicates no building bulk requirements. The proposed residential building would be approximately 113 to 120 feet tall (129 to 136 feet including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). Therefore, the proposed building would be within the height and bulk limitations of the area.

**Affordable Housing.** As described above, the project sponsor intends to satisfy the Inclusionary Affordable Housing Program requirements by providing 36 affordable units on-site.

**Floor Area Ratio.** FAR is a measure of building intensity based on the ratio between the total floor area to be built on a site and the size of that site. In the C-3-G District, a base 6:1 FAR is allowed under Section 124, with a FAR of up to 9:1 with the purchase of transferable development rights (TDRs). The proposed project would have a FAR of approximately 7.5:1. As a result, a conditional use authorization to exempt on-site inclusionary housing units from the FAR calculations per *Planning Code* Section 124(f) and the purchase of TDRs are required.

**Parking.** For residential use, *Planning Code* Section 151.1 permits a parking ratio of up to 0.5 space per unit, with up to 0.75 per unit with conditional use approval. The proposed project would include 102 parking spaces, resulting in a ratio of 0.33 space per unit, in compliance with the *Planning Code*.

According to Section 155.2 of the *Planning Code*, one Class 1 bicycle space is required for each of the first 100 dwelling units and one additional space for every four units over 100 units, and one Class 2 bicycle space is required for every 20 dwelling units. Retail uses are required to provide one Class 1 space for every 7,500 sf and one Class 2 space is required for every 2,500 square feet of retail space, with a minimum of two spaces. The proposed project would provide 304 Class 1 and 18 Class 2 bicycle spaces, exceeding the Class 1 and Class 2 requirements.

**Loading.** *Planning Code* Section 152.1 requires two off-street freight loading spaces for residential uses between 200,001 and 500,000 gsf in C-3 Zoning Districts. Because the proposed project would include approximately 297,950 gsf, two loading spaces are required. The project proposes only one off-street freight loading space and one on-street passenger loading space; an exception to *Planning Code* Section 309 for the reduction in the number of off-site freight loading spaces is required.

**Inner Courts.** In order to meet the open space requirements for C-3 district buildings, the proposed project is seeking a variance to the “Use of Inner Courts” requirements to count the inner courtyard as common open space, as it does not strictly meet the one-to-one ratio of horizontal depth to height required (*Planning Code* Section 135(g)(2)). All residential units facing the courtyard would comply with Section 140 of the *Planning Code*, which requires that the windows in at least one room face directly on an open area that is unobstructed and is no less than 25 feet in every horizontal dimension, with an increase of five feet in every horizontal dimension at each subsequent floor.

**Rear Yard Requirements.** *Planning Code* Section 134 stipulates that rear yard depth shall be equal to 25 percent of the total depth of the lot but in no case less than 15 feet. The proposed project has a central courtyard rather than a rear yard to meet those requirements and, therefore, will seek an exception under *Planning Code* Sections 134(d) and 309.

**Ground-Level Wind Currents.** The project site is located in an area that is subject to the San Francisco *Planning Code* Section 148, Reduction of Ground-level Wind Currents in C-3 Districts. *Planning Code* Section 148 specifically outlines wind reduction criteria for the C-3 District by requiring buildings in C-3 Districts to be shaped, or include other wind-baffling measures, so that the development would not cause excessive ground-level currents. The buildings should not result in wind currents above the comfort level of 11 miles per hour (mph) more than 10 percent of the time year-round between 7:00 a.m. and 6:00 p.m. Similarly, the hazard criterion of the *Planning Code* requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph as averaged from a single full hour of the year.

The proposed building would be approximately 120 feet in height and, therefore, has the potential to change wind conditions in the area. A wind study has been prepared for the proposed project, as discussed in more detail in Section 8, Wind and Shadow. The proposed project will seek an exception under *Planning Code* Sections 148 and 309.

## PLANS AND POLICIES

### San Francisco General Plan Priority Planning Policies

The General Plan, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. Any conflict between the proposed project and policies that relate to physical environmental issues is discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with General Plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project, and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

In November 1986, the San Francisco voters approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the sections of this environmental evaluation addressing the environmental issues

associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 2b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 4a, b, and f, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13a-d, Geology and Soils); (7) landmark and historic building preservation (Question 3a, Cultural Resources); and (8) protection of open space (Questions 8a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Spaces).

Prior to issuing a permit for any project which requires an initial study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project is consistent with the Priority Policies. As noted above, the compatibility of the proposed project with the General Plan objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

### **Regional Plans and Policies**

The five principal regional planning agencies and their policy plans that guide planning in the nine-county Bay Area are (1) the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission *Plan Bay Area and Projections 2013*, (2) the Bay Area Air Quality Management District (BAAQMD) *2010 Clean Air Plan* and *Bay Area 2005 Ozone Strategy*, (3) the Metropolitan Transportation Commission *Regional Transportation Plan – Transportation 2035*, (4) the San Francisco Regional Water Quality Control Board (RWQCB) *San Francisco Basin Plan*, and (5) the San Francisco Bay Conservation and Development Commission *San Francisco Bay Plan*. Because of the size, location, and nature of the proposed project, conflicts with these regional plans are not anticipated.

## D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could 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 type="checkbox"/> Greenhouse Gas Emissions      | <input checked="" 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 checked="" type="checkbox"/> Cultural Resources  | <input type="checkbox"/> Recreation                    | <input checked="" 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"/> Air Quality         | <input type="checkbox"/> Biological 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 Impact with Mitigation Incorporated,” “Less-than-Significant Impact,” “No Impact,” or “Not Applicable” indicate that, upon evaluation, the staff has determined that the proposed project could not have a significant adverse environmental effect related to that issue. A discussion is included for those issues checked “Less-than-Significant Impact with Mitigation Incorporated” and “Less-than-Significant Impact” and for most items checked with “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 San Francisco Planning Department (Planning Department), such as the Planning 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 Wildlife. 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.”

### SENATE BILL 743 AND PUBLIC RESOURCES CODE SECTION 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.<sup>2</sup> Among other provisions, SB 743 amended the California Environmental Quality

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<sup>2</sup> SB 743 can be found online at [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB743](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743).

Act (CEQA) by adding Public Resources Code (PRC) Section 21099 regarding the analysis of aesthetics and parking impacts for certain urban infill projects in transit priority areas.<sup>3</sup>

## **AESTHETICS AND PARKING ANALYSIS**

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

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

The proposed project meets each of the above three criteria, and thus, this initial study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.<sup>4</sup>

PRC Section 21099(e) states that a lead agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources. As such, there will be no change in the Planning Department’s methodology related to design and historic review.

The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this initial study presents parking demand analysis for informational purposes and considers any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce on-site parking spaces that affects the public right-of-way) as applicable in the transportation analysis in Section E.4, Transportation and Circulation.

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<sup>3</sup> A “transit priority area” is defined in as an area within one-half mile of an existing or planned major transit stop. A “major transit stop” is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A map of San Francisco Transit Priority Areas can be found online at <http://sfmea.sfplanning.org/Map%20of%20San%20Francisco%20Transit%20Priority%20Areas.pdf>.

<sup>4</sup> San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist. January 7, 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

## E. EVALUATION OF ENVIRONMENTAL EFFECTS

| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i> |
|--|---|---|--|--------------------------|---------------------------|
| <b>1. LAND USE AND LAND USE PLANNING—<br/>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)**

The proposed project would involve demolition of an existing two-story building and parking lot and construction of a new 12-story, 120-foot-tall residential building with ground-floor retail space and two levels of subterranean parking. The proposed new building would be developed entirely within the existing boundaries of the lot. Land uses in the immediate area of the project site include low- to mid-rise (one- to 10-story) mixed-use commercial buildings, hotels, multifamily housing, entertainment venues, and institutional uses. The proposed project would be consistent with the mix of development that characterizes the surrounding established community. The proposed project would not interfere with or change the existing street plan or impede the passage of persons or vehicles. Therefore, the proposed project would not physically divide an established community, and this impact would be less than significant.

### **Impact LU-2: The proposed project would not conflict with applicable land use plans, policies, and regulations of agencies with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)**

The proposed project would not substantially conflict with any applicable land use plan, policy, or regulation such that an adverse physical change would result (see Section C, Compatibility with Existing Zoning and Plans). Environmental plans and policies are those, such as the BAAQMD 2010 Clean Air Plan, that directly address environmental issues and/or contain targets or standards that must be met in order to preserve or improve characteristics of the city's physical environment. Furthermore, the proposed project would not conflict with general plan policies that relate to physical environmental issues. Therefore, the proposed project would be consistent with applicable land use plans, policies, and regulations, and this impact would be less than significant.

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

The project site is currently occupied by a two-story 5,066 gsf vacant commercial building and adjoining 23,419 gsf, 102-space surface parking lot. The proposed project involves demolition of an existing building and parking lot and construction of a new, larger 12-story, 120-foot-tall residential building of, approximately 297,950 gsf, with ground-floor retail space and two levels of subterranean parking. Land uses in the immediate area of the project site include a mix of low- and mid-rise (one- to 10-story) mixed-use commercial buildings, tourist and residential hotels, multifamily housing, entertainment uses, and government institutions. The project site is bounded by a three-story building and Market Street to the south, Jones Street to the west, Golden Gate Avenue to the north, and a two-story commercial building to the east. Although the proposed project would result in development of new land uses at the project site as well as an intensification of development at the project site, the proposed project would not be out of character with the mixed-use buildings of various heights that are typically found in the vicinity of the project site. The project site is located within an urbanized area where taller buildings are common and expected as part of the urban context, and the proposed building would be similar in scale to existing seven- to 10-story buildings located directly across Jones Street and Golden Gate Avenue to the west and northwest. In addition, the proposed project would include land uses that are principally permitted and already existing within the project vicinity. Furthermore, the proposed project would include active uses to replace the vacant commercial building and develop the existing parking lot, making it more consistent with the development intensity and compactness that characterize the Downtown/Civic Center neighborhood. Therefore, the impact of the proposed project on the existing character of project's vicinity would be less than significant.

**Impact C-LU: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to land use. (Less than Significant)**

There are several reasonably foreseeable projects in the immediate project vicinity, including, but not limited to, the nearby planned developments located at 950–974 Market Street, 1028 Market Street, 1125 Market Street, 1055 Market Street, 1075 Market Street, 121 Golden Gate Avenue, 180 Jones Street/181 Turk Street, and 168 Eddy Street (which are anticipated to begin construction in 2016), as well as other planned developments that may be proposed under the potential Mid-Market Special-Use District proposal. The cumulative land use development projects in the project vicinity would result in noticeable physical change to the project area in terms of increasing the permanent and daytime population in the surrounding area. However, new development in the project vicinity is consistent with current land use policies and zoning controls in the area and would not divide an established community, substantially conflict with an applicable land use plan or policy, or cause a substantial adverse change in land use character in the project vicinity. In addition, the project site is not located within the jurisdiction of an adopted habitat conservation plan, natural community conservation plan, or other approved

local, regional, or state habitat conservation plan. New development in the project vicinity would be consistent with prevailing density and would occur on previously developed land on established sites. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable land use impact.

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| <i>Topics:</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i> |
|---|---|---|--|--------------------------|---------------------------|
| <b>2. POPULATION AND HOUSING—<br/>Would the project:</b>  |   |   |  |                          |                           |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input 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 checked="" type="checkbox"/>          | <input 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 in San Francisco, either directly or indirectly. (Less than Significant)**

The proposed project would involve demolition of an existing vacant building and parking lot and construction of approximately 304 dwelling units and 4,540 gsf of retail/restaurant space. As such, the proposed project would directly induce population growth in both the neighborhood and the citywide context.

The 2010 U.S. census reported a population of 805,235 residents in the city and county of San Francisco and a population of 5,335 residents within 2,205 occupied housing units in Census Tract 125.01, which includes the project site and its immediate vicinity.<sup>5</sup> The population of census tracts generally within the Downtown/Civic Center neighborhood is approximately 39,231 residents within 21,769 occupied housing units.<sup>6</sup> Based on the average household size for Census Tract 125.01, 2.42 persons per household,<sup>7</sup> the addition of 304 dwelling units would increase the population at the project site by approximately 736 residents. This would represent a residential population increase of 0.09 percent citywide, 1.9 percent within the Downtown/Civic Center

<sup>5</sup> U.S. Census Bureau. 2010a. 2010 Census Interactive Population Search. Available: <http://www.census.gov/2010census/popmap/ipmtext.php>. Accessed: January 20, 2015. Census Tract 125.01, which is irregularly shaped, is generally bounded by Powell Street to the east, Ellis Street between Powell Street and Taylor Street to the north, Turk Street between Taylor Street and Leavenworth Street to the north, Market Street to the south, and Leavenworth Street to the west.

<sup>6</sup> U.S. Census Bureau. 2010a. 2010 Census Interactive Population Search. Available: <http://www.census.gov/2010census/popmap/ipmtext.php>. Accessed: January 20, 2015. Census Tracts 120, 121, 122.01, 122.02, 123.01, 123.02, 124.01, 124.02, and 152.02 were included in this calculation, in the area generally bound by Bush Street to the north, Powell Street to the east, Market Street to the south, and Van Ness Avenue to the west.

<sup>7</sup> U.S. Census Bureau. 2010b. *Profile of General Population and Housing Characteristics: 2010*. San Francisco, CA, Census Tract 125.01. Available: <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>. Accessed: March 6, 2015.

neighborhood, and 13.8 percent within Census Tract 125.01. Because the project would result in a small incremental amount of growth, compared with growth in the neighborhood and the City, the impact of population growth generated by the increase in the number of residential units on the project site is not considered to be substantial. Therefore, implementation of the proposed project would not directly induce substantial population growth. The proposed project would also not indirectly induce substantial population growth in the project area because it would be located on an infill site in an urbanized area and would not involve any extensions to area roads or other infrastructure that could enable additional development in currently undeveloped areas.

The proposed project would also introduce retail activity and associated employment to the site, estimated to be approximately 13 employees.<sup>8</sup> According to the Planning Department and ABAG, employment in San Francisco is forecast to increase by 34 percent (191,000 jobs) between 2010 and 2040, to a total of approximately 760,000.<sup>9,10</sup> In the context of this projected citywide employment growth, the increase in employment would not result in substantial demand for additional housing.

Although the proposed project would increase the population at the project site, compared with existing conditions, project-specific population impacts would not be significant because they would be small relative to the number of area-wide residents and employees in the project vicinity. Overall, impacts related to the increase in housing and employment would be less than significant in the context of growth in the city. The proposed project would not directly or indirectly induce substantial population growth in San Francisco and would result in a less-than-significant population impact.

**Impacts PH-2: The proposed project would not displace existing housing units or substantial numbers of people or create demand for additional housing, necessitating the construction of replacement housing. (Less than Significant)**

The proposed project would not displace any housing or people because there are no residential dwelling units currently on the project site. Assuming that some employees would be new to the region, the increase of 13 employees (see Impact PH-1) could result in a small increase in demand for additional housing. However, the number of such employees would be very small compared with the total population and the available housing stock in San Francisco and the Bay Area and would not necessitate the construction of new housing. The proposed project would result in less-

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<sup>8</sup> San Francisco Planning Department. 2002. Transportation Impact Analysis Guidelines for Environmental Review. Appendix C, Table C-1. An employment factor of 350 gsf per employee is used for general retail uses. Available: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>. Accessed: January 26, 2015.

<sup>9</sup> Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), Plan Bay Area Jobs-Housing Connection Strategy, revised May 16, 2012. Available at: [http://www.onebayarea.org/pdf/JHCS/May\\_2012\\_Jobs\\_Housing\\_Connection\\_Strategy\\_Main\\_Report.pdf](http://www.onebayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf). Accessed March 17, 2015.

<sup>10</sup> San Francisco Planning Department, San Francisco Land Use Allocation, Central SoMa, January 6, 2014. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2011.1356E.

than-significant impacts related to the displacement of people or creation of demand for additional housing.

**Impact C-PH: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts on population and housing. (Less than Significant)**

Housing and employment growth in San Francisco is anticipated to occur consistent with the projections contained in *Plan Bay Area*, which is the current regional transportation plan and Sustainable Communities Strategy that was adopted by MTC and ABAG in July 2013, in compliance with California's governing greenhouse gas reduction legislation, Senate Bill 375. *Plan Bay Area* calls for an increasing percentage of Bay Area growth to occur as infill development in areas with good transit access and where services necessary to daily living are provided in proximity to housing and jobs. With its abundant transit service and mixed-use neighborhoods, San Francisco is expected to accommodate an increasing share of future regional growth. Therefore, the *Plan Bay Area* projections represent the context for cumulative analyses, and the housing and employment growth that would result from the proposed project is consistent with these projections.

As described above, the proposed project would not induce substantial population growth or have significant physical environmental effects on housing demand or population.

The approved and proposed projects identified in Impact C-LU-1 combined would add approximately 2,483 new residents within 1,079 dwelling units in Census Tract 125.01.<sup>11</sup> Overall, these approved and proposed projects when combined with the proposed project would add 3,219 new residents within the 1,833 dwelling units in this census tract, which would represent a residential population increase of 60.3 percent and an occupied dwelling unit increase of 83.1 percent in this census tract. These proposed projects would be required to pay an affordable housing in-lieu fee or provide a percentage of the total number of units, either on-site or off-site, as affordable units.

Over the last several years, the supply of housing has not met the demand for housing within San Francisco. In July 2013, ABAG projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. The jurisdictional need of San Francisco for 2014–2022 is 28,869 dwelling units, consisting of 6,234 dwelling units within the very low income level (0–50 percent), 4,639 within the low income level (51–80 percent), 5,460 within the moderate income

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<sup>11</sup> Assumes 2.42 persons per household for 229 Ellis Street (18 dwelling units), 180 Jones Street/181 Turk Street (37 dwelling units), 168 Eddy Street (103 dwelling units), 950–974 Market Street (250 dwelling units), 1028 Market Street (186 dwelling units), 19–25 Mason Street (155 dwelling units), 1075 Market (90 dwelling units), and 1125 Market (150 dwelling units). Assumes 1.00 person per household for 121 Golden Gate Avenue (90 senior dwelling units). No new residents were assumed for the 1055 Market Street because it is a proposed hotel development.

level (81–120 percent), and 12,536 within the above-moderate income level (120 percent plus).<sup>12</sup> These numbers are consistent with the development pattern identified for San Francisco in *Plan Bay Area*.<sup>13</sup> As part of the planning process for *Plan Bay Area*, San Francisco identified Priority Development Areas, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment that will be served by transit. Census Tract 125.01 is within a Priority Development Area. Therefore, although the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would increase the population in the area, it would not induce substantial population growth because this population growth has been anticipated. Furthermore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in substantial numbers of housing units or people being displaced because the majority of the approved and proposed cumulative projects would demolish vacant buildings and/or construct new buildings on surface parking lots. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable population and housing impact.

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<sup>12</sup> Association of Bay Area Governments. 2013. *Regional Housing Need Plan for the San Francisco Bay Area: 2014 – 2022*. July. Available: [http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22\\_RHNA\\_Plan.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf). Accessed: October 8, 2015.

<sup>13</sup> Metropolitan Transportation Commission and Association of Bay Area Governments. 2013. *Plan Bay Area*. July. Available: <http://onebayarea.org/plan-bay-area/final-plan-bay-area.html>. Accessed: October 8, 2015.

| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i>           |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>3. CULTURAL RESOURCES—Would the project:</b>  |   |   |  |                          |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code? | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                     | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?   | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                     | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Disturb any human remains, including those interred outside of formal cemeteries?   | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                     | <input type="checkbox"/> | <input type="checkbox"/>            |
| d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Impact CR-1: During construction, the proposed project would result in ground-borne vibration that could structurally affect and materially impair nearby historically significant buildings. (Less than Significant with Mitigation)**

As shown in Figure 1, the project site is located across Golden Gate Avenue and Jones Street from the Uptown Tenderloin Historic District. The project site is within the National Register of Historic Places (NRHP) Market Street Theatre and Loft Historic District (District) and adjacent to or within 25 feet of two contributors to the District: Prager's Department Store, at 1072–1098 Market Street, and the Golden Gate Building, at 1028–1056 Market Street. In addition, the project site is within the same block as the San Cristina Building, at 1000–1016 Market Street, which is a contributory building to the District. These adjacent and nearby buildings and contributors to the District are commonly constructed of brick (i.e., masonry) or with reinforced concrete, which could be susceptible to vibration-related construction activities. Although the existing building at the project site lies within the District, which is listed in the NRHP, the nomination form and the San Francisco Property Information Map do not classify the existing onsite building as a contributor to the District. Thus, the project site is not historically significant. The potential impacts of the proposed project related to the Uptown Tenderloin Historic District and Market Street Theatre and Loft Historic District are discussed in Impact CR-3.

The depth of excavation for the proposed project would be 25 to 36 feet bgs. Drilled piers, a mat foundation, or a combination of both may be used. Construction activities, including the use of heavy equipment near adjacent buildings and the installation of cantilevered soldier piles that could require the use of pile drilling or other vibratory methods, could structurally affect and materially impair historically significant buildings within 100 feet of the project site. This is considered a potentially significant impact.

Structures, especially older masonry structures, are sensitive to ground-borne vibration. Ground-borne vibration can move floors in buildings, rattle windows, shake items on shelves or hanging on walls, and create rumbling sounds. In extreme cases, the vibration can damage buildings.

Typically, ground-borne vibration generated by activities attenuates rapidly with distance from the source of the vibration.

Several different methods are used to quantify vibration; peak particle velocity (PPV) is most frequently used to describe vibration impacts on buildings. PPV is defined as the maximum instantaneous peak of the vibration signal and is expressed in inches per second. The Federal Transit Administration (FTA) significance criterion for non-engineered timber and masonry buildings is a PPV of 0.2 or greater; for engineered concrete and masonry buildings, the criterion is a PPV of 0.3 or greater.<sup>14</sup>

Of the various pieces of construction equipment that generate vibration, vibrating pile drivers are associated with the greatest vibration levels. Other pieces of construction equipment that generate vibration include clam shovels, which are used for slurry wall construction; bulldozers; jackhammers; and loaded trucks.

**Table 2** identifies the typical vibration velocities generated by various types of construction equipment at the reference distance of 25 feet.<sup>14</sup> As discussed above, the project site is within 25 feet of Prager's Department Store and the Golden Gate Building, which are both contributors to the District. As shown in **Table 2**, construction activity on the project site could cause vibration at these nearby structures to exceed the FTA vibration velocity threshold of 0.2 inch per second, which is considered a potentially significant impact.

**TABLE 2: VIBRATION VELOCITIES FOR CONSTRUCTION EQUIPMENT**

| Equipment                        | Velocity at 25 feet<br>(inches per second) |
|----------------------------------|--|
| Impact Pile Driver (upper range) | 1.518                                      |
| Impact Pile Driver (typical)     | 0.644                                      |
| Sonic Pile Driver (upper range)  | 0.734                                      |
| Sonic Pile Driver (typical)      | 0.170                                      |
| Clam Shovel Drop (slurry wall)   | 0.202                                      |
| Hoe Ram                          | 0.089                                      |
| Large Bulldozer                  | 0.089                                      |
| Loaded Trucks                    | 0.076                                      |
| Jackhammer                       | 0.035                                      |
| Small Bulldozer                  | 0.003                                      |

Source: Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment*. Table 12-2. 2006.

The project site is across the street from the Uptown Tenderloin Historic District. According to the Historic Resource Evaluation Response (HRER) described in Impact CR-2, the overall integrity of the individual resources in the Uptown Tenderloin Historic District would not be affected because the physical separation between the proposed project and such resources would reduce

<sup>14</sup> Federal Transit Administration (FTA).. 2006. *Transit Noise and Vibration Impact Assessment*. Table 12-3. May.

the potential for direct or indirect vibration-related impacts. Therefore, construction activity on the project site would not cause vibration that would affect the structures within the Uptown Tenderloin Historic District.

**Mitigation Measure M-CR-1** and **Improvement Measure I-CR-1** would apply to any components of the proposed project that would result in ground-disturbing activities. These measures would require, among other things, the project sponsor to set a performance standard for maximum vibration levels and use construction best practices to avoid vibration damage to adjacent and nearby historic buildings based on that performance standard. In addition, monitoring would be required to document and remediate any damage to adjacent and nearby historic buildings caused by construction activities at the project site. To reduce potential vibration-induced damage to a less-than-significant level, the Project Sponsor would be required to implement **Mitigation Measure M-CR-1**.

#### **Mitigation Measure M-CR-1: Vibration Monitoring and Management Plan**

The project sponsor shall retain the services of a qualified structural engineer and preservation architect that meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards to conduct a Pre-Construction Assessment of the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street). Prior to any ground-disturbing activity, the Pre-Construction Assessment should be prepared to establish a baseline, and shall contain written and/or photographic descriptions of the existing condition of the visible exteriors of the adjacent buildings and in interior locations upon permission of the owners of the adjacent properties. The Pre-Condition Assessment should determine specific locations to be monitored and include annotated drawings of the buildings to locate accessible digital photo locations and locations of survey markers and/or other monitoring devices (e.g., to measure vibrations). The Pre-Construction Assessment will be submitted to the Planning Department along with the Demolition and/or Site Permit Applications.

The structural engineer and/or preservation architect shall develop, and the project sponsor shall adopt, a vibration management and continuous monitoring plan to protect the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street) against damage caused by vibration or differential settlement caused by vibration during project construction activities. In this plan, the maximum vibration level not to be exceeded at each building shall be 0.2 inch/second, or a level determined by the site-specific assessment made by the structural engineer and/or preservation architect for the project. The vibration management and monitoring plan should document the criteria used in establishing the maximum vibration level for the project. The vibration management and monitoring plan shall include pre-construction surveys and continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard. The vibration management and monitoring plan shall be submitted to Planning Department Preservation Staff prior to issuance of any construction permits.

Should vibration levels be observed in excess of the standard, or if damage to either the Golden Gate Building (1028 Market Street) and/or former Praeger's Department Store (1072 Market Street) is observed, construction shall be halted and alternative techniques put in practice, to the extent feasible. The structural engineer and/or historic preservation consultant should conduct regular periodic inspections of digital photographs, survey markers, and/or other monitoring devices during ground-disturbing activity at the project site. The buildings shall be protected to prevent further damage and remediated to pre-construction conditions as shown in the Pre-Construction Assessment with the consent of the building owner. Any remedial repairs shall not require building upgrades to comply with current San Francisco Building Code standards.

To further safeguard against damage to adjacent historic buildings in the Market Street Theatre and Loft Historic District and minimize the potential effects from the project's construction activities, the project sponsor has agreed to implement Improvement Measure I-CR-1.

**Improvement Measure I-CR-1: Construction Best Practices for Historical Architectural Resources**

The project sponsor will incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street), including, but not limited to, staging of equipment and materials as far as possible from historic buildings to limit damage; using techniques in demolition, excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and historic resource(s); enclosing construction scaffolding to avoid damage from falling objects or debris; and ensuring appropriate security to minimize risks of vandalism and fire. These construction specifications will be submitted to the Planning Department along with the Demolition and Site Permit Applications.

With implementation of **Mitigation Measure M-CR-1** to reduce vibration-induced damage to a less than significant level, the proposed project would not result in a substantial adverse impact to nearby historically significant buildings, including buildings in the Uptown Tenderloin Historic District, such that the significance of these buildings would be materially impaired. In addition, implementation of **Improvement Measure I-CR-1** to adhere to construction best practices would further reduce the proposed project's less-than-significant effects on historical resources. Therefore, with implementation of **Mitigation Measure M-CR-1** and **Improvement Measure I-CR-1**, the overall impact as well as temporary construction-related vibration impacts of the proposed project on the Uptown Tenderloin Historic District and Market Street Theatre and Loft Historic District and their historical resources would be less than significant with mitigation.

**Impact CR-2: The proposed project would not result in a substantial change in the significance of an individually eligible historic resource. (Less than Significant)**



Under CEQA, a property qualifies as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR)<sup>15</sup> or if it is considered a contributor to a potential historic district. A Historic Resource Evaluation (HRE) was prepared to assist the Planning Department in determining whether the existing building is a historic resource and provide information about the District in which it is located.<sup>16</sup> The Planning Department reviewed the HRE, concurred with the findings, and issued a HRER determination that the building on the project site is not a historic resource and that the building is a non-contributor to the Market Street Theatre and Loft Historic District.<sup>17</sup>

The following discussion relies on the information provided in the HRE and the HRER. As noted above, the project site is within the Market Street Theatre and Loft Historic District and adjacent to or within 25 feet of two contributors to the District. The project site is not a contributor to the District.

### ***Market Street Theatre and Loft Historic District***<sup>18</sup>

The District is composed of motion picture theater and loft buildings along Market Street, primarily between Sixth and Seventh Streets. On the south side of Market Street, the boundary extends four buildings northeast, past Sixth Street, and one building southwest, past Seventh Street. On the north side of Market Street, the boundary includes two major intersections, Market Street/Golden Gate Avenue/Taylor Street and Market/Jones/McAllister Streets. The District was listed in the NRHP in 1986. According to the NRHP nomination, there are 30 buildings within the District, of which 20 are contributing, and the other 10, including the existing building at the project site, are “intrusions.”<sup>19</sup>

The District is significant under NRHP Criteria A and C. Its period of significance is 1889–1930. The District consists of both of a sampling of pre-1906 earthquake buildings (four of the contributing buildings in the District) and post-1906 earthquake buildings, which were influenced by the City Beautiful Movement in terms of texture, coloration, height, and style. Within the District, each of the two intersections north of Market Street with three converging streets (Market Street/Golden Gate Avenue/Taylor Street and Market/Jones/McAllister Streets) focuses on a primary notable building: the Golden Gate Theatre and the Hibernia Bank, respectively. According to the nomination form, the District is notable for its architects, including, but not

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<sup>15</sup> A property may be considered a historical resource if it meets any of the CRHR criteria related to (1) events, (2) persons, (3) architecture, or (4) information potential that make it eligible for listing in the CRHR.

<sup>16</sup> Knapp Architects. 2015. *Historic Resource Evaluation, 1066 Market Street, San Francisco, CA 94102*. August 3. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>17</sup> San Francisco Planning Department, *Historic Resource Evaluation Response, 1066 Market Street, San Francisco, CA 94102*, October 30, 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>18</sup> Bloomfield, Anne. 1986. *Market Street Theatre and Loft Historic District, National Register of Historic Places Nomination Form*. San Francisco, Appendix II, Item 7 – Description.

<sup>19</sup> Intrusions are buildings that were constructed or heavily modified after the period of significance.

limited to, G. Albert Lansburgh, Miller & Colmesnil, Shea & Shea, and Sylvain Schnaittacher, and the architects' wealthy real estate clients. It was considered a second downtown in the commercial sense but primarily a center for big movie houses, which reached their height in the 1920s, after their previous vaudeville history. Michael Corbett's description in *Splendid Survivors*, excerpted in the NRHP nomination, notes that the loft buildings are "distinguished by the simplicity of their skeletal façades," characteristic of early Modernist notions of expressing structure and function, but also embellished by ornamentation.<sup>20</sup>

Buildings within the District range in height from two to eight stories, generally occupy the entire lot, and have straight vertical façades. The District's predominant style is described as "The Commercial Style," with ground-floor commercial storefronts with transom bands, which are transverse horizontal structural beams or bars; two- to three-part vertical compositions; decorative Renaissance/Baroque-style formal features, including columns, pilasters, and prominent cornices; double-hung and Chicago windows; arched window openings at the top story; and a parapet with a flat roof beyond. Finish materials include brick, terra cotta, galvanized iron, and stucco over a reinforced concrete or steel framework. Triple-globe streetlights with sculpted bases are noted as complementary to the buildings. Of the four buildings in the same block as the project site, three are contributors to the District and eligible for the CRHR.

### ***Project Site, Existing Building, and Adjacent Existing Buildings***

The Paramount Theatre, built in 1920 and demolished in 1960, once stood on the project site. Designed by architect Alfred H. Jacobs and originally called the Granada, the theater, which was 65 feet tall and contained 2,800 seats, was a venue for first-run films. The existing two-story building, constructed in 1965, designed by Markling & Yamasaki, has a metal panel and light curtain wall exterior through which the concrete structure is visible beyond. The building at the project site is the only building on the block that is not a contributor to the District. As discussed in the HRE, it was constructed after the District's period of significance, and is therefore considered an intrusion.<sup>21</sup> It is not consistent in age and style with the historic buildings on the block and does not reflect the characteristics of the District. In addition, according to the HRER, the project site is not historically significant. Furthermore, the proposed project would not cause a substantial adverse change in the adjacent Golden Gate Building at 1028 Market Street or former Praeger's Department Store at 1072 Market Street such that the significance of these buildings would be materially impaired, according to the HRER. The proposed project would also not cause a substantial adverse impact on any individual historic buildings in the project site vicinity, including Hibernia Bank at 1 Jones Street and Boyd Hotel at 41 Jones Street. According to the HRER, although the proposed project may alter the setting of these nearby individual buildings, the overall integrity of these individual resources would not be affected because the physical separation between the proposed project and such resources would reduce the potential for direct

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<sup>20</sup> Bloomfield, Anne. 1986. *Market Street Theatre and Loft Historic District, National Register of Historic Places Nomination Form*. San Francisco, Item 8 – Significance, Continuation p. 1.

<sup>21</sup> "Intrusions" are buildings constructed or heavily modified after the period of significance.

or indirect impacts. Because the existing on-site two-story building is not a historic resource or a contributor to the surrounding adjacent historical district, the demolition of this building and clearing of the site for the proposed project would not result in a significant impact on an individual historic resource and this impact would be less than significant. .

**Impact CR-3: The proposed project would not result in a substantial adverse change in the significance of a historic district. (Less than Significant)**

The proposed project would demolish the existing non-historic two-story commercial building and parking lot and construct a 12-story mixed-use building. Rising up to 120 feet (129 to 136 feet with parapets and rooftop mechanical structures), the building would have frontages on Market Street, Jones Street, and Golden Gate Avenue and be wrapped around a courtyard on the project site (**Figures 7–10**). The proposed building would be rectilinear in massing along all three street frontages. The base of the building would be composed of storefront windows and a transom level that would be recessed from the plane of the upper stories and divided vertically into bays by large piers that would be finished with integrally colored pre-cast concrete panels on all façades, except for the Market Street frontage where the finish would be decorative stone. Slim-profile canopies or flat awnings would provide cover at entries and divide the storefront from the transom. The aluminum storefront system would have tall vertical sections and transoms that would include two narrow horizontal bands of glazed lights and louvers above, except for the Market Street frontage where the transom would consist of a single row of lights with no louvers. The upper stories of the building would be clad in a panelized system of integrally colored pre-cast concrete units with four graded color variations: dark, two intermediate shades, and a light shade. The panelized system would have deep punched openings with a glazed aluminum window frame system and painted metal spandrel panels. The windows would be Chicago--style, with a central fixed light that would be flanked by operable casements over smaller fixed lights. Most of the recessed Chicago-style windows would be combined in pairs, either horizontally or vertically, to create a composition of interlocking vertical and horizontal elements on the façade. Similarly, not all of the column lines that would define the bays on the upper stories would extend down to the street level, allowing the storefront bays to vary in width.

The project's Market Street façade, which directly relates to the District, would be 114 feet (11 stories) in height; the design would differ somewhat from the Jones Street and Golden Gate Avenue façades. The base of the building would be approximately 29 feet high and would appear to be a tall first story/mezzanine with a transom and topped by a second story. Large piers would divide the base of the building horizontally into three unequal sections. Each section would have a storefront with transom, canopies over the doorways, horizontal bands of storefront windows that would correspond to the double height ground story, and five upper-floor window units that would correspond to the second story, which would include residential units. Each of the two commercial storefronts would be composed of two combined bays that would be flanked by solid piers at the structural column lines, with the entry doors in the center of the eastern bay. The residential exit at the easternmost bay of the building would be similar but would be only one bay wide. The two commercial bays would be covered by full-width canopies. The residential exit on the east side of the Market Street façade would not be distinguished by a marquee. The west entry

that would lead to the on-site courtyard would adjoin the west end of the commercial storefront and have a marquee with signage, depicting the street number above it. The upper stories would be divided into two additional sections that would be marked by a horizontal recessed band. Stories 3 through 9, which would form the mid-section of the building, would be distinguished by an intermediate shade of integral concrete color. The top section, stories 10 and 11, would be the lightest color, terminated by the horizontal lines of the terrace railing at the roof level.

Because the project site is a non-contributory lot with a non-historic building in the District, the *Secretary's Standards for Rehabilitation* and the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating Restoring and Reconstructing Historic Buildings* are not relevant to the existing on-site building but are applied to determine the compatibility of the proposed project with the character-defining features and contributory properties of the District. Standard 1 would allow residential use on upper stories because this use would not require physical features or design characteristics that would make the proposed building incompatible with the District. Standards 2 through 7 generally do not apply to the project site, which does not contain historic resources that would be physically altered. Standard 8, which is geared primarily to archaeological resources, is excluded from the HRE because the City's requirements for archaeological review and monitoring apply. The proposed project would conform to Standard 9 with respect to differentiation from District contributory properties to avoid a false sense of historical development. The design of the proposed project would be consistent with characteristics within the District in that it would divide the façades into horizontal sub-zones and the windows would be stacked in aligned bays. The proposed project would use a series of smaller façade elements to break down the building mass, while the existing contributory buildings use a more hierarchical and consistent system of façade composition and Renaissance/Baroque ornamentation to achieve the same goal.

Standard 10 requires that new interventions avoid the loss of historic features and that they be reversible. The proposed project would not require demolition or alteration of any contributory building, including buildings that flank the project site. The District would remain intact, and the ratio of contributing to non-contributing buildings would remain 20:10, the same as described in the NRHP Nomination.

Demolition of the two-story building and parking lot, which are located on a non-contributing property in the District, would not result in a project-specific impact on the District. Although the proposed 12-story building would be markedly taller than adjacent two- and four-story structures within the block and three- to seven-story buildings opposite Golden Gate Avenue and Jones Street in the Uptown Tenderloin Historic District, it would be broadly compatible with and clearly differentiated from District characteristics and contributory historic buildings in the District. According to the HRE, overall, the proposed building would be a contemporary but compatible design that references the character-defining features of adjacent historic contributory buildings and the surrounding District in conformance with the *Secretary's Standards*. Based on these considerations, the proposed project would not materially impair the significance of the District. Although the proposed project could alter the setting of the adjacent Uptown Tenderloin Historic District, the overall integrity of the Uptown Tenderloin Historic District would not be

affected due to the physical separation between the proposed project and the Uptown Tenderloin Historic District, according to the HRER. Therefore, the proposed project would have a less-than-significant impact on the Market Street Theatre and Loft Historic District as well as the adjacent Uptown Tenderloin Historic District.

**Impact CR-4: The proposed project could cause a substantial adverse change in the significance of an archeological resource. (Less than Significant with Mitigation)**

When determining the potential for encountering archeological resources, relevant factors include the location, depth, and areal extent of excavation proposed, as well as any recorded information on known resources in the area. A Preliminary Archeological Review (PAR) was performed by the Planning Department's archaeologist for the proposed project.<sup>22</sup> As described in Impact GE-2 in Section E.13, Geology and Soils,<sup>23</sup> the project site is blanketed by approximately 22 to 26 feet of fill, consisting of very loose to very dense sand with variable silt, clay, and gravel content, and includes fragments of brick, concrete, and other rubble. In portions of the project site, the fill is underlain by medium-dense to dense native sand, known locally as Dune sand. The Dune sand and the fill are underlain by a Marsh deposit, consisting of medium-stiff to stiff clay with sand, stiff to very stiff sandy clay, very loose to medium-dense clayey sand, and loose to medium-dense clayey silty sand. The bottom of the Marsh deposit was encountered at depths between 36 and 38 feet bgs. The PAR determined that the excavation required for the sub-grade levels of the proposed project, in combination with the improved soil applications and drilled piers required for foundational support, would have the potential to affect any prehistoric deposits that may exist within the project site adversely. The project site is located within an area that the Archeological Research/Design Treatment Plan for the Central SoMa Plan identified as having a "very high" potential for buried prehistoric deposits. Within the project site, prehistoric deposits are most likely to be encountered in native Dune sand and Marsh deposits. The depth of excavation required for the project would be 25 to 36 feet bgs and would therefore extend into the Dune sand and Marsh deposits. Drilled piers, a mat foundation, or a combination of both may be used. Therefore, the proposed project could cause a substantial adverse change in the significance of an archeological resource. This is considered a potentially significant impact. Implementation of Measure M-CR-4, to which the project sponsor has agreed, would reduce this potential impact to less than significant.

**Mitigation Measure M-CR-4: Archeological Testing Program**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical

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<sup>22</sup> San Francisco Planning Department. 2015. Preliminary Archeological Review Log. January 16, 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>23</sup> Langan Treadwell Rollo. 2014. *Geotechnical Investigation for 1066 Market Street San Francisco, California*. January 29. This document is on file and available for public review as part of Case File No. 2013.1753E.

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

*Consultation with Descendant Communities.* On discovery of an archeological site<sup>24</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>25</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and consult with the ERO regarding appropriate archeological treatment of the site, recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report (FARR) shall be provided to the representative of the descendant group.

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

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<sup>24</sup> The term "archeological site" is intended here to include, at a minimum, any archeological deposit, feature, burial, or evidence of burial.

<sup>25</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and, in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archaeologist.

and identify and evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the Archeological Monitoring Program (AMP) reasonably prior to any project-related soil-disturbing activities commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, drilling of piers (foundation work, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), know how to identify the evidence of the expected resource(s), and know the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

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

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.



- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the coroner's determination that the human remains are Native American remains, notification of the California Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to, but not beyond, six days from the time of discovery to make reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (State CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing state regulations or in this mitigation measure compels the project sponsor and the ERO to accept the recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects, as specified in the treatment agreement, if such as agreement has been made, or, otherwise, as determined by the archeological consultant and the ERO.

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

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

**Impact CR-5: The proposed project could disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)**

The depth of excavation would be 25 to 36 feet bgs. Based on this depth, the proposed project could disturb human remains, resulting in a potentially significant impact. Impacts on Native American burials are considered under PRC Section 15064.5(d)(1). When an initial study identifies the existence of, or the likelihood of, Native American human remains within a project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the 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. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The proposed project's treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco Coroner. If the coroner determines that the remains are Native American, the NAHC will be notified and will appoint an MLD (PRC Section 5097.98). **Mitigation Measure M-CR-4** also contains language to ensure the sound handling of any encountered human remains. With implementation of **Mitigation Measure M-CR-4**, the proposed project would have a less-than-significant impact on human remains.

**Impact CR-6: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant with Mitigation)**

Tribal cultural resources (TCR) are those resources that meet the definitions in Public Resources Code Section 21074. Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either (a) included or determined to be eligible for inclusion in the CRHR or (b) included in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k). Based on discussions with Native American tribal representatives, prehistoric archeological resources in San Francisco are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project affects its significance.

Pursuant to Assembly Bill 52, effective July 1, 2015, within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the lead agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts.

On November 6, 2015, the Planning Department mailed a "Tribal Notification Regarding Tribal Cultural Resources and CEQA" related to this project to Native American tribal representatives who requested notification. During the 30-day comment period, no Native American tribal

representatives contacted the Planning Department to request consultation. However, unknown archeological resources may be encountered during construction that could be identified as TCRs at the time of discovery or at a later date. Therefore, the potential adverse effects of the proposed project on previously unidentified archeological resources, as discussed under Impact CR-4, also represent a potentially significant impact on TCRs. Implementation of **Mitigation Measure M-CR-4**, Archeological Testing Program, and **Mitigation Measure M-CR-6**, Tribal Cultural Resources Interpretive Program, would reduce potential adverse effects on TCRs to a less-than-significant level. **Mitigation Measure M-CR-4** would require either preservation-in-place of the TCRs, if determined effective and feasible, or an interpretive program regarding the TCRs developed in consultation with affiliated Native American tribal representatives.

#### **Mitigation Measure M-CR-6: Tribal Cultural Resources Interpretive Program**

If the Environmental Review Officer (ERO) determines that preservation-in-place of previously unidentified archeological resources pursuant to Mitigation Measure M-CR-4, Archeological Monitoring, is not a sufficient or feasible option, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a TCR, the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

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

The geographic scope of potential cumulative impacts on cultural resources encompasses the project site and vicinity. All identified cumulative projects are assumed to involve some degree of ground disturbance during construction and have the potential to affect historic, archeological, and/or tribal cultural resources. Impacts on human remains as well as historic, archeological, and tribal cultural resources are generally site-specific. As discussed in the HREER, with regard to architectural resources, in addition to the proposed project, 10 current or foreseeable projects are located within the District. Of these, seven projects (i.e., 982 Market, 1 Jones Street, 1100 Market, 973 Market Street, 995 Market Street, 1017 Market Street, and 1095 Market Street), which involve interior renovations and exterior rehabilitation work, would not result in an impact on the District. Three projects (i.e., 1028 Market, 1055 Market Street, and 1075 Market Street) are more substantial and may produce a change to the District. Therefore, a potentially significant cumulative impact could occur related to historic architectural resources because, when

considered together, these projects (including the proposed project) could affect the District by creating buildings that would be incompatible with the District's characteristics. However, any cumulative impact would occur with or without construction of the proposed 1066 Market Street project. The HRER prepared for the proposed project noted that although the adjacent 1028 Market Street project may result in project-level and cumulative significant impacts to historic resources, the proposed 1066 Market Street project would not combine with that project or other projects in such a way that there would be a significant cumulative impact to historic architectural resources. In particular, potential cumulative impacts related to the ratio of contributors to non-contributors to the District and to views of the Golden Gate Theatre dome would not be affected by the 1066 Market Street project, which is not a contributor and would not interfere with views of the dome available along Market Street. The proposed project's contribution to any potentially significant cumulative impact would not be considerable.

In addition, as described above, the partially vacant lot and the existing two-story building, which would be demolished under the proposed project, are not historically significant. As discussed under Impact CR-3 above, while the project would be substantially different in style than buildings in the district, and taller than most, it would be generally compatible in style, height, and massing with other adjacent and nearby newer construction. Moreover, the maximum height limit within the district is 120 feet, meaning that no buildings that would be substantially taller than those in the historic district could be permitted absent rezoning. In other aspects, the proposed project would be generally compatible with but differentiated from the District's characteristics. Additionally, vibration impacts on historic resources would not be cumulatively considerable with implementation of Mitigation Measure M-CR-1. Therefore, according to the HRER, the proposed project would not combine within any other project to result in a material impairment of the District. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable impact on historic architectural resources.

One of the current or foreseeable projects, 1028 Market Street, is directly adjacent to the project site. There are no other foreseeable projects that could cumulate with the project to result in impacts to archaeological and/or tribal cultural resources. Due to the proximity of the project site to 1028 Market Street, unidentified human remains or archeological and tribal cultural resources that could be affected by development activities could overlap between the sites, resulting in a potentially significant cumulative impact related to human remains and archeological and tribal cultural resources. The proposed project's contribution to this potentially significant cumulative impact is conservatively assumed to be considerable because it is not known to what extent buried resources at the project site might contribute to this cumulative impact. Implementation of **Mitigation Measure M-CR-4** would ensure that impacts related to archeological and tribal cultural resources as well as human remains remain less than significant. Similar mitigation would be required of other projects in the vicinity. With mitigation, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable impact on archeological resources, human remains, or tribal cultural resources.

| <i>Topics:</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i>           |
|---|---|---|--|--------------------------|-------------------------------------|
| <b>4. TRANSPORTATION AND CIRCULATION—<br/>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 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"/>            |
| 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 within an airport land use plan area or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, Topic 4c is not applicable to the proposed project.

A Transportation Impact Study (TIS) was prepared for the proposed project.<sup>26</sup> The following discussion relies on the information provided in the TIS.

## Setting

The project site is located in San Francisco's Downtown/Civic Center neighborhood and bounded by Golden Gate Avenue to the north, Market Street to the south, Jones Street to the west, and a two-story commercial building to the east. In the project area, streets that run in the northwest/southeast direction (i.e., Sixth, Seventh, Eighth Streets) are generally referred to as north/south streets, whereas streets that run in the southwest/northeast direction (i.e., Market,

<sup>26</sup> CHS Consulting Group. 2015. Transportation Impact Study. July 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

Mission Streets) are generally referred to as east/west streets. The roadway network surrounding the project site north of Market Street is generally an east/west and north/south grid, and the majority of streets near the project site are one-way streets. In the project site vicinity, Golden Gate Avenue is a one-way eastbound street with three travel lanes and parking on both sides. Market Street is a two-way street with generally two travel lanes in each direction; on-street parking is prohibited on Market Street between Franklin Street and The Embarcadero, with the exception of recessed passenger loading and delivery zones on both sides of the street. Jones Street is a one-way southbound street from California Street to Market Street, with three travel lanes and parking on both sides, except for the sections from California Street to Pine Street and from Golden Gate Avenue to McAllister Street, which have two travel lanes.

On Market Street, left turns are not permitted between Franklin Street and Drumm Street. Streetcars operate two ways in the center lanes between Steuart Street and 17<sup>th</sup> Street. Buses operate two ways in the center and outer lanes. Transit stops for buses and streetcars are located both at the curb and at raised center islands along the corridor. Intersections with all major streets are controlled by traffic signals. Market Street generally has high pedestrian volumes compared with other streets in the area because of the greater concentration of commercial uses, the BART station entrances, and Muni surface transit stops. Because of its wide sidewalks (25 to 35 feet), this street accommodates heavier pedestrian volumes without resulting in pedestrian congestion.

In the project area, there are Class II bikeways along Seventh and Eighth Streets (Route 23) and Class III bikeways along Market Street (Route 50), McAllister Street (Route 20), and Fifth Street (Route 19).<sup>27</sup> Existing sidewalks in the project vicinity, other than those on Market Street, are approximately 10 to 15 feet wide.

The project site is well served by nearby local public transit service provided by Muni. There are 19 Muni transit routes in the immediate vicinity of the project area (F Market/Wharves, J Church, K Ingleside/T Third, L Taraval, M Oceanview, N Judah, 5 Fulton, 5L Fulton Limited, 6 Parnassus, 9 San Bruno, 9L San Bruno Limited, 14 Mission, 14L Mission Limited, 16X Noriega Express, 19 Polk, 21 Hayes, 31 Balboa, 71 Haight/Noriega, and 71L Haight/Noriega Limited). Regional service is provided primarily by BART at the Civic Center/UN Plaza (located about 0.2 mile southwest of the project site). In addition, the Muni bus routes that serve the project area provide connections (transfers) to other regional transit providers, including AC Transit, Caltrain, SamTrans, and Golden Gate Transit.

## **Approach to Analysis**

Policy 10.4 of the Transportation Element of the general plan states that the City will “consider the transportation system performance measurements in all decisions for projects that affect the

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<sup>27</sup> On-street bicycle facilities include Class I bikeways (bike paths with exclusive rights-of-way for use by bicyclists or pedestrians), Class II bikeways (bike lanes striped within the paved areas of roadways and established for the preferential use of bicycles), and Class III bikeways (signed bike routes that allow bicycles to share travel lanes with vehicles).

transportation system.” To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance, or policy, this section describes the potential impacts that the proposed project would have on traffic, transit, pedestrians, bicycles, loading, and emergency vehicle circulation as well as any potential transportation impacts related to construction of the proposed project. As described in Section E, a parking demand analysis is provided for informational purposes only, in accordance with Public Resources Code Section 21099(d).

**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, nor would the proposed project conflict with an applicable congestion management program. (Less than Significant)**

### *Trip Generation*

Based on the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (Transportation Guidelines),<sup>28</sup> the proposed project would generate 4,865 daily trips, including approximately 936 auto trips, 1,700 transit trips, 1,719 walking trips, and 510 other trips (bike, etc.) on a typical day. During the PM peak hour, the proposed project would generate 138 auto person trips, 279 transit trips, 261 walking trips, and 76 “other mode” trips.

### *Traffic*

As set forth in the Transportation Guidelines, the Planning Department evaluates traffic conditions for weekday PM peak-hour conditions (between the hours of 4:00 and 6:00 p.m.), which typically represent the worst conditions for the local transportation network. As shown in **Table 3**, eight intersections were evaluated during the PM peak hour. The proposed project would generate about 98 new vehicle trips during the weekday PM peak hour (56 inbound and 42 outbound).<sup>29</sup> The proposed project would result in minor changes to average delay per vehicle at the majority of study intersections, and seven study intersections would continue to operate at an acceptable level of service<sup>30</sup> (LOS) (LOS D or better) with implementation of the proposed project. The intersection of Market Street/Seventh Street/Charles J. Brenham Place would continue to operate at an unacceptable LOS (LOS F) during the PM peak hour with implementation of the proposed project. At this intersection, the proposed project would add 21 vehicles to the shared

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<sup>28</sup> This document can be found here: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

<sup>29</sup> Vehicle trips were estimated by dividing the number of auto person-trips, discussed above, by the vehicle occupancy rates (VOR). The VOR for the residential development were obtained from the 2008-2012 American Community Survey data for Census Tract 125.01, and the VOR for retail/eating/drinking use was based on the information contained in the SF Guidelines for C-3 District.

<sup>30</sup> Level of service (LOS) is a qualitative measure of an intersection’s performance based on the average delay per vehicle. LOS has letter designations ranging from A to F, with LOS A representing free-flow traffic, with little or no delay, and LOS F representing jammed conditions, with excessive delay and long backups.

northbound through-right critical movement along Seventh Street (LOS F) and one vehicle to the shared westbound through-right critical movement along Market Street (LOS B), which would represent 1.6 percent and 0.3 percent of the total PM peak-hour volume for these critical movements, respectively. The proposed project's contribution to this intersection under existing plus-project conditions would not be considerable because it would not increase existing traffic volumes on streets in the vicinity by 5 percent or more. The proposed project's impact on existing vehicular traffic is therefore less than significant.

**TABLE 3: INTERSECTION LEVEL OF SERVICE – EXISTING AND EXISTING PLUS-PROJECT  
WEEKDAY PM PEAK HOUR**

| Intersection  | PM Peak Hour   |          |                       |          |
|---|----------------|----------|-----------------------|----------|
|   | Existing       |          | Existing plus Project |          |
|   | Delay*         | LOS*     | Delay*                | LOS*     |
| Jones Street/Golden Gate Avenue                                 | 31.2           | C        | 31.7                  | C        |
| Jones Street/McAllister Street/Market Street                    | 18.4           | B        | 18.4                  | B        |
| Leavenworth Street/McAllister Street                            | 14.3           | B        | 16.0                  | B        |
| Taylor Street/Golden Gate Avenue/<br>Market Street/Sixth Street | 43.2           | D        | 45.9                  | D        |
| Market Street/Seventh Street/<br>Charles J. Brenham Place       | <b>&gt; 80</b> | <b>F</b> | <b>&gt; 80</b>        | <b>F</b> |
| Market Street/Eighth Street/Hyde Street                         | 38.3           | D        | 41.5                  | D        |
| Sixth Street/Mission Street                                     | 32.6           | C        | 34.5                  | C        |
| Seventh Street/Mission Street                                   | 30.3           | C        | 31.8                  | C        |

Notes:

\* The LOS and delay (in seconds per vehicle) for signalized intersections represent conditions for the overall intersection.

**BOLD** indicates unacceptable LOS conditions (LOS E or F).

Source: CHS Consulting Group, 2015.

### *Other Traffic Issues*

Under the proposed project, vehicle access to the underground parking garage would be provided along the east side of Jones Street. The 20-foot-wide parking garage ramp would include one ingress lane and one egress lane. Jones Street is approximately 40 feet wide and includes two southbound-only travel lanes and parking along both sides of the street. The garage ramp would allow for two-way traffic flow and would not require vehicles to dwell (stop) along Jones Street prior to entry to the parking garage for an extended period of time (with the exception of waiting for crossing pedestrians). Given the current capacity along Jones Street from the intersection to the off-street parking garage (13 vehicles), vehicle queues and/or blocking of the southbound travel lane from vehicles entering the parking garage would not be considerable. However, it is reasonable to assume other, non-project-related vehicles may experience intermittent, temporary delays while traveling southbound along Jones Street in the event that vehicles that are destined for the parking garage are stopped along Jones Street because of passing pedestrians on the sidewalk. Because there is on-street parking on both sides of the street, there is no room for



vehicles to bypass these stopped vehicles. As a result, minor vehicle queues could occur along Jones Street, and such conditions could be exacerbated during peak commute periods. Although the proposed project would result in less-than-significant traffic impacts, it is noted that any development that provides a new off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) is subject to the conditions of approval set forth by the San Francisco Planning Department related specifically to the monitoring and abatement of queues. The project sponsor has agreed to the following improvement measures, which could further reduce the less-than-significant impacts of automobile traffic queuing on adjacent and area roadways:

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

As an improvement measure to reduce the potential for queuing from vehicles that are attempting to access the project site, it shall be the responsibility of the project sponsor or subsequent property owner to ensure that recurring vehicle queues do not occur adjacent to the site.

Because the proposed project would include a new off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces), the project is subject to conditions of approval set forth by the San Francisco Planning Department related to monitoring and abatement of queues. It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) that block any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis. If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods, as needed, to abate the queue. Appropriate abatement methods will vary, depending on the characteristics and causes of the recurring queue as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable). Suggested abatement methods include, but are not limited to, the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs, with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage that directs drivers to available spaces; travel demand management strategies, such as additional bicycle parking, customer shuttles, or delivery services; and/or parking demand management strategies, such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report, which

will be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

**Improvement Measure I-TR-1b: Implement Transportation Demand Management Strategies to Reduce Single-Occupancy Vehicle Trips**

The project sponsor and subsequent property owner should implement a Transportation Demand Management (TDM) program to minimize the number of single-occupancy vehicle (SOV) trips generated by the proposed project for the lifetime of the project. The TDM program targets SOV trips by encouraging persons to select other modes of transportation, including walking, bicycling, transit, car-share options, carpooling, and/or other modes. The Project Sponsor-approved TDM checklist is also provided in Appendix K of the TIS prepared for the proposed project.

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

- **Identify TDM Coordinator:** The project sponsor should identify a TDM coordinator for the project site. The TDM coordinator is responsible for implementation and ongoing operation of all TDM measures described below. The TDM coordinator could be a brokered service provided through an existing transportation management association (e.g., the Transportation Management Association of San Francisco [TMA SF]), or the TDM coordinator could be an existing staff member (e.g., property manager). The TDM coordinator need not work full time at the project site. However, the TDM coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff members. The TDM coordinator should provide TDM training to the building staff about the transportation amenities and options available at the project site and nearby.
- **Transportation and Trip Planning Information:**
  - *Move-in packet:* Provide a transportation insert for the move-in packet that includes information regarding transit service (local and regional schedules and fares), where transit passes can be purchased, the 511 Regional Rideshare Program and nearby bike- and car-share programs, and where to find additional web-based alternative transportation materials (e.g., the NextMuni phone app). This move-in packet should be continuously updated because local transportation options change. The packet should be provided to each new building occupant, and Muni maps, San Francisco bicycle route maps, and pedestrian maps should be provided upon request.
  - *New-hire packet:* Provide a transportation insert in the new-hire packet that includes information regarding transit service (local and regional schedules and fares), where transit passes can be purchased, the 511 Regional Rideshare Program and nearby bike- and car-share programs, and where to find additional web-based alternative transportation materials (e.g., the NextMuni phone app). This new-

hire packet should be continuously updated because local transportation options change. The packet should be provided to each new building occupant, and Muni maps, San Francisco bicycle route maps, and pedestrian maps should be provided upon request.

- *Posted and real-time information:* A local map and real-time transit information could be installed on-site in a prominent and visible location, such as within a building lobby. The local map should clearly identify transit, bicycle, and key pedestrian routes and also depict nearby destinations and commercial corridors. Real-time transit information through NextMuni and/or regional transit data should be displayed on a digital screen.

- **Data Collection:**

- *City Access:* As part of an ongoing effort to quantify the efficacy of TDM measures, City staff members may need access to the project site (including the garage) to perform trip counts, intercept surveys, or other types of data collection. All on-site activities shall be coordinated through the TDM coordinator. The project sponsor ensures future access to the site by City staff members. Providing access to existing developments for data collection purposes is also encouraged.

- **Bicycle Measures:**

- *Parking:* Increase the number of on-site secured bicycle parking spaces beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).
- *Bay Area Bike Share:* The project sponsor shall cooperate with the SFMTA, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow a bike-share station to be installed in the public right-of-way along the project's frontage.

- **Car-Share Measures:**

- *Parking:* Provide optional car-share spaces, as described in Planning Code Section 166(g).

## **Loading**

As described in Section C, pursuant to *Planning Code* Section 152.1, developments with between 200,001 and 500,000 gsf of residential uses in C-3 districts are required to provide two off-street freight loading spaces; developments with retail spaces totaling less than 10,000 gsf are not required to provide any off-street freight loading spaces. Based on these requirements, the proposed project, which includes one off-street freight loading space, would not meet the off-street loading space requirements per the *Planning Code*. However, the project sponsor would seek an exemption per Section 309 of the *Planning Code* to provide one off-street loading space and not provide a minimum of two off-street loading spaces.

The new residential uses would generate up to seven truck freight and service vehicle trips per day, which would result in a demand for less than one loading space during the peak hour and average hour for loading activities. Similarly, the retail/restaurant uses would generate up to one truck freight and service vehicle trip per day, which would result in a demand for less than one loading space during the peak hour and average hour for loading activities. The proposed project would thus generate a combined demand for less than one freight/delivery loading space during both the average and peak hour for loading activities. The proposed project, with one off-street freight/delivery loading space, would generally meet the proposed project's loading demand, and the loading impact of the project would be less than significant.

#### Passenger Loading

Passenger loading would be accommodated at the proposed 20-foot-wide passenger loading zone located on the east side of Jones Street. The existing curb cut would be filled, and a white curb would be provided, if approved by the SFMTA. Furthermore, passenger loading would also be accommodated at the existing 25-foot-wide passenger loading space on the east side of Jones Street, south of the project (adjacent to the 1072 Market Street property). This existing curbside space would be a convenient walking distance to/from the project site for those who are being dropped off or picked up. Passenger loading activities would not be permitted within the proposed off-street loading space at the project site.

Although the proposed project would have less-than-significant passenger loading impacts, the project sponsor has agreed to **Improvement Measure I-TR-1c**, Coordination of Move-in/Move-out Operations and Large Deliveries, which could further reduce and/or eliminate potential adverse effects on traffic flow on Golden Gate Avenue and Jones Street, including effects on pedestrians, bicyclists, etc., and avoid any adverse queuing effects associated with freight/delivery trucks that enter and exit the off-street loading space. Therefore, the proposed project's loading activities would not create potentially hazardous traffic conditions or significant delays that would affect traffic, transit, bicycles, or pedestrians. The proposed project would have a less-than-significant loading impact.

#### **Improvement Measure I-TR-1c: Coordination of Move-in/Move-out Operations and Large Deliveries**

To reduce the potential for delivery vehicles parking within the travel lane adjacent to the curb lane on Jones Street or Golden Gate Avenue (in the event that the off-street loading space is occupied), residential move-in and move-out activities and large deliveries shall be scheduled and coordinated through building management. Appropriate move-in/move-out procedures shall be enforced to avoid any blockages of Jones Street or Golden Gate Avenue over an extended period of time and reduce any potential conflicts between movers and pedestrians walking along Jones Street or Golden Gate Avenue. Curb parking on Jones Street and Golden Gate Avenue shall be reserved through the SFMTA or by directly contacting the local 311 service. No loading activities (freight/delivery or residential move-in/-out activities) shall be conducted along Market Street.

The project sponsor shall enforce strict truck size regulations for the off-street loading space in the proposed freight loading area. Trucks that exceed 30 feet shall be prohibited from entering the off-street loading area and shall utilize the existing on-street loading spaces along Golden Gate Avenue, Jones Street, or McAllister Street, adjacent to or near the project site. Appropriate signage shall be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of on-street loading spaces on adjacent streets. The project sponsor shall notify building management and related staff members as well as retail/restaurant tenants of imposed truck size limits in the proposed freight loading area.

Appropriate move-in/move-out and loading procedures shall be enforced to avoid any blockages of any streets adjacent to the project site over an extended period of time and reduce any potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Golden Gate Avenue and Jones Street. Curb parking on Jones Street or Golden Gate Avenue shall be reserved through the SFMTA or by directly contacting the local 311 service.

### *Emergency Access*

The street network that serves the project area currently accommodates the movement of emergency vehicles. In the event of an emergency, such vehicles could access the project site as they do under existing conditions (i.e., from Market Street, Jones Street, and Golden Gate Avenue). The proposed project would generate additional traffic in the area; however, the added vehicle traffic would not be substantial compared to existing conditions and would not substantially increase congestion that could affect emergency vehicle response times, nor would the project create changes to the street network or circulation patterns that would alter access by or impede emergency vehicles. In addition, California State law requires drivers to yield the right-of-way to emergency vehicles and even permits emergency vehicles to use the opposing lane of travel. Therefore, it is not anticipated that an increase in the number vehicles associated with the project would impede or hinder the movement of emergency vehicles (e.g., vehicles from the neighboring fire stations, including Fire Department Station No. 1, No. 3, or No. 36). Therefore, the proposed project's impact on emergency vehicle access would be less than significant.

### *Construction*

Construction of the proposed project would be expected to take approximately 21 months. During this period, temporary and intermittent transportation impacts would result from truck movements to and from the project site during excavation and construction activities associated with the proposed building. Construction staging areas (e.g., for machinery/equipment or temporary parking for haul trucks) would be located adjacent to the project site, within the parking lanes on the south side of Golden Gate Avenue between Jones and Taylor Streets and along the east side of Jones Street between Golden Gate Avenue and McAllister Street.

It is anticipated that traffic lanes, parking lanes, and sidewalk areas would need to be closed at some times during construction. Therefore, the proposed project would require temporary traffic

controls along Golden Gate Avenue and Jones Street to allow for continuous traffic flow and circulation for all modes of transportation. Such actions would need to be coordinated with the City to minimize impacts on local traffic.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the project site. Construction truck traffic would result in a temporary lessening of the capacities of local streets because of the slower movement and larger turning radii of the trucks, which may affect traffic operations. The proposed project would generate approximately 73 two-way trips (146 one-way trips) per day, on average, and up to 180 two-way trips (360 one-way trips) per day during peak construction periods. Construction workers who drive to the site would be able to park in nearby public parking facilities. Because the project site is conveniently located next to two BART stations (that also provide direct access to several Muni light-rail lines), construction workers may also utilize bus and/or commuter/light-rail lines to access the project site and forego their own private vehicles. It is also anticipated that the addition of worker-related vehicle or transit trips would not substantially affect transportation conditions because any impacts on local intersections or the transit network would be similar to, or less than, those associated with operation of the proposed project. Construction-related impacts generally would not be considered significant because of their temporary and limited duration.

Although the proposed project would have less-than-significant construction impacts, the project sponsor has agreed to the improvement measures below, which could further reduce the less-than-significant impacts on construction.

#### **Improvement Measure I-TR-1d: Construction Truck Deliveries during Off-Peak Periods**

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

As required, the project sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the fire department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruptions and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor shall coordinate with construction contractors regarding any concurrent nearby projects that are planned for construction or later become known.

#### **Improvement Measure I-TR-1e: Construction Management Plan**

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

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

**Impact TR-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses. (Less than Significant)**

The project site exists within a developed block of San Francisco that is currently occupied by a two-story, 5,066 gsf vacant commercial building and adjoining 23,419 gsf surface parking lot. The proposed project involves demolition of an existing building and parking lot and construction of a new 12-story, 120-foot-tall residential building, approximately 297,950 gsf, with ground-floor retail space and two levels of subterranean parking with 102 vehicle spaces. No project design features are proposed that would substantially increase traffic-related hazards. In addition, as described in Impact LU-3 in Section E.1, Land Use and Land Use Planning, although the proposed project would result in a new land use at the project site as well as an intensification of development at the project site, the proposed project would not be out of character with the mixed-use buildings that are typically found in the project vicinity. As such, the proposed project would not include incompatible uses. Transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

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

The street network serving the project area currently accommodates the movements of emergency vehicles that travel to the project site. Emergency access would remain similar to existing conditions. Emergency vehicles would continue to access the project site from Market Street, Jones Street, and Golden Gate Avenue, which are immediately adjacent to the site. Furthermore, although the proposed project would generate additional traffic in the area, such an increase in the number of vehicles would not be substantial compared to existing traffic volumes and would not impede or hinder the movement of emergency vehicles in the project area (e.g., from the neighboring fire stations [No. 1, No. 3, and No. 36]). Therefore, the proposed project's impact on emergency vehicle access would be less than significant.

**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*

As described above, the project site is well served by nearby local public transit service. The proposed project would generate an estimated 279 new PM peak-hour transit trips, which would be dispersed along the various transit lines within the project vicinity. To analyze potential impacts on these transit facilities, the maximum load points near the project site were identified, and proposed project-generated transit trips were added and compared with the transit providers' capacity utilization standard. For Muni, the standard is 85 percent, and for regional providers, the standard is 100 percent. Implementation of the proposed project would marginally increase capacity utilization on the affected Muni corridors and sub-corridors as well as across screenlines of regional transit providers.<sup>31</sup> However, capacity utilization percentages would increase minimally and would not exceed local or regional capacity utilization standards.

The proposed project would not introduce any design features that would preclude or alter access to nearby transit facilities. The proposed project would provide one driveway along Jones Street to allow access to the underground parking garage. Because there are no Muni routes running on Jones Street adjacent to the project site, the proposed project would not result in substantial conflicts between project-generated vehicles destined for the parking lot and bus transit operations, nor would it result in any considerable travel time delays for the existing bus service adjacent to the project site. Furthermore, the proposed streetscape treatments along the south side of Golden Gate Avenue (e.g., bicycle racks and street trees) would not result in the relocation or modification of the existing Muni bus stop. Given these findings, the proposed project would provide continued pedestrian access to nearby bus stops and commuter-rail/light-rail transit stations (i.e., along Market Street) and would not result in any obstructions or hindrances with respect to transit access by pedestrians and other users.

Although the proposed project would generate traffic along nearby local roadways that currently serve as bus transit routes (e.g., Golden Gate Avenue, Market Street), the proposed project would not result in substantial conflicts between project-generated vehicles destined for the project site and transit vehicles because these streets include adequate travel lanes (and roadway capacity) to allow transit vehicles to bypass any vehicles that attempt to access Jones Street and the underground parking garage. Because the proposed project would not substantially affect utilization of the local and regional transit lines or the operations of the adjacent bus transit routes, the impacts of the proposed project on transit would be less than significant.

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<sup>31</sup> A transit screenline is a strategically-placed imaginary line (for example, a north-south or east-west line representing the border of a downtown area). Summing transit vehicle and ridership data across this line indicates the volume of traffic entering or leaving a particular area of the City. Screenlines are used to describe the magnitude of travel from or to the downtown area and its vicinity and to compare estimated transit volumes to available capacities for each transit operator.



## *Pedestrian Facilities*

The proposed project would generate 540 pedestrian trips, including 279 transit trips and 261 walking trips, during a typical weekday PM peak hour. The new pedestrian trips generated by the proposed project could be accommodated on the existing sidewalks and crosswalks adjacent to the project site, and the proposed streetscape changes to sidewalk areas would enhance the pedestrian realm of the area. Furthermore, the potential increase in the number of pedestrian trips would not result in substantial overcrowding along sidewalk areas or at nearby transit stops and stations because the existing and future sidewalks that include such transit facilities would be able to accommodate an increase in demand.

Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for pedestrians or otherwise substantially interfere with pedestrian accessibility to the site and adjoining areas. Conversely, the proposed pedestrian improvements would improve the pedestrian realm within the project environs (per the Better Streets Plan requirements). The proposed project would therefore promote pedestrian travel and also enhance safety and comfort for those walking in and around the project site.

The proposed project would not result in an increase in the amount of overcrowding on public sidewalks, interfere with pedestrian circulation to nearby areas and buildings, or create potentially hazardous conditions for pedestrians. The proposed project would not introduce any design features that would conflict with current City plans to improve the pedestrian network in and around the project site (e.g., Better Streets Plan, San Francisco “Walk First” project). Pedestrian impacts resulting from the project would be less than significant.

Although the proposed project would have less-than-significant pedestrian impacts, the project sponsor may wish to consider the measures in **Improvement Measure I-TR-1a** and **1-TR-1c**, which could be implemented to reduce further any potential effects related to conflicts between vehicles and pedestrians as well as any potential conflicts between freight/delivery operators, movers, and pedestrians on Golden Gate Avenue and Jones Street. In addition, the project sponsor has agreed to **Improvement Measure I-TR-4**, Installation of Traffic Calming Devices at Underground Garage Exit Lane, to reduce further any potential effects related to conflicts between vehicles and pedestrians.

### **Improvement Measure I-TR-4: Installation of Traffic Calming Devices at Underground Garage Exit Lane**

The project sponsor should install appropriate traffic calming devices (e.g., speed bumps, rumble strips, “slow speed” signage, etc.) at the exiting travel lane along the garage driveway to reduce the speed of vehicles while exiting the underground parking garage and further reduce potential conflicts between pedestrians and bicyclists within the sidewalk area or the travel lane along Jones Street.

## ***Bicycle Facilities***

The proposed project would not introduce any design features that would eliminate or impede access to existing bicycle routes in proximity to the project site. There are no bicycle routes on Jones Street or Golden Gate Avenue where the parking and loading entrances to the project site would be located. Therefore, the proposed project would not result in any potential conflict points between bicyclists and vehicles while entering the project site driveways. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this anticipated increase would not be substantial enough to create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas. In addition, it is reasonable to assume that the anticipated increase in the number of bicyclists associated with the proposed project would be accommodated by existing bicycle network facilities in the vicinity of the project site.

Sections 155.1, 155.2, and 155.3 of the *Planning Code* require a minimum number of bicycle parking spaces, based on the proposed number of residential dwelling units and occupied floor area of retail and restaurant uses. Per the *Planning Code*, buildings that contain more than 100 dwelling units are required to provide 100 Class 1 spaces, plus one Class 1 space for every four dwelling units over 100 units. Therefore, 151 Class 1 spaces would be required for the proposed project. Retail uses are required to provide one Class 1 space for every 7,500 square feet; therefore, one Class 1 bicycle space would be required for the proposed retail space. One Class 2 bicycle parking space is required for every 20 dwelling units, and one Class 2 bicycle parking space is required for every 2,500 square feet of retail space, with a minimum of two spaces. Therefore, 17 Class 2 bicycle spaces would be required for the proposed project. The proposed project would provide 304 Class 1 and 18 Class 2 bicycle spaces, exceeding the Class 1 and Class 2 bicycle space requirements. Therefore, the proposed project would result in less-than-significant impacts related to bicycle facilities.

Although the proposed project would have less-than-significant bicycle impacts, the project sponsor has agreed to **Improvement Measure I-TR-4**, which would further reduce any potential effects related to conflicts between vehicles and pedestrians/bicyclists in and around the underground garage driveway.

**Impact C-TR: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to transportation. (Less than Significant)**

The TIS evaluated the transportation impacts of the proposed project under cumulative conditions, as discussed below.

## ***Traffic***

Future cumulative traffic conditions were forecast to assess the cumulative effects of the proposed project and other development through 2040. The 2040 traffic forecast for the study intersections was developed using the SFCTA travel demand forecasting model, which takes into account

planned and proposed future development growth and transportation network changes in the study area as well as background growth in travel demand in the city and region. It is important to note that the cumulative 2040 traffic volumes and roadway network changes account for the land use developments and transportation infrastructure improvement projects described below. Furthermore, the future roadway network and lane configurations modeled under cumulative conditions for the proposed project are consistent with the cumulative traffic analyses for other nearby development projects (e.g., 950 Market Street, 1125 Market Street).

As shown in **Table 4**, five of the eight study intersections in the project vicinity would continue to operate at an acceptable LOS (LOS D or better) under future conditions and three of the eight study intersections in the project vicinity would operate at an unacceptable LOS (LOS F) under 2040 cumulative conditions. In general, the proposed project's contributions to intersections that operate at an acceptable LOS (LOS D or better) would not be substantial and the proposed project would result in a less-than-significant cumulative traffic impact at intersections that operate at an acceptable LOS. Overall, the proposed project would result in a less-than-significant cumulative traffic impact for the intersections performing at an acceptable level.

At the intersection of Leavenworth Street/McAllister Street, the proposed project would add 24 vehicles to the westbound shared through/right critical movement at McAllister Street (existing LOS B), which would represent 4.2 percent of the PM peak-hour westbound through volume of 570 vehicles and would not be considered a substantial contribution to the poorly operating intersection. Therefore, the proposed project would result in a less-than-significant cumulative traffic impact at the intersection of Leavenworth Street/McAllister Street.

**TABLE 4: INTERSECTION LEVEL OF SERVICE – EXISTING, EXISTING PLUS-PROJECT, AND CUMULATIVE WEEKDAY PM PEAK HOUR**

| Intersection   | Existing       |          | Existing + Project |          | Cumulative (2040) |          |
|--|----------------|----------|--------------------|----------|-------------------|----------|
|  | Delay*         | LOS*     | Delay*             | LOS*     | Delay*            | LOS*     |
| 1. Jones Street/Golden Gate Avenue                             | 31.2           | C        | 31.7               | C        | 34.8              | C        |
| 2. Jones Street/McAllister Street/Market Street                | 18.4           | B        | 18.4               | B        | 23.4              | C        |
| 3. Leavenworth Street/McAllister Street                        | 14.3           | B        | 16.0               | B        | <b>&gt; 80</b>    | <b>F</b> |
| 4. Taylor Street/Golden Gate Avenue/Market Street/Sixth Street | 43.2           | D        | 45.9               | D        | 38.4              | D        |
| 5. Market Street/Seventh Street/Charles J. Brenham Place       | <b>&gt; 80</b> | <b>F</b> | <b>&gt; 80</b>     | <b>F</b> | <b>&gt; 63.7</b>  | <b>F</b> |
| 6. Market Street/Eighth Street/Hyde Street                     | 38.3           | D        | 41.5               | D        | 26.6              | C        |
| 7. Sixth Street/Mission Street                                 | 32.6           | C        | 34.5               | C        | 39.8              | D        |
| 8. Seventh Street/Mission Street                               | 30.3           | C        | 31.8               | C        | <b>&gt; 80</b>    | <b>F</b> |

Notes:

\* The LOS and delay (in seconds per vehicle) for signalized intersections represent conditions for the overall intersection.

**BOLD** indicates unacceptable LOS conditions (LOS E or F).

Source: CHS Consulting Group, 2015.

At the intersection of Market Street/Seventh Street/Charles J. Brenham Place, the proposed project would add 21 vehicles to the northbound shared through/right-turning critical movement on Seventh Street (existing LOS F), which would represent 1.2 percent of the PM peak-hour northbound through volume of 1,762 vehicles on Seventh Street and would not be considered a substantial contribution to the poorly operating intersection. In addition, the proposed project would not add any vehicles to the eastbound through critical movement on Market Street. Therefore, the proposed project would result in a less-than-significant cumulative traffic impact at the intersection of Market Street/Seventh Street/Charles J. Brenham Place.

At the intersection of Seventh Street/Mission Street, the proposed project would add 21 vehicles to the northbound shared/left/through/right critical movement on Seventh Street (existing LOS C), which would represent 0.9 percent of the PM peak-hour northwest through volume of 2,465 vehicles and would not be considered a substantial contribution to the poorly operating intersection. In addition, the proposed project would not add any new vehicles to the eastbound through critical movement along Mission Street. Based on these findings, the proposed project would result in a less-than-significant cumulative traffic impact at the intersection of Seventh Street/Mission Street.

As described above, the project sponsor has agreed to Improvement Measure I-TR-1a and I-TR-1b, which could further reduce the less-than-significant impacts of automobile traffic queuing on adjacent and area roadways and, thus, further reduce the proposed project's less-than-significant cumulative traffic impacts.

### *Transit*

Similar to the transit analysis provided above for existing plus-project conditions, an analysis of transit impacts across the Muni and regional screenlines was conducted to determine the extent to which an increase in the number of transit trips associated with the proposed project would affect local and regional transit lines under cumulative (2040) conditions. As previously described, it was assumed that a proportion of the estimated number of transit trips associated with the proposed project would cross all of the downtown San Francisco screenlines, and a proportion of the transit trips would cross regional screenlines (by bus and/or light-rail transfers). Because it is reasonable to expect that a proportion of the project-generated transit trips (about 34 new transit trips out of 104 new transit trips in the outbound direction) would instead begin and end in the greater downtown area (i.e., C-3 District) and utilize local transit lines that currently do not cross any established screenlines in the outbound PM peak-hour direction, these new transit trips were not included in the screenline analysis.

**Table 5** presents projected transit demand among the Muni screenlines with implementation of the proposed project. By 2040, ridership levels on Muni lines are projected to generally grow faster than the projected increases in capacity. In addition, overall PM peak-hour ridership across the screenlines would increase in 2040 compared to existing conditions. However, in some instances, total capacity at the screenlines is expected to increase enough by 2040 so that aggregate capacity utilization would be better than the 85 percent standard across the screenline.

**TABLE 5: CUMULATIVE 2040 TRANSIT DEMAND AMONG MUNI SCREENLINES: PM PEAK HOUR (OUTBOUND)**

| Screenline/Corridor           | PM Peak Hour  |               |                   | PM Peak Hour  |                      |
|-------------------------------|---------------|---------------|-------------------|---------------|----------------------|
|                               | Ridership     | Capacity      | Utilization       | Project Trips | Project Contribution |
| <b>Northeast</b>              |               |               |                   |               |                      |
| Kearny/Stockton               | 6,295         | 8,329         | 76%               | 17            | -                    |
| All Other Lines               | 1,229         | 2,065         | 60%               | 17            | -                    |
| <i>Screenline Total</i>       | <i>7,524</i>  | <i>10,394</i> | <i>72%</i>        | <i>34</i>     | <i>-</i>             |
| <b>Northwest</b>              |               |               |                   |               |                      |
| Geary                         | 2,996         | 3,621         | 83%               | 1             | -                    |
| California                    | 1,766         | 2,021         | <b>87%</b>        | 1             | 0.05%                |
| Sutter/Clement                | 749           | 756           | <b>99%</b>        | 1             | 0.13%                |
| Fulton/Hayes                  | 1,762         | 1,878         | <b>94%</b>        | 2             | 0.11%                |
| Balboa                        | 776           | 974           | 80%               | 2             | -                    |
| <i>Screenline Total</i>       | <i>8,049</i>  | <i>9,250</i>  | <b><i>87%</i></b> | <i>7</i>      | <i>0.09%</i>         |
| <b>Southeast</b>              |               |               |                   |               |                      |
| Third Street                  | 2,300         | 5,712         | 40%               | 1             | -                    |
| Mission                       | 2,673         | 3,008         | <b>89%</b>        | 2             | 0.07%                |
| San Bruno/Bayshore            | 1,817         | 2,134         | <b>85%</b>        | 2             | 0.11%                |
| All Other Lines               | 1,582         | 1,927         | 82%               | 3             | -                    |
| <i>Screenline Total</i>       | <i>8,372</i>  | <i>12,781</i> | <i>66%</i>        | <i>8</i>      | <i>0.10%</i>         |
| <b>Southwest</b>              |               |               |                   |               |                      |
| Subway Lines                  | 5,692         | 6,804         | 84%               | 4             | -                    |
| Haight/Noriega                | 1,265         | 1,596         | 79%               | 1             | -                    |
| All Other Lines               | 380           | 840           | 45%               | 0             | -                    |
| <i>Screenline Total</i>       | <i>7,337</i>  | <i>9,240</i>  | <i>79%</i>        | <i>5</i>      | <i>-</i>             |
| <b>Muni Screenlines Total</b> | <b>31,282</b> | <b>41,665</b> | <b>75%</b>        | <b>54</b>     | <b>0.17%</b>         |

Sources: San Francisco Planning Department. 2014. *Regional and Local 2040 Cumulative Transit Screenlines for Transportation Impact Studies*. March 10; CHS Consulting Group, 2015.

**BOLD** indicates that sub-corridors are operating above the Muni standard utilization rate of 85 percent.

The California, Sutter/Clement, and Fulton/Hayes sub-corridors within the northwest screenline would operate above Muni utilization standards, at 87, 99 and 94 percent, respectively under 2040 conditions. The screenline as a whole would operate at 87 percent. The proposed project would contribute approximately less than one percent to these sub-corridors and the entire screenline; therefore, the project impact on this screenline and the sub-corridors would be less than significant under 2040 conditions.

The Mission and San Bruno/Bayshore sub-corridors within the southeast screenline would operate at or above Muni utilization standards, at 89 percent and 85 percent, respectively under 2040 conditions. The proposed project would contribute approximately less than one percent to these sub-corridors and the entire screenline; therefore, the project impact on this screenline and the sub-corridors would be less than significant under 2040 conditions.

Although the subway lines within the southwest screenline would operate at 84 percent, under 2040 conditions the additional four transit trips generated by the proposed project would not increase ridership to a level that would exceed the 85 percent capacity utilization performance standard. Therefore, the increase would continue to be less than significant under 2040 conditions.

Under 2040 cumulative conditions, transit ridership on regional transit lines is not projected to exceed the available capacity at several corridors, and capacity utilization standards would be met for all regional providers across all screenlines. **Table 6** summarizes the project's contributions to 2040 cumulative ridership for the regional transit operators. Overall, the increase in regional transit trips generated by the proposed project would contribute less than one percent to all regional screenlines, and ridership levels would continue to be below the 100 percent capacity utilization performance standard.

**TABLE 6: CUMULATIVE 2040 TRANSIT DEMAND AMONG REGIONAL SCREENLINES: PM PEAK HOUR**

| Regional Screenlines              | PM Peak Hour (Outbound) |               |             | PM Peak Hour (Outbound) |                      |
|-----------------------------------|-------------------------|---------------|-------------|-------------------------|----------------------|
|                                   | Ridership               | Capacity      | Utilization | Project Trips           | Project Contribution |
| <b>East Bay</b>                   |                         |               |             |                         |                      |
| BART                              | 30,383                  | 33,170        | 92%         | 5                       | -                    |
| AC Transit                        | 7,000                   | 12,000        | 58%         | 2                       | -                    |
| Ferries                           | 5,319                   | 5,940         | 90%         | 0                       | -                    |
| <i>Screenline Total</i>           | <i>42,702</i>           | <i>51,110</i> | <i>84%</i>  | <i>7</i>                | <i>0.02%</i>         |
| <b>North Bay</b>                  |                         |               |             |                         |                      |
| GGT buses                         | 2,070                   | 2,817         | 74%         | 4                       | -                    |
| Ferry                             | 1,619                   | 1,959         | 83%         | 1                       | -                    |
| <i>Screenline Total</i>           | <i>3,689</i>            | <i>4,776</i>  | <i>77%</i>  | <i>5</i>                | <i>0.14%</i>         |
| <b>South Bay</b>                  |                         |               |             |                         |                      |
| BART                              | 13,971                  | 24,182        | 59%         | 3                       | -                    |
| Caltrain                          | 2,529                   | 3,600         | 70%         | 0                       | -                    |
| SamTrans                          | 150                     | 320           | 47%         | 1                       | -                    |
| Ferries                           | 59                      | 200           | 30%         | 0                       | -                    |
| <i>Screenline Total</i>           | <i>16,709</i>           | <i>28,302</i> | <i>59%</i>  | <i>4</i>                | <i>0.02%</i>         |
| <b>Regional Screenlines Total</b> | <b>63,100</b>           | <b>84,188</b> | <b>75%</b>  | <b>16</b>               | <b>0.03%</b>         |

Sources: San Francisco Planning Department. 2014. *Regional and Local 2040 Cumulative Transit Screenlines for Transportation Impact Studies*. March 10; CHS Consulting Group, 2015.

**BOLD** indicates regional lines that are operating above 100 percent standard utilization rate.

The new transit trips associated with the proposed project would not result in overcrowding conditions, and the proposed project would not result in a substantial contribution to future ridership levels along these local and regional transit lines by 2040. Therefore, the project impact on cumulative transit conditions would be less than significant and would not be a considerable contribution to cumulative 2040 transportation operations.

### *Pedestrian Facilities*

Pedestrian circulation impacts by their nature are site specific and generally do not contribute to impacts from other development projects. As described in Impact TR-4, the proposed project would not result in overcrowding of sidewalks or create new, potentially hazardous conditions for pedestrians under cumulative conditions. Conversely, the proposed project would modify the pedestrian circulation in and around the project site by reconstructing sidewalks along Jones Street and Golden Gate Avenue and include specific pedestrian-oriented streetscape treatments in accordance with the Better Streets Plan, as applicable. Furthermore, the proposed project would allow for continued pedestrian circulation and crossings while also continuing to provide adequate capacity for pedestrian travel in and around the project site.

The number of walking trips may increase between the completion of the proposed project and future conditions because of the increasing effectiveness of planned pedestrian improvements in the vicinity of the project site, including the project's streetscape plan and other improvements per the Better Market Street Plan and Sixth Street Improvement Project. Although it is assumed that the number of walking trips between the project site, transit stops/stations, and other uses in the vicinity of the proposed project may increase over time, improvements to the pedestrian realm would accommodate this potential increase in pedestrian activity (through streetscape improvements, safer crossing features, wayfinding measures, etc.), and operation of the proposed project in combination with other future developments in the area would not reach a level that would induce overcrowding on area sidewalks under cumulative conditions.

There would be a projected increase in background vehicle traffic between existing plus-project and 2040 cumulative conditions. This would result in an increase in the potential for vehicle/pedestrian conflicts at intersections in the study area. Although there would be a general increase in vehicle traffic, which is expected through future 2040 cumulative conditions, the proposed project would not create potentially hazardous conditions for pedestrians or otherwise interfere with pedestrian accessibility to the site and adjoining areas (as previously mentioned, improvements measures to reduce potential pedestrian impacts have been included as a part of this analysis). Given these findings, the proposed project, in combination with past, present, and reasonably foreseeable developments in San Francisco, would result in less-than-significant cumulative pedestrian impacts.

## *Bicycle Facilities*

The proposed project would not substantially contribute to cumulative bicycle circulation or hazardous conditions in the project area. Bicycle trips in the area may increase between the completion of the proposed project and the 2040 cumulative scenario because of general growth in the area. In particular, the proposed project would be designed to provide adequate points of access to bicycle parking, including signage to indicate the locations of these facilities, and reduce any potential conflicts with private cars and delivery/freight vehicles while accessing the parking garage and off-street loading spaces. Additionally, the proposed project would not reduce access to the existing bicycle routes along Market, McAllister, Seventh, and Eighth Streets, and these facilities would be able to accommodate any potential increase in the number of bicycle trips over time and under 2040 cumulative conditions. Therefore, the potential increase in bicycle trips generated by the proposed project would not reach a level that would create potentially hazardous conditions for bicycles.

As described above, under cumulative conditions, there is a projected increase in vehicles at intersections in the vicinity of the proposed project, which may result in an increase in vehicle/bicycle conflicts at intersections in the study area. Although there would be a general increase in vehicle traffic, which is expected through future 2040 cumulative conditions, the proposed project would not contribute to potentially hazardous conditions for bicycles or otherwise interfere with bicycle accessibility to the project site and adjoining areas or substantially affect nearby bicycle routes. Based on these findings, the proposed project, in combination with past, present, and reasonably foreseeable developments in San Francisco, would result in less-than-significant cumulative impacts on bicyclists.

## *Loading*

Loading impacts are by their nature localized and site specific and would not contribute to impacts from other development projects near the project site. The proposed project would not result in loading impacts because the estimated loading demand would be met at the proposed off-street loading space (as previously discussed), and appropriate improvement measures have been recommended to reduce any potential loading impacts (see **Improvement Measure I-TR-1c** on page 43). Therefore, based on these findings, the proposed project, in combination with past, present, and reasonably foreseeable developments in San Francisco, would result in less-than-significant cumulative loading impacts.

## *Construction*

Construction of the proposed project may overlap with the construction of other projects, including, but not limited to, the nearby planned developments located at 950–974 Market Street, 1028 Market Street, 1125 Market Street, 1055 Market Street, and 1075 Market Street (which are to begin construction in 2016) as well as other planned developments proposed under the potential Mid-Market Special Use District proposal. As a result, construction activities associated with these projects would affect access, traffic, and pedestrians on streets that are used as access routes to



and from the project sites (e.g., Market Street, Jones Street, Golden Gate Avenue, etc.). Overall, localized cumulative construction-related transportation impacts could occur as a result of projects that generate increased traffic at the same time and on the same roads as the proposed project. The construction manager for each individual project would work with the various departments of the City to develop a detailed and coordinated plan that would address issues related to construction vehicle routing, traffic control, and pedestrian movement adjacent to the construction area for the duration of any overlap in construction activity. **Improvement Measures I-TR-1d and I-TR-1e** would further reduce the proposed project's less-than-significant impacts related to potential conflicts between construction activities and pedestrians, transit, and autos, including construction truck traffic management, project construction updates for adjacent businesses and residents, and carpool and transit access for construction workers.

The cumulative impacts of multiple nearby construction projects would not be considerable because construction of the proposed project and other projects would be temporary. Furthermore, the proposed project would coordinate with various City departments, such as the SFMTA and Public Works, through the Transportation Advisory Staff Committee (TASC) to develop coordinated plans that would address construction-related vehicle routing and pedestrian/bicycle movements adjacent to the construction area for the duration of construction overlap. Therefore, based on these findings, the proposed project, in combination with past, present, and reasonably foreseeable developments in San Francisco, would result in a less-than-significant cumulative construction-related transportation impact.

### ***Parking***

Public Resources Code Section 21099(d), effective January 1, 2014, provides that "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." The proposed project meets each of the three criteria, and thus, this initial study does not consider the adequacy of parking in determining the significance of project impacts under CEQA. Therefore, this analysis presents parking demand and supply requirements under the *Planning Code* for informational purposes.

Parking conditions are not static because 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. The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking) would be in keeping with the City's "Transit First" policy and numerous General Plan policies, including those in the Transportation Element. The City's Transit First policy, established in the City Charter, Article 8A, Section 8A, Section 115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

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

The parking demand for the proposed project was based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be 418 spaces, including 414 long-term parking spaces associated with residential uses and about four short-term spaces for non-residential uses. The proposed project would provide 102 off-street spaces. Thus, as proposed, the proposed project would have an unmet parking demand of 316 spaces.

During the weekday evening hours, there is available parking in the vicinity of the project; the majority of on- and off-street parking spaces are not occupied (about 26 percent availability for on-street parking and about 48 percent availability for off-street parking near the project site).<sup>32</sup> The proposed project would displace the existing privately owned paid parking lot that holds approximately 102 vehicles. Given the anticipated parking demand associated with the proposed project and estimated unmet demand for on-site off-street parking, residents of and visitors to the proposed project may experience a low to moderate degree of difficulty finding available parking during the weekday evening hours. Although future residents of and visitors to the proposed project would most likely generate a greater parking demand in the evening hours, the project site is well served by alternative modes of transportation, as described above.

The proposed project is located within the C-3-G zoning district, which does not include any minimum parking requirements. Instead, for residential use, per *Planning Code* Section 151.1, a parking ratio of up to 0.5 space per unit is permitted, with up to 0.75 per unit with conditional use approval. Retail uses are allowed to provide a parking area that is not to exceed seven percent of the gross floor area of such uses. Furthermore, the proposed project would be required to provide up to one car-share parking space for 50 to 200 dwelling units and two car-share spaces plus one for every 200 dwelling units over 200. For non-residential use, no car-share parking spaces are required for 0 to 24 spaces; one space is required for 25 to 49 spaces (per Section 166). Car-share parking spaces do not count against the maximum number of accessory off-street parking spaces. As a result, the proposed project would be permitted to provide up to 165 parking spaces for residential use and up to 321 sf of parking area (approximately two parking spaces) for non-

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<sup>32</sup> CHS Consulting Group, 2015.

residential use. The proposed project would be required to provide two car-share parking spaces. Lastly, in compliance with *Planning Code* Section 167, residential parking would be required to be unbundled and sold or leased separately from dwelling units. Unbundling parking may encourage some residents to save money by opting for a single off-street space or no dedicated parking.

Given these findings, the proposed project, with 100 residential parking spaces and two car-share spaces, would be in compliance with the off-street parking requirements set forth in the *Planning Code*. The project site is well served by transit and bicycle facilities, as described above.

### ***Conclusion***

As described above, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in cumulatively considerable transportation and circulation impacts.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i>           |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>5. NOISE—Would the project:</b>   |   |   |  |                          |                                     |
| a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne 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 in the vicinity of a private airstrip. Therefore, Topics 5e and 5f are not applicable to the proposed project.

**Impact NO-1: The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, expose persons to noise levels in excess of standards established in the local general plan or noise ordinance, or be substantially affected by existing noise levels. (Less than Significant)**

#### *Substantial Permanent Increase in Ambient Noise Levels*

Noise is commonly defined as unwanted sound that annoys or disturbs people and potentially causes an adverse psychological or physiological effect on human health.

Sound is mechanical energy (vibration) transmitted by pressure waves over a medium such as air or water. Sound is characterized by various parameters, including the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor for characterizing the loudness of an ambient (existing) sound level. A decibel (dB) is a unit of sound energy intensity. Sound waves, traveling outward from a source, exert a sound pressure level

(commonly called "sound level"), which is measured in dB. Although the dB scale, a logarithmic scale, is used to quantify sound intensity, it does not accurately describe how sound intensity is perceived by human hearing. The human ear is not equally sensitive to all frequencies in the entire spectrum, so noise measurements are weighted more heavily for frequencies to which humans are sensitive in a process called *A-weighting*, written as *dBA* and referred to as *A-weighted decibels*.

In general, human sound perception is such that a change in sound level of 1 dB cannot typically be perceived by the human ear, a change of 3 dB is barely noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving the sound level as it increases or decreases, respectively.

Different types of measurements are used to characterize the time-varying nature of sound. These measurements include the equivalent sound level ( $L_{eq}$ ), the minimum and maximum sound levels ( $L_{min}$  and  $L_{max}$ ), percentile-exceeded sound levels (such as  $L_{10}$ ,  $L_{20}$ ), the day-night sound level ( $L_{dn}$ ), and the community noise equivalent level (CNEL).  $L_{dn}$  and CNEL values differ by less than 1 dB. As a matter of practice,  $L_{dn}$  and CNEL values are considered to be equivalent.

For a point source, such as a stationary compressor or a piece of construction equipment, sound attenuates (lessens in intensity) at a rate of 6 dB per doubling of distance. For a line source, such as free-flowing traffic on a freeway, sound attenuates at a rate of 3 dB per doubling of distance.<sup>33</sup>

Ambient noise levels in the vicinity of the project site are typical of noise levels in downtown San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, and emergency vehicles, and land use activities, such as commercial businesses and periodic construction-related noise from nearby development or street maintenance. Noises generated by such activities are common and generally accepted in urban areas. The proposed project consists of removal of an existing parking lot and a vacant commercial building and new construction of a building with approximately 304 dwelling units and commercial retail space on the ground floor.

Operation of the proposed project would result in an increase in traffic noise because there would be an increase in vehicle trips associated with the residential and commercial land uses at the project site. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels, which would be barely perceptible to most people (a 3 dB increase). Thus, any increase in traffic that is less than current peak-hour volumes would not be noticeable to those people who currently work or reside in the project area. According to the TIS prepared for the proposed project and summarized in Section 5.4, Transportation and Circulation, the project would generate 98 weekday PM peak-hour trips. The TIS shows that the maximum increase in peak-hour traffic volumes on any single roadway in the project vicinity

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<sup>33</sup> California Department of Transportation. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September. Available: [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013A.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf). Accessed: October 6, 2015.

would be 26 percent. This corresponds to approximately a 1 dB increase in traffic noise,<sup>34</sup> which is below the 3 dBA increase needed to produce a barely noticeable change in traffic noise. Consequently, increased traffic from the proposed project would not result in a substantial increase in noise.

The proposed project would also include new fixed noise sources that would produce operational noise at the project site. These permanent noise sources associated with the project could include heating, ventilation, and air-conditioning (HVAC) noise; noise from a backup generator, which would require monthly testing; and other minor building noise. Operation of this equipment would be subject to the City's Noise Ordinance (Article 29 of the San Francisco Police Code). Section 2909(a)(1) regulates noise from mechanical equipment and other similar sources on residential property. Mechanical equipment operating on residential property must not produce a noise level more than 5 dBA above the ambient noise level at the property boundary. Section 2909(d) states that no fixed noise source may cause the noise level measured inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10 p.m. and 7 a.m. with windows open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The proposed project would be subject to and would comply with the City's Noise Ordinance.

Based on the analysis above, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, and impacts would be less than significant.

### *Expose Persons to Noise Levels in Excess of Standards*

Residential uses are considered noise-sensitive uses because they may be occupied by noise-sensitive receptors, including children and the elderly. Residential development in noisy environments could expose these sensitive receptors to noise levels that would be in excess of established standards. The U.S. Department of Housing and Urban Development (HUD) has developed minimum national noise standards for land use compatibility. HUD considers noise levels below 65 dB to be generally "acceptable," between 65 dB and 75 dB "normally unacceptable," and in excess of 75 dB "considered unacceptable" for residential land uses.<sup>35</sup> The California State Office of Planning and Research (OPR) has developed similar statewide guidelines. OPR's guidelines have largely been incorporated into the Environmental Protection Element of the General Plan. In addition, Title 24 (Part 2, Volume 1) of the California Code of Regulations requires interior noise levels that are attributable to exterior noise sources to have a

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<sup>34</sup> This assumes that a doubling of traffic (i.e., a 100 percent increase) would lead to a 3 dB increase. A 26 percent increase is roughly one quarter to one third of a doubling in traffic and would lead to one quarter to one third of a 3 dB increase (i.e., approximately 1 dB).

<sup>35</sup> U.S. Department of Housing and Urban Development. 24 CFR 51.103. Available: <<http://www.gpo.gov/fdsys/pkg/CFR-2012-title24-vol1/pdf/CFR-2012-title24-vol1-part51-subpartB.pdf>>. Accessed: October 6, 2015.

day-night average sound level ( $L_{dn}$ ) of 45 or less in any habitable room.<sup>36</sup> Standard building construction will typically provide at least 25 dB of exterior-to-interior noise reduction with windows closed. With exterior noise levels in the range of 75 to 80  $L_{dn}$  (see **Table 7**) there is some potential for interior noise levels to exceed 45  $L_{dn}$  (e.g., 75 dBA minus 25 dBA = 50 dBA, which would exceed the interior standard).

Ambient noise levels in San Francisco are largely influenced by traffic-related noise. Figures V.G-2 and V.G-3 in the San Francisco 2004 and 2009 Housing Element Environmental Impact Report (EIR) identifies roadways within San Francisco with traffic noise levels that exceed 60  $L_{dn}$  and 75  $L_{dn}$ , respectively. Most of San Francisco's neighborhoods are currently affected by traffic noise levels that exceed 60  $L_{dn}$ . The project site is located along streets with modeled noise levels above 75 dBA  $L_{dn}$  (Market Street, Jones Street, and Golden Gate Avenue), and potential noise-generating land uses are nearby. Therefore, a noise survey was conducted in the project area to measure actual noise levels at the project site.<sup>37</sup> The results of the noise survey are summarized below.

Ambient noise levels in the project area were measured at three long-term (LT) sites (24-hour measurements) and three short-term (ST) sites (15-minute measurements). Long-term measurements were conducted with three Piccolo Type 2 integrating sound-level meters. Short-term measurements were conducted with a Larson Davis Type 2 integrating sound-level meter.

Long-term measurements were conducted by affixing the sound meters to utility poles in the project area at heights of approximately 10 to 12 feet above the street level. The meters continuously measured sound levels over a 24-hour period, from January 28, 2015, to January 29, 2015. All relevant noise data metrics were recorded.

Short-term measurements were completed on February 17, 2015, at three locations in the vicinity of the project. Measurements were conducted for 15-minute intervals at each measurement location, with the relevant noise data metrics being recorded.

**Table 7** and **Table 8** present the results of the long-term and short-term noise measurement surveys, respectively. As shown in **Table 7**,  $L_{dn}$  values for the long-term measurement sites are between approximately 75.2 dBA and 80.3 dBA. The measurement location with the highest  $L_{dn}$  (LT-3, 80.3 dBA) is located on Market Street, on the south side of the project site. Market Street is a corridor with substantial noise sources, including car, bus, and truck traffic; light rail vehicles; delivery vehicles; and human voices. LT-1 had the next-highest  $L_{dn}$  value (77.5 dBA) and is located on the north side of the project site, on Golden Gate Avenue. LT-2 has the lowest  $L_{dn}$  value and is located on the west side of the project site, on Jones Street. Jones Street was observed to

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<sup>36</sup> California Building Standards Commission. *Title 24, California Code of Regulations, Section 1207.4*. Available: <[www.documents.dgs.ca.gov/bsc/prpsd\\_chngs/2013/AD-HOC/HCD-02-13-ET-Pt2-ADDENDUM-SRV.doc](http://www.documents.dgs.ca.gov/bsc/prpsd_chngs/2013/AD-HOC/HCD-02-13-ET-Pt2-ADDENDUM-SRV.doc)>. Accessed: October 6, 2015.

<sup>37</sup> Noise survey conducted by ICF International (2015). Data are available for review as part of Case File No. 2013.1753E. Long-term noise measurements were taken on January 28 and 29, 2015. Short-term noise measurements were taken on February 17, 2015.

have less vehicle traffic than either Market Street or Golden Gate Avenue, and this observation is reflected in the  $L_{dn}$  values.

**TABLE 7: LONG-TERM NOISE MEASUREMENTS RESULTS**

| Site # | Location  | $L_{dn}$ |
|--------|---|----------|
| LT-1   | North side of project site, 95 feet east of intersection of Golden Gate Avenue and Jones Street | 77.5     |
| LT-2   | West side of project site, 185 feet south of intersection of Golden Gate Ave and Jones Street   | 75.2     |
| LT-3   | Southeast side of project site, in front of project façade on Market Street                     | 80.3     |

Notes:

<sup>a</sup> All values are in units of dBA.

<sup>b</sup> Measurements began between 10:45 a.m. and 11:45 a.m. on January 28, 2015, and ended between approximately 12:45 p.m. and 1:45 p.m. on January 29, 2015.

Source: ICF International, 2015.

**TABLE 8: SHORT-TERM NOISE MEASUREMENTS RESULTS**

| Site # | Location   | Start Time | $L_{eq}$ | $L_{max}$ | $L_{min}$ | $L_{10}$ | $L_{33}$ | $L_{50}$ | $L_{90}$ |
|--------|--|------------|----------|-----------|-----------|----------|----------|----------|----------|
| ST-1   | North side of project site, 150 feet east of intersection of Golden Gate Avenue and Jones Street | 2:00 p.m.  | 66.1     | 80.7      | 58.2      | 68.9     | 65.6     | 63.9     | 60.4     |
| ST-2   | West side of project site, 95 feet south of intersection of Golden Gate Avenue and Jones Street  | 1:37 p.m.  | 65.2     | 78.1      | 59.5      | 67.8     | 64.8     | 63.8     | 61.4     |
| ST-3   | Southeast side of project site, in front of project façade on Market Street                      | 1:07 p.m.  | 70.7     | 83.2      | 58.9      | 73.9     | 70.0     | 68.1     | 63.9     |

Notes:

<sup>a</sup> All values are in units of dBA.

<sup>b</sup> Measurements were taken on February 17, 2015.

$L_{min}$  and  $L_{max}$  = minimum and maximum sound levels;  $L_{xx}$  = percentile-exceeded sound levels (such as  $L_{10}$ ,  $L_{50}$ , etc.).

Source: ICF International, 2015.

As shown in **Table 8**, equivalent noise level ( $L_{eq}$ ) values from the short-term noise measurements range from 65.2 dBA to 70.7 dBA. The measurement site in front of the project façade on Market Street was the noisiest; the measurement sites on Golden Gate Avenue and Jones Street had lower noise levels. Noise sources during the short-term measurements included cars and medium-duty trucks, light rail transit vehicles (on Market Street only), parking garage alert sirens, human voices, and periodic background construction noise at other sites in the vicinity.

The proposed project would be subject to and would comply with Title 24 interior noise standards. Furthermore, through the building permit review process, the San Francisco Department of Building Inspection (DBI) would ensure that Title 24 requirements would be met.



Therefore, the proposed project would not expose persons to noise levels that would be in excess of applicable noise standards, and this impact would be less than significant.

### *Effects of Existing Noise Levels on Project*

As described above, the proposed project would be required to comply with Title 24 standards and achieve an interior noise level of 45 dBA  $L_{dn}$ . Based on the noise survey conducted for the proposed project (see **Tables 7 and 8**), to achieve 45 dBA interior noise, an Outdoor-Indoor Transmission Class (OITC) rating of 32 to 35 is suggested for windows in residential units facing Golden Gate Avenue and Jones Street. An OITC rating of at least 35 to 37 is suggested for windows in residential units facing Market Street. These ratings can be achieved by using a prime window glazing with one-quarter inch of laminated glass (lami), one-half inch of air, and one-eighth inch of anneal; a prime to secondary air space of 2 inches; and a secondary window glazing with either one-quarter inch of anneal or one-quarter inch of lami.<sup>38</sup> Installing windows in the proposed residential units with the OITC ratings discussed above, and shown in **Table 9**, will ensure that the project will comply with Title 24 standards. The proposed project would not be substantially affected by existing noise levels, and this impact would be less than significant.

**TABLE 9: SUGGESTED OITC RATINGS FOR THE PROPOSED PROJECT**

|             | Golden Gate Avenue | Jones Street | Market Street |
|-------------|--------------------|--------------|---------------|
| OITC Rating | 32–35              | 32–35        | 34–36         |

Note: OITC = Outdoor Indoor Transmission Class.

Source: PPG Technologies. Available:

<[http://educationcenter.ppg.com/glasstopics/determining\\_the\\_right\\_glass.aspx](http://educationcenter.ppg.com/glasstopics/determining_the_right_glass.aspx)>. Accessed: October 5, 2015. ICF International, 2015 (noise monitoring data).

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

Project construction would occur over approximately 21 months. During this time, construction equipment would generate noise as the existing building is demolished, the site is excavated, and the new building is constructed. Construction activities would generate noise and vibration that could be considered an annoyance by occupants of nearby properties. Construction activities would require the use of heavy trucks, excavating and grading equipment, material loaders, concrete breakers, and other mobile and stationary construction equipment. Construction noise would fluctuate, depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. The greatest construction-related noise and vibration impacts would generally be limited to the demolition phase and periods when new foundations

<sup>38</sup> Architectural Testing, Inc. 2015. Acoustical Performance Testing. Available: <<http://www.archtest.com/testing/faqs.aspx?id=2>>.

and exterior structural and façade elements would be constructed. Interior construction noise would be substantially reduced by the exterior walls. Further, construction noise would be intermittent and limited to the period of construction. However, there would be times when noise could interfere with indoor activities at nearby residences or businesses.

Sensitive land uses that could be affected by project construction include the De Marillac Academy (175 Golden Gate Avenue), Alsabeel Mosque (118 Jones Street), 121 Golden Gate Avenue Apartments, St. Anthony's Foundation (150 Golden Gate Avenue), a homeless housing facility (39–42 Jones Street), 111 Jones Street Apartments; and the Aspen Tenderloin Apartments (165 Turk Street). The sensitive land uses nearest the project site (Alsabeel Mosque and the homeless housing facility) are approximately 60 feet to the west and north, respectively.

**Table 10** summarizes noise levels produced by the construction equipment that is anticipated to be used during construction activities.  $L_{max}$  sound levels at 50 feet are shown along with the typical acoustical use factor. The acoustical use factor is the percentage of time each piece of construction equipment is assumed to be operating at full power (i.e., its noisiest condition). This is used to estimate  $L_{eq}$  values from  $L_{max}$  values. For example, the  $L_{eq}$  value for a piece of equipment that operates at full power and 50 percent of the time (acoustical use factor of 50) is 3 dB less than the  $L_{max}$  value.

**TABLE 10: TYPICAL NOISE LEVELS BY CONSTRUCTION EQUIPMENT**

| Equipment       | Acoustical Use Factor (%) | Typical Noise Level (dBA) at 50 feet from Source |          |
|-----------------|---------------------------|--|----------|
|                 |                           | $L_{max}$  | $L_{eq}$ |
| Concrete pump   | 20                        | 81   | 74       |
| Crane           | 16                        | 81   | 73       |
| Drill           | 20                        | 79   | 72       |
| Excavator       | 40                        | 81   | 77       |
| Loader          | 40                        | 79   | 75       |
| Generator       | 50                        | 81   | 78       |
| Personnel Hoist | 20                        | 75   | 68       |

Source: Federal Highway Administration. 2006. *Roadway Construction Noise Model User's Guide*. Available: <[http://www.fhwa.dot.gov/environment/noise/construction\\_noise/rcnm/rcnm.pdf](http://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf)>. Accessed: February 27, 2015.

Construction noise is regulated by the City's Noise Ordinance (Article 29 of the San Francisco Police Code), which requires noise levels from individual pieces of construction equipment, other than impact tools, to not exceed 80 dBA at 100 feet from the source. Impact tools must have both their intake and exhaust muffled to the satisfaction of the director of Public Works. Section 2908 of the City's Noise 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. A reasonable worst-case construction noise level assumes that the three loudest and most frequently used pieces of equipment would operate

concurrently (generator, excavator, and concrete pump). The combined  $L_{eq}$  for these three pieces of equipment would be 81 dBA at 50 feet. At a distance of 100 feet, the combined  $L_{eq}$  for this equipment would be 75 dBA, which is below the City's Noise Ordinance limit for powered construction equipment. As such, noise from construction equipment is anticipated to comply with the City's Noise Ordinance, and this impact would be less than significant.

Vibration from construction activity is typically below the threshold of perception when the activity is more than 50 feet from the receiver. The proposed project would demolish an existing building and parking lot and construct a new residential building. The demolition, excavation, and building construction phases of construction would not require high-impact activities, such as jackhammering. In addition, any vibration impacts that do occur would be temporary, ceasing when the construction period is completed. Because vibration from non-impact construction equipment is typically below the threshold of perception at a distance greater than 50 feet, and because construction activity would not involve high-impact activities and would be short term in nature, people living in the project vicinity would not be expected to be exposed to excessive ground-borne vibration or noise levels.

In extreme cases, ground-borne vibrations can cause damage to buildings. Older buildings, particularly masonry buildings, can be damaged by excessive vibration associated with construction activities. As discussed above, construction of the proposed project would not generate excessive vibration. In addition, DBI would be responsible for reviewing the building permit application to ensure that proposed construction activities, including shoring and underpinning, would comply with all applicable procedures and requirements and would not materially impair adjacent or nearby buildings.

Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. However, a vibration level that causes annoyance is well below the damage threshold for normal buildings. Because construction activities would be below the threshold of perception for receivers more than 50 feet away, as discussed above, the level of vibration would be well below the damage threshold for normal buildings.

For the reasons given above, construction of the proposed project would not generate excessive ground-borne vibration or ground-borne noise levels. This impact would be less than significant, and no mitigation measures are necessary.

**Impact NO-3: During operation, the proposed project would not expose new sensitive receptors to existing substantial operational ground-borne vibration. (Less than Significant)**

The proposed project would place residential uses approximately 50 feet north of Muni's F Line, a historic streetcar. At a similar distance but more than 20 feet below grade, Muni operates its underground Metro light-rail service. Approximately 20 feet farther below, BART operates its regional transit service. These three rail systems each generate vibration, and operation of the proposed project may therefore result in the exposure of onsite residents to some minor ground vibration. Such vibration dissipates rapidly with distance from the source rail. Of the three rail

systems, Muni's F Line historic streetcar operates at grade and is closest to the project site. As such, Muni's F Line historic streetcar is the greatest source of vibration among the three rail systems.

For residences and buildings where people normally sleep, such as hotels and hospitals, the Federal Transit Administration (FTA) has established a vibration impact criterion of 72 vibration decibels (VdB)<sup>39</sup> for frequent events (i.e., 70 or more vibration events of the same source per day). Muni's F Line would pass by the proposed project more than 70 times per day; thus, this threshold is appropriate.<sup>40</sup> Vibration levels that exceed the 72 VdB threshold could interfere with sleep or other activities. No project-specific vibration study was performed; however, a noise and vibration analysis prepared for a similar project located nearby at 1125 Market Street (650 feet from the project site) was used to provide a comparable estimate of vibration effects. That analysis determined that the existing vibration level at that site is approximately 76 VdB.<sup>41</sup> Because the project site and the 1125 Market Street project are located in the same general vicinity and both projects are expected to be exposed to the same level of rail and other vibration, it is reasonable to assume that the vibration level at the project site would also be approximately 76 VdB, which exceeds the threshold of 72 VdB established by FTA. Guidance from FTA suggests that coupling between the ground and building could reduce vibration that is transmitted into the building. Vibration from the ground is less likely to move a larger building than a smaller building. There is therefore less attenuation (i.e., more coupling) for smaller and lighter buildings compared to larger and more massive buildings. FTA suggests the following vibration reductions for various types of buildings:<sup>42</sup>

- Wood-frame house: -5 VdB
- One- or two-story masonry: -7 VdB
- Three- or four-story masonry: -10 VdB
- Large masonry on piles: -10 VdB
- Large masonry on spread footings: -13 VdB

The small portion of the proposed project that would front Market Street would be supported on a drilled pier foundation, which would be isolated from the surface soils to avoid impacts on the BART and Muni underground tunnels.<sup>43</sup> This isolation would limit the transmission of vibration to the structure. The foundation for the rest of the proposed project, which would be located more

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<sup>39</sup> Ground-borne vibration can be quantified by its peak or root-mean-square (RMS) velocity amplitude. The RMS amplitude, which is useful for assessing human annoyance, is expressed in terms of velocity level in decibel units (VdB). The peak amplitude is most often used for assessing the potential for damage to building structures; the peak amplitude is typically assessed in terms of peak particle velocity (PPV), measured in inches per second.

<sup>40</sup> Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment*. May, p. 8-3.

<sup>41</sup> ESA. 2014. *1125 Market Street Project Noise and Vibration Technical Report*. November. This document is on file and available for public review as part of Case File No. 2013.0511E.

<sup>42</sup> Federal Transit Administration. 2006.

<sup>43</sup> Menninger, Kevin. 2015. Personal communication. September 15.

than 100 feet from the surface rails, would be a large monolithic concrete mat foundation. Based on FTA's suggested vibration reductions for various types of buildings, it is reasonable to assume that building construction techniques would reduce vibration further, by at least 5 VdB, but most likely up to 10 dB. This would result in a vibration level below the FTA threshold of 72 VdB. Vibration generated by Muni's F Line historic streetcar would thus not interfere with sleep or other residential activities. Given their respective distances from the project site, the Muni Metro and BART operations are expected to result in vibration levels that would be lower than those associated with Muni's F Line historic streetcar. Those operations would not be expected to interfere with sleep or other residential activities on the project site.

For the reasons given above, the proposed project would not expose persons to excessive ground-borne vibration or ground-borne noise levels during project operation. This impact would be less than significant, and no mitigation measures are necessary.

**Impact C-NO: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to noise. (Less than Significant)**

Construction of the proposed project could overlap with construction activities of other projects in the area, including development sites at 950–974 Market Street, 1028 Market Street, 1125 Market Street, 1055 Market Street, and other development in the vicinity. Construction noise would be localized and, because of the physical nature of how noise dissipates with distance from its source, would affect primarily the land uses in the immediate vicinity of the construction equipment. As described above, construction noise at a distance of 100 feet from the project site is expected to be 75 dBA or less, which represents the worst-case scenario for the three loudest pieces of equipment operating simultaneously. Other projects in the area may result in intermittent, cumulative construction noise if construction schedules overlap, but, because the proposed project's construction noise at 100 feet would be less than the  $L_{dn}$  for the area, the proposed project's contribution to the cumulative noise environment would not be substantial. As discussed above, the project would generate 98 PM peak-hour vehicle trips. An increase of that size is not substantial because the additional trips represent a small fraction of the existing non-project-related traffic volumes. The proposed project's contribution of 98 PM peak-hour vehicle trips to cumulative traffic volumes in 2040 would be even less noticeable than under the existing-conditions scenario because background (non-project) traffic would increase in 2040, but the number of project trips would stay the same (98 PM peak-hour trips). Thus, the contribution of the project's traffic noise in 2040 would have a smaller effect on background noise levels. In addition, the TIS determined that the proposed project would result in a maximum of 4.2 percent of total traffic volumes at any intersection in the project vicinity in 2040. Because this is such a minor proportion of the traffic volumes, the project's contribution to cumulative traffic noise impacts would not be considerable. Because neither the proposed project nor the other cumulative impacts in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project, in combination with other foreseeable projects in the area, would not contribute considerably to any cumulative traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment and occupants would be required to comply with

the City's Noise Ordinance and, therefore, would not be expected to contribute to any significant cumulative increases in ambient noise. Similar to the proposed project, any rooftop mechanical equipment that would be a part of cumulative development would be reviewed by an acoustical specialist and the DBI to ensure that the City's Noise Ordinance standards are met.

Similar to noise, construction vibration would be localized and the proposed project would not require high-impact activities, such as jackhammering. As stated above, the vibration from construction activity is typically below the threshold of perception when the activity is more than 50 feet from the receiver. Residents in the project vicinity would not be expected to be exposed to excessive ground-borne vibration. For these reasons, the proposed project, in combination with the past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable noise impact.

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| <i>Topics:</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i> |
|---|---|---|--|--------------------------|---------------------------|
| <b>6. AIR QUALITY—Would the project:</b>  |   |   |  |                          |                           |
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input 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"/>  |
| c) Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in non-attainment status under an applicable federal, state, or regional ambient air quality standard (including releasing emissions that 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 that would affect a substantial number of people?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/>  |

## Setting

### Overview

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 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 *Bay Area 2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* 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 Clean Air Plan* 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 Clean Air Plan* 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 air quality plans.

### ***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 compared with federal or state standards. The SFBAAB is designated as either in attainment<sup>44</sup> or unclassified for most criteria pollutants, with the exception of ozone, particulate matter 2.5 microns in diameter or less (PM<sub>2.5</sub>), and particulate matter 10 microns in diameter or less (PM<sub>10</sub>); the SFBAAB is designated as a non-attainment area for either the state or federal standards with respect to these pollutants.

By its very nature, regional air pollution is largely a cumulative impact in that no single project is large enough by itself to 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 is considered significant.<sup>45</sup>

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases. **Table 11** 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.

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<sup>44</sup> "Attainment" status refers to those regions that meet 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 not enough data exist to determine the region's attainment status for a specified criteria air pollutant.

<sup>45</sup> Bay Area Air Quality Management District. 2011. California Environmental Quality Act Air Quality Guidelines. May 2011, page 2-1.



**TABLE 11: 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                     |                                      |

ROG = reactive organic gases; NO<sub>x</sub> = oxides of nitrogen

**Ozone Precursors.** As discussed previously, the SFBAAB is currently designated as a non-attainment area for ozone and particulate matter. Ozone is a secondary air pollutant that is 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, is based on the state and federal emissions limits under the CCAA and CAA, respectively, for stationary sources. 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 any new source that emits criteria air pollutants above a specified emissions limit to 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 per day).<sup>46</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 an increased number of vehicle trips, architectural coatings, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects. Those projects that result in emissions that are below the thresholds would not be considered projects that would contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO<sub>x</sub> emissions. Because of 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>).**<sup>47</sup> The BAAQMD has not established an offset limit for PM<sub>2.5</sub>. However, the emissions limit in the federal New Source Review (NSR) for stationary

<sup>46</sup> Bay Area Air Quality Management District. 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, page 17.

<sup>47</sup> PM<sub>10</sub> is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM<sub>2.5</sub>, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

sources in nonattainment areas is an appropriate significance threshold. For PM<sub>10</sub> and PM<sub>2.5</sub>, the emissions limit under the NSR is 15 tons per year (82 pounds per day) and 10 tons per year (54 pounds per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.<sup>48</sup> Similar to the 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 controls fugitive dust,<sup>49</sup> and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.<sup>50</sup> The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.<sup>51</sup> The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust, and the BMPs employed in compliance with the City's Construction Dust Control Ordinance are part of an effective strategy for controlling construction-related fugitive dust.

**Other Criteria Pollutants.** Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years, and SO<sub>2</sub> concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO<sub>2</sub> emissions represent a negligible portion of total basin-wide emissions, and construction-related CO emissions represent less than five percent of total basin-wide CO emissions in the Bay Area. As discussed previously, the Bay Area is in attainment for both CO and SO<sub>2</sub>. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 parts per million (ppm) (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited amount of CO and SO<sub>2</sub> emissions that result from development projects, development projects would not result in a cumulatively considerable net increase in CO or SO<sub>2</sub>, and quantitative analysis is not required.

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<sup>48</sup> Bay Area Air Quality Management District. 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, page 16.

<sup>49</sup> Western Regional Air Partnership. 2006. WRAP Fugitive Dust Handbook. September 7, 2006. Available: [http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook\\_Rev\\_06.pdf](http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf). Accessed: February 16, 2012.

<sup>50</sup> Bay Area Air Quality Management District. 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, page 27.

<sup>51</sup> Bay Area Air Quality Management District. 2011. CEQA Air Quality Guidelines. May.

### *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 short-term) adverse effects on human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. 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>52</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 residents' exposure to air pollutants typically result in the greatest adverse health outcomes.

Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development in children as well as hospitalization for cardiopulmonary disease.<sup>53</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. This was based primarily on evidence that demonstrated cancer effects in humans.<sup>54</sup> The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC that is routinely measured in the region.

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<sup>52</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>53</sup> San Francisco Department of Public Health. 2008. Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review. May 2008.

<sup>54</sup> California Air Resources Board. 1998. 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 that are 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. The identification of an area with poor air quality, termed the “Air Pollutant Exposure Zone,” was based on health-protective criteria that consider estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. Each of the Air Pollutant Exposure Zone criteria is discussed below.

**Excess Cancer Risk.** The excess cancer cases criterion of 100 per 1 million persons is based on U.S. Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.<sup>55</sup> As described by the BAAQMD, the USEPA considers a cancer risk of 100 per 1 million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants rulemaking,<sup>56</sup> the USEPA stated 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 1 million and (2) limiting to no higher than approximately one in 10,000 (100 in 1 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 excess cancer cases criterion of 100 per 1 million is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area, based on BAAQMD regional modeling.<sup>57</sup>

**Fine Particulate Matter.** In April 2011, the USEPA published its *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, the “Particulate Matter Policy Assessment.” In this document, USEPA concludes that the then-current federal annual PM<sub>2.5</sub> standard of 15 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ )<sup>3</sup> should be revised to a level within the range of 13 to 11  $\mu\text{g}/\text{m}^3$ , with evidence strongly supporting a standard within the range of 12 to 11  $\mu\text{g}/\text{m}^3$ . The Air Pollutant Exposure Zone for San Francisco is based on the health-protective PM<sub>2.5</sub> standard of 11  $\mu\text{g}/\text{m}^3$ , as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10  $\mu\text{g}/\text{m}^3$  to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

**Proximity to Freeways.** According to ARB, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. Evidence shows that sensitive uses within a 500-foot buffer of any freeway have an increased

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<sup>55</sup> Bay Area Air Quality Management District. 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, page 67.

<sup>56</sup> 54 Federal Register 38044, September 14, 1989.

<sup>57</sup> Bay Area Air Quality Management District. 2009. Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance. October 2009, page 67.

health risk from air pollution.<sup>58</sup> Lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

**Health-Vulnerable Locations.** Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes<sup>59</sup> in the worst quintile because of air pollution were afforded additional protection. This consisted of lowering the standards for identifying lots in the Air Pollutant Exposure Zone to (1) an excess cancer risk greater than 90 per 1 million persons exposed and/or (2) PM<sub>2.5</sub> concentrations in excess of 9 µg/m<sup>3</sup>.<sup>60</sup>

The citywide health risk modeling was also used as the basis for approving a series of amendments to the San Francisco Building and Health Codes, generally referred to as Enhanced Ventilation Required for Urban Infill Sensitive-Use Developments (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 a project's activities would add a substantial amount of emissions to areas that are already adversely affected by poor air quality. The project site is located within the Air Pollutant Exposure Zone.<sup>61</sup>

### *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 discussion focuses on 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

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<sup>58</sup> California Air Resources Board. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. Available: <http://www.arb.ca.gov/ch/landuse.htm>.

<sup>59</sup> Zip codes 94102, 94103, 94105, 94124, and 94130.

<sup>60</sup> San Francisco Planning Department and San Francisco Department of Public Health, 2014 Air Pollutant Exposure Zone Map (Memo and Map), April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to Health Code Article 38.

<sup>61</sup> San Francisco Planning Department. 2014. Air Pollutant Exposure Zone Map. April 10, 2014. Available at: <https://www.sfdph.org/dph/files/EHSdocs/AirQuality/AirPollutantExposureZoneMap.pdf>. Accessed on March 12, 2015.

vehicles. However, ROGs are also emitted from activities that involve paints and other types of architectural coatings or asphalt paving. The proposed project includes demolition of an existing 5,066 gsf vacant commercial building and adjoining 23,419 gsf surface parking lot. Development of the 27,310 sf project site includes construction of a 12-story mixed-use building containing approximately 304 dwelling units, with general retail/restaurant space on the ground floor and two levels of subterranean parking, providing 102 parking spaces. The proposed project would include 252,050 gsf of residential and amenity space, 4,540 gsf of retail/restaurant space, and 41,360 gsf of parking.<sup>62</sup> During the proposed project's approximately 21-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.<sup>63</sup>

### *Fugitive Dust*

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter to the local atmosphere. Although there are federal standards for air pollutants as well as state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that PM exposure can cause health effects at levels that are lower than the national standards. The current health burden of PM demands that, where possible, public agencies take feasible available actions to reduce sources of PM exposure. According to ARB, reducing PM<sub>2.5</sub> concentrations in the San Francisco Bay Area to the state and federal standards of 12 µg/m<sup>3</sup> would prevent between 200 and 1,300 premature deaths.<sup>64</sup>

Dust can be an irritant that causes watery eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can result in wind-blown dust adding PM to the local atmosphere. Depending on the exposure, adverse health effects can occur from this PM in general and also from specific contaminants such as lead or asbestos, which may be constituents of the 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 on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the San Francisco Department of Building

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<sup>62</sup> The description of the proposed project in the Transportation Impact Study (TIS) differs slightly from the description of the proposed project in Section A, Project Description. Specifically, the TIS analyzed 224,000 gsf of residential space, 330 dwelling units, 4,589 gsf of retail space, and 45,400 gsf for parking. Nonetheless, the proposed project exceeds the screening criteria, and the TIS provides a conservative analysis because it evaluates a worse-case scenario compared with the description of the proposed project in Section A.

<sup>63</sup> A 28-workday weather contingency period is assumed as part of the total 21-month construction period, hence the projected end date of May 4, 2018, for construction activities instead of April 4, 2018, as described in the construction phasing schedule.

<sup>64</sup> California Air Resources Board. 2008. Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California. Staff report. Table 4c. October 24, 2008.

Inspection (DBI). The ordinance requires all site preparation work, demolition, or other construction activities within San Francisco that has the potential to create dust or expose or disturb more than 10 cy or 500 sf of soil to 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 that are less than one-half acre and unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor with responsibility for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that would result in equivalent dust control and be acceptable to the director. Dust suppression activities may include watering all active construction areas enough 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 cy or 500 sf with excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10-millimeter (0.01-inch) polyethylene plastic (or equivalent) tarp that has been braced, or other equivalent soil stabilization techniques shall be employed. City and County of San Francisco 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 fill station for trucks at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

For projects that are more than one-half acre, such as the proposed project, the Dust Control Ordinance requires the project sponsor to submit a Dust Control Plan for approval by the San Francisco Department of Public Health (DPH). DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the director waives the requirement. Interior-only tenant improvement projects that are more than one-half acre in size and will not produce exterior visible dust are exempt from the site-specific Dust Control Plan requirement.

The site-specific Dust Control Plan would require the project sponsor to submit a map to the Director of Public Health that shows all sensitive receptors within 1,000 feet of the site; wet down areas with soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent third party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be affected by project-related dust; limit the size of the area that would be subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in haul trucks to the size of the truck

bed and secure with a tarpaulin; enforce a 15 mph speed limit for vehicles when entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a less-than-significant level.

### ***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 help lead agencies determine whether short-term construction-related air pollutant emissions require further analysis regarding an exceedance of the criteria air pollutant significance thresholds shown in **Table 11**, 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>65</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 would exceed the criteria air pollutant screening criteria; therefore, a quantitative analysis was conducted. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod). The model was developed, including default data (e.g., emission factors, meteorology, etc.), in collaboration with staff members from California air districts. Default assumptions were used where project-specific information was unknown.

Construction of the proposed project would occur over an approximately 21-month period. Emissions were converted from tons/year to pounds/day using the estimated construction duration of 646 working days. As shown in **Table 12**, unmitigated project construction emissions would not be above the threshold of significance for any criteria air pollutant that was analyzed.

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<sup>65</sup> “Greenfield site” refers to agricultural land or forestland or an undeveloped site that has been earmarked for commercial, residential, or industrial projects.



**TABLE 12: ESTIMATED UNMITIGATED CONSTRUCTION EMISSIONS, 2016–2018  
(POUNDS PER DAY)**

| Year                          | ROG  | NO <sub>x</sub> | PM10<br>Dust     | PM10<br>Exhaust | PM10<br>Total | PM2.5<br>Dust | PM2.5<br>Exhaust | PM2.5 Total |
|-------------------------------|------|-----------------|------------------|-----------------|---------------|---------------|------------------|-------------|
| 2016                          | 4.2  | 49.3            | 2.3              | 1.4             | 3.1           | 0.6           | 1.3              | 1.7         |
| 2017                          | 29.2 | 30.5            | 6.4              | 0.7             | 7.1           | 1.7           | 0.7              | 2.4         |
| 2018                          | 26.5 | 8.8             | 4.6              | 0.1             | 4.8           | 1.2           | 0.1              | 1.4         |
| Maximum<br>Daily <sup>1</sup> | 29.2 | 49.3            | 6.4              | 1.4             | 7.1           | 1.7           | 1.3              | 2.4         |
| Significance<br>Thresholds    | 54   | 54              | BMP <sup>2</sup> | 82              | N/A           | BMP           | 54               | N/A         |

<sup>1</sup> Because construction activities would occur over a three-year period, “maximum daily” emissions represent the greatest amount of emissions that would occur in any given day over the entire three-year construction period, during which multiple construction phases would occur.

<sup>2</sup> As noted above, the City’s Dust Control Plan satisfies the BAAQMD’s dust-control BMPs.

Because project construction emissions would be below the thresholds of significance, no mitigation would be required. Construction-related criteria air pollutant impacts would be less than significant.

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

The project site is located within the Air Pollutant Exposure Zone as described above. Sensitive land uses exist within 1,000 feet of the project site, including the Curry Senior Center (333 Turk Street), De Marillac Academy (175 Golden Gate Avenue), St. Anthony’s Foundation (150 Golden Gate Avenue), 121 Golden Gate Avenue Apartments, a homeless housing facility (39–42 Jones Street), 111 Jones Street Apartments, Barcelona Apartments (270 Turk Street), Aspen Tenderloin Apartments (165 Turk Street), San Francisco Christian Academy (302 Eddy Street), and the Aranda Residence (64 Turk Street). Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, ARB has found the emissions to be substantially lower than previously expected.<sup>66</sup> Newer and more refined emissions 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>67</sup> For example, revised PM emissions estimates for 2010, with DPM

<sup>66</sup> California Air Resources Board. 2010. 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.

<sup>67</sup> California Air Resources Board. 2010. 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.

as a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.<sup>68</sup> Approximately half of the reduction in emissions can be attributed to the 2008 economic recession and half to updated methodologies for assessing construction emissions.<sup>69</sup> Additionally, a number of federal and state regulations require 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; Tier 4 Interim and Final emissions standards for all new engines will 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 emissions-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>70</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>71</sup>

Project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, 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 21-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 and resulting in a significant impact. Implementation of **Mitigation Measure M-AQ-2, Construction Emissions Air Quality**, would reduce the magnitude of this impact to a

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<sup>68</sup> California Air Resources Board. 2014. In-Use Off-Road Equipment, 2011 Inventory Model. Available: [http://www.arb.ca.gov/msei/categories.htm#inuse\\_or\\_category](http://www.arb.ca.gov/msei/categories.htm#inuse_or_category). Accessed: April 2, 2012,

<sup>69</sup> California Air Resources Board. 2010. 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.

<sup>70</sup> U.S. Environmental Protection Agency. 2004. Clean Air Nonroad Diesel Rule: Fact Sheet. May 2004.

<sup>71</sup> Bay Area Air Quality Management District. 2011. CEQA Air Quality Guidelines. May 2011, page 8-6.

less-than-significant level. Although emissions 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 a Level 3 Verified Diesel Emission Control Strategy (VDECS), can reduce construction emissions by 89 to 94 percent compared with equipment with engines that do not meet emissions standards and do not have a VDECS.<sup>72</sup> Emissions reductions from the combination of Tier 2 equipment with a Level 3 VDECS are almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes that would be subject to the mitigation. Therefore, compliance with **Mitigation Measure M-AQ-2** would reduce construction emissions impacts on nearby sensitive receptors to a less-than-significant level.

### **Mitigation Measure M-AQ-2: Construction Emissions Air Quality**

- A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:
  - 1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
    - a. Where access to alternative sources of power is available, portable diesel engines shall be prohibited;
    - b. All off-road equipment shall have:
      - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, *and*

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<sup>72</sup> PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tiers 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the USEPA's Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition has estimated Tier 0 engines between 50 and 100 horsepower to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 gram per horsepower-hour (g/hp-hr). Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 and 63 percent reduction in PM emissions compared with off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 and 50 horsepower for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 horsepower for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, the ARB Level 3 VDECS is required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions compared with equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

- ii. Engines that are retrofitted with an ARB Level 3 VDECS.<sup>73</sup>
- c. Exceptions:
  - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the applicant shall submit documentation of compliance with A(1)(b) for on-site power generation.
  - ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS would not be technically feasible, would not produce the desired emissions reductions because of the expected operating modes, or would create a safety hazard or impair visibility for the operator after installing the control device or there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the applicant has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
  - iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next-cleanest piece of off-road equipment provided by the step-down schedule, as follows, and document that emissions are sufficiently reduced to ensure excess cancer risks and PM<sub>2.5</sub> concentrations would not exceed the air pollution exposure zone criteria:
    - 1. Compliance Alternative 1: Engine Emissions Standard 2 with the ARB Level 2 VDECS
    - 2. Compliance Alternative 2: Engine Emissions Standard 2 with the ARB Level 1 VDECS
    - 3. Compliance Alternative 3: Engine Emissions Standard 2 with alternative fuels (alternative fuels are not a VDECS)

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 that meets Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road

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<sup>73</sup> Equipment with engines than meet Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.

equipment that meets Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

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

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

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

### ***Operational Air Quality Impacts***

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants, primarily from an increase in the number of motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from the combustion of natural gas, landscape maintenance, use of consumer products, and architectural coatings. The following discussion focuses on 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 in 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 would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating and combustion of other fuels by building and grounds maintenance equipment), energy usage, and testing of a backup diesel generator. Operations-related criteria air pollutants generated by the proposed project were also quantified using CalEEMod. Default assumptions were used where project-specific information was unknown.

The daily and annual emissions associated with operation of the proposed project are shown in **Table 13**, which also includes the thresholds of significance the City utilizes.

**TABLE 13: ESTIMATED DAILY OPERATIONAL EMISSIONS (POUNDS PER DAY)<sup>1</sup>**

| Source                  | ROG  | NO <sub>x</sub> | PM10 Dust | PM10 Exhaust | PM10 Total | PM2.5 Dust | PM2.5 Exhaust | PM2.5 Total |
|-------------------------|------|-----------------|-----------|--------------|------------|------------|---------------|-------------|
| Area                    | 8.5  | 0.3             | N/A       | 0.1          | 0.1        | N/A        | 0.1           | 0.1         |
| Energy                  | 0.1  | 0.9             | N/A       | 0.1          | 0.1        | N/A        | 0.1           | 0.1         |
| Mobile                  | 1.8  | 2.9             | 2.3       | <0.1         | 2.4        | 0.6        | <0.1          | 0.7         |
| Total                   | 10.4 | 4.1             | 2.3       | 0.3          | 2.6        | 0.6        | <0.1          | 0.7         |
| Significance Thresholds | 54   | 54              | N/A       | 82           | N/A        | N/A        | 54            | N/A         |

<sup>1</sup>Values may not add up due to rounding.

As shown in **Table 13**, 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 from operations.

**Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (Less than Significant with Mitigation)**

The project site is located near sensitive land uses, as described above.

#### *Sources of Toxic Air Contaminants*

Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in the number of 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 642 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. The increase in the number of vehicle trips due to the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

The proposed project would also include a backup emergency generator. Emergency generators are regulated by the BAAQMD through the NSR (Regulation 2, Rule 5) permitting process. The project sponsor would be required to obtain applicable permits from the BAAQMD to operate an emergency generator. Although emergency generators are intended to be used only during power outages, monthly testing of the generator would be required. The BAAQMD limits testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility that includes an emergency generator to no more than 10 per 1 million in the population and require any source that would result in an excess cancer risk greater than one per 1 million to install best available control technology for toxics. However, because the project site is located in an area that already experiences poor air quality, the proposed emergency backup generator has the potential to expose sensitive receptors to substantial concentrations of diesel emissions, a known TAC, resulting in a significant air quality impact. Implementation of **Mitigation Measure M-AQ-4**, Best Available Control Technology for Diesel Generators, would reduce the magnitude of this impact to a less-than-significant level by reducing emissions from the on-site generator by 89 to 94 percent compared with equipment with engines that do not meet any emissions standards and without a VDECS. Therefore, although the proposed project would add a new source of TACs within an area that already experiences poor air quality, implementation of **Mitigation Measure M-AQ-4** would reduce this impact to a less-than-significant level.

#### **Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators**

All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards or (2) meet Tier 2 emission standards and are equipped with an ARB Level 3 VDECS.

### *Siting Sensitive Land Uses*

The proposed project would include development of a mixed-use building with 304 residential dwelling units.<sup>74</sup> This is considered a sensitive land use for purposes of air quality evaluation. For sensitive-use projects within the Air Pollutant Exposure Zone, as defined by Article 38, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by DPH that achieves protection from PM<sub>2.5</sub> (fine particulate matter) equivalent to that associated with Minimum Efficiency Reporting Value (MERV) 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor has submitted an initial application to DPH.<sup>75</sup> The regulations and procedures set forth by Article 38 would ensure that impacts related to sensitive receptors' exposure would not be significant. Therefore, impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

#### **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 in neighboring air basins. In determining consistency with the 2010 Clean Air Plan, this analysis considers whether the project would (1) support the primary goals of the Clean Air Plan, (2) include applicable control measures from the Clean Air Plan, and (3) avoid disrupting or hindering implementation of control measures identified in the Clean Air Plan.

The primary goals of the Clean Air Plan are to (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard 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 Clean Air Plan recommends specific control measures and actions. These control measures are grouped into various categories and include stationary- and area-source measures, mobile-source

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<sup>74</sup> The description of the proposed project in the TIS differs slightly from the description of the proposed project in Section A, Project Description. Specifically, the TIS analyzed 224,000 gsf of residential space, 330 dwelling units, 4,589 gsf of retail space, and 45,400 gsf for parking. Nonetheless, the proposed project exceeds the screening criteria. The TIS provides a conservative analysis because it evaluates a worse-case scenario compared with the description of the proposed project in Section A. The air quality analysis considered the worse-case scenario for residential space, dwelling units, retail space, and parking, relying on either the description of the proposed project in Section A or the TIS. Specifically, the air quality analysis considered 252,050 gsf of retail space, 330 dwelling units, 4,590 gsf of retail space, and 45,400 gsf for parking.

<sup>75</sup> Application for Article 38 Compliance Assessment for 1066 Market Street, March 19, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1753E.



measures, transportation control measures, land use measures, and energy and climate measures. The Clean Air Plan 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 to reduce 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 greenhouse gases are discussed in Section 8, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and availability of viable transportation options ensure that residents could ride bicycles, walk, and ride transit to and from the project site instead of taking trips in private automobiles. These features ensure that the project would avoid substantial growth in the number of automobile trips and vehicle miles traveled. The proposed project's anticipated 642 net new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the San Francisco General Plan, as discussed in Section C. Transportation control measures that are identified in the 2010 Clean Air Plan are implemented by the San Francisco General Plan and *Planning Code* (e.g., through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees). Compliance with these requirements would ensure that the project would include the relevant transportation control measures specified in the 2010 Clean Air Plan. Therefore, the proposed project would include the applicable control measures identified in the Clean Air Plan to meet the primary goals of the plan.

Examples of projects that could disrupt or delay 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 (i.e., beyond parking requirements). The proposed project would add 252,050 gsf of residential space, 4,540 gsf of retail/restaurant space, and 41,360 gsf of parking to a dense, walkable urban area near a concentration of regional and local transit service. 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 the control measures identified in the Clean Air Plan.

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, auto body shops, rendering plants, 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. Observation indicates that the project site is not substantially affected by sources of odors.<sup>76</sup> Additionally, the proposed project includes residential, retail/restaurant, and parking uses and would therefore not be a significant source of new odors. Therefore, odor impacts would be less than significant.

**Impact C-AQ: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area, could 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 large enough 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>77</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 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 add 642 new vehicle trips as well as an emergency generator within an area that is 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 Air Quality which could reduce construction-period emissions by as much as 94 percent, and **Mitigation Measure M-AQ-4**, Best Available Control Technology for Diesel Generators which requires best available control technology to limit emissions from the proposed project's emergency backup generator. Furthermore, compliance with Article 38 would ensure that new sensitive receptors would not be exposed to cumulatively significant levels of air pollution. Thus, with implementation of identified mitigation measures, the project itself would

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<sup>76</sup> Project site was visited on January 16, 2015.

<sup>77</sup> Bay Area Air Quality Management District. 2011. CEQA Air Quality Guidelines. May 2011, page 2-1.

result in less-than-significant impacts related to air quality. Implementation of these mitigation measures and adherence to Article 38 would reduce the proposed project's contribution to cumulative air quality impacts to a less-than-significant level.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i> |
|--|---|---|--|--------------------------|---------------------------|
| <b>7. GREENHOUSE GAS EMISSIONS—<br/>Would the project:</b>   |   |   |  |                          |                           |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/>  |
| b) Conflict with any applicable plan, policy, or regulation 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"/>  |

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. However, no single project could generate enough GHG emissions to change the global average temperature noticeably; 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 BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with State CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions. State CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. Furthermore, State 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 GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy),<sup>78</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with State CEQA Guidelines. The actions outlined in the strategy resulted in a 14.5 percent reduction in GHG emissions in 2010 compared with 1990 levels, exceeding the 2020 reduction goals outlined in BAAQMD's 2010 Clean Air Plan, Executive Order (EO) S-3- 05,<sup>79</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act.)<sup>80,81</sup>

<sup>78</sup> San Francisco Planning Department. 2010. Strategies to Address Greenhouse Gas Emissions in San Francisco. The final document is available online at <http://www.sf-planning.org/index.aspx?page=2627>.

<sup>79</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalent [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).

<sup>80</sup> San Francisco Department of Environment. 2013. San Francisco Community-Wide Carbon Emissions by Category. Excel spreadsheet provided by email between Pansy Gee, San Francisco Department of Environment, and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

<sup>81</sup> The Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are designed to reduce GHGs in 2020 to 1990 levels.

Given that the City's local GHG reduction targets are more aggressive than the state and region's 2020 GHG reduction targets and consistent with long-term 2050 reduction targets, the City's GHG 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 GHG Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan and would not conflict with these plans. Therefore, such projects would 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: 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 (e.g., 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 activity on-site by demolishing an existing building and parking lot and constructing a new 12-story, 120-foot-tall residential building, approximately 297,950 gsf, with ground-floor retail space and two levels of subterranean parking. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of an increased number of vehicle trips (mobile sources) and residential and retail operations that result in an increase in energy use, 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 that have been adopted to reduce GHG emissions, as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Commuter Benefits Ordinance, Emergency Ride Home Program, Transportation Management Programs, Transit Impact Development Fee, Bicycle Parking Requirements, San Francisco Green Building Code, Car Sharing Requirements, San Francisco Green Building Requirements for Energy Efficiency, San Francisco Green Building Requirements: Commissioning of Building Energy and Water Systems, San Francisco Stormwater Management Ordinance, San Francisco Green Building Requirements for Water Use Reduction, Residential Water Conservation Ordinance, San Francisco Water Efficient Irrigation Ordinance, Residential Energy Conservation Ordinance, Mandatory Recycling and Composting Ordinance, San Francisco Construction and Demolition Debris Recover Ordinance, San Francisco Green Building Code: Construction and Demolition Debris Recycling, Street Tree Planting Requirements for New Construction, Light Pollution Reduction, Construction

Site Runoff Pollution Prevention for New Construction, and Regulation of Diesel Backup Generators as well as Low-emitting Adhesives, Sealants, Caulks, Paints, Coatings, Composite Wood, and Flooring. These regulations, as outlined in San Francisco's Strategies to Address Greenhouse Gas Emissions, have proven effective. Compared with 1990 emissions levels, San Francisco's GHG emissions have been measurably reduced, 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 2020.

It was determined that the proposed project would be consistent with San Francisco's GHG Reduction Strategy.<sup>82</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce the 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. Therefore, the proposed project's contribution to GHG emissions would not be cumulatively considerable. The proposed project would not 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.

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<sup>82</sup> Greenhouse Gas Analysis: Compliance Checklist. January 11, 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

| <i>Topics:</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not<br/>Applicable</i> |
|---|---|---|--|--------------------------|---------------------------|
| <b>8. WIND AND SHADOW—Would the project:</b>  |   |   |  |                          |                           |
| a) Alter wind in a manner that would substantially affect 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 would substantially affect outdoor recreational 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 would substantially affect public areas. (Less than Significant).**

Average wind speeds in San Francisco are the highest in the summer and lowest in winter. However, the strongest peak winds occur in winter. Throughout the year, the highest wind speeds occur in mid-afternoon and the lowest in the early morning. Winds from the west-northwest, west, northwest, and west-southwest are the most frequent and strongest during all seasons (referred to as prevailing winds).

*Planning Code* Section 148, Reduction of Ground-level Wind Currents in C-3 Districts, outlines wind reduction criteria for projects in C-3 Districts. The project site is in the C-3-G District, and therefore, the proposed project is subject to these criteria. The *Planning Code* sets criteria for both comfort and hazards and requires buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria.

The *Planning Code* comfort criteria of 11 miles per hour (mph) for pedestrian areas and 7 mph for public seating areas are based on wind speeds measured and averaged over a period of one minute. In contrast, the *Planning Code* wind hazard criterion of 26 mph is defined by a wind speed that is measured and averaged over a period of one hour. When stated on the same time basis as the comfort criterion wind speed, the hazard criterion wind speed (26 mph averaged over one hour) is equivalent to a one-minute average of 36 mph; wind gusts of that speed can blow people over and therefore are hazardous. For the purposes of evaluating impacts under CEQA, the analysis uses the hazard criterion to determine whether the proposed project would alter wind in a manner that would substantially affect public areas. The proposed project's effects related to the comfort criterion are presented for informational purposes.

A building taller than its immediate surroundings will intercept winds and deflect them down to the ground level, causing wind flow accelerations around building corners. When the gap between two buildings is aligned with the prevailing winds, high wind activity is expected along the gap. The project site is currently occupied by a two-story vacant commercial building and adjoining surface parking lot. Existing buildings in the surrounding area include a three-story building to the south and a two-story commercial building to the east.

A pedestrian wind study was prepared for the proposed project.<sup>83</sup> Wind tunnel testing was conducted at 48 wind speed sensors under Existing Conditions within a 1,125-foot radius of the project site, at a pedestrian height of approximately five feet. The results of the wind tunnel testing indicate that no sensor locations exceed the hazard criterion under Existing Conditions. For informational purposes, the results of the wind tunnel testing indicate that 12 of the 48 sensor locations exceed the *Planning Code's* 11 mph pedestrian comfort criterion under Existing Conditions. Wind speeds of 10 percent exceedance (i.e., the wind speed exceeded 10 percent of time) are 9 mph on average over 48 sensor locations. The nearest comfort criterion exceedances to the project site are concentrated on the sidewalks to the south of the project site along Market Street. Most sensor locations along Market Street exceed the comfort criterion, with the highest wind speeds modeled along the south side of Market Street.

The proposed project would demolish the existing building and parking lot and construct a new residential building. The proposed residential building would be approximately 113 to 120 feet tall (129 to 136 feet including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). The roof would include two terraces, totaling approximately 6,000 sf. The terrace on the eastern portion of the roof would include planters, multiple seating areas, and an outdoor kitchen and barbeque area and the terrace on the western portion of the roof would include planters, trees, and seating areas. Wind tunnel testing was conducted at seven additional wind speed sensor locations (for a total of 55) under existing plus-project conditions on the proposed roof terraces. The results of the wind tunnel testing indicate that the proposed project would increase wind speeds in the vicinity of the project site. The proposed residential building would be taller than the existing surrounding buildings, and the modeled increase in wind speeds would largely result from exposure to prevailing winds from the west-southwest, west, west-northwest, and northwest. These winds would be intercepted by the building, causing downwashing off of the façade and channeling between the buildings along Jones Street. The average ground-level wind speed exceeded 1 hour or more per year would increase from 18 to 20 mph, and at several locations, the wind speed exceeded 1 hour or more per year would increase by up to 6 mph. However, wind speeds would not exceed the 36-mph hazard criterion under existing plus-project conditions at any of the sensor locations where project-related wind testing was conducted. Therefore, the proposed project would not alter wind in a manner that would substantially affect public areas, and impacts related to wind hazards would be less than significant.

For informational purposes, the results of the wind tunnel testing indicate that wind speeds at 17 of the 48 ground-level sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion under existing plus-project conditions.<sup>84</sup> Four of the ground-level sensors were

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<sup>83</sup> RWDI. 2015. *1066 Market Street Project, San Francisco, CA*. Pedestrian Wind Assessment, RWDI #1400945, March 20, 2015. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>84</sup> The *Planning Code* requires buildings to be shaped so as not to cause ground-level wind currents to exceed defined comfort and hazard criteria. The comfort criteria specifies that wind speeds will not exceed, more than 10 percent of the time, 11 mph in substantial pedestrian use areas and 7 mph in public seating areas.



located on site, and 13 were located off site. Implementation of the proposed project would result in slightly worse wind conditions (i.e., higher wind speeds) at locations in the vicinity of the project site. Although exceedances of the wind comfort criteria as a result of the project would not represent a significant impact, an exception to the ground-level wind current requirements under Planning Code Section 148 would be necessary to approve the project. In addition, approximately 13 new street trees would be planted along the east side of Jones Street and eight new street trees would be planted along the south side of Golden Gate Avenue, which would help reduce localized wind speeds around public areas and building entrances. Landscaping and wind screens, as needed, would be included on the roof terraces to reduce wind speeds.

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

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces under the jurisdiction of the Recreation and Park Commission from shadowing by new and altered structures during the period between one hour after sunrise and one hour before sunset, year-round. Section 295 restricts new shadow upon open spaces under the jurisdiction of the Recreation and Park Commission by any structure exceeding 40 feet in height unless the Planning Commission finds the shadow to be an insignificant effect. Section 147 of the *Planning Code* regulates new construction shadow impacts near publicly accessible open spaces that are not subject to Section 295 of the *Planning Code*.

Because the proposed building would be greater than 40 feet in height, a preliminary shadow fan analysis was conducted by the Planning Department.<sup>85</sup> The shadow fan analysis shows that, at its greatest extent, the proposed project's shadow would extend east to Mason Street, south to Mission Street, west to the block between Leavenworth Street and Hyde Street, and north almost to Eddy Street. According to the shadow fan, the project shadow would not reach any parks that are protected by Section 295. It is noted that the Planning Department's preliminary shadow fan does not consider existing buildings or their shadows; rather, it illustrates the maximum extent of potential shadow from a proposed project.

Following completion of the preliminary shadow fan analysis prepared by the Planning Department, a shadow study was prepared for the proposed project.<sup>86</sup> The nearest public open space to the project site that would be subject to Section 295 is Father Alfred E. Boeddeker Park, which is located approximately 800 feet north of the project site. The nearest public open space to the project site that would be subject to Section 147 is United Nations Plaza, which is located 500 feet southwest of the project site. The proposed residential building would be approximately 113

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<sup>85</sup> San Francisco Planning Department. 2014. *Shadow Fan – 1066 Market Street*. January 10, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>86</sup> Arquitectonica. 2014. Environmental Evaluation Application. Exhibit 3: Shadow Analysis. February 12, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.

to 120 feet tall (129 to 136 feet, including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). The shadow study depicts the projected shadows at 10 a.m., 12 p.m., and 3 p.m. for each approximate equinox and solstice for the proposed project. The proposed project's shadow would not extend to the nearest public open spaces. No privately owned, publicly accessible open spaces exist within reach of the proposed project's shadow.

The proposed project would cast a shadow on nearby sidewalks, including those along Market Street, Jones Street, and Golden Gate Avenue, at certain times of the day throughout the year. Many sidewalks in this part of San Francisco are already shadowed for much of the day by dense development. Additional shadow created by the proposed project would be temporary in nature and would not substantially affect the use of the sidewalks.

Based on the analysis above, the proposed project would not create new shadow that would substantially affect outdoor recreation facilities or other public areas, and the impacts would be less than significant.

The shadow analysis also found that the proposed project would shade portions of private property within the project vicinity at certain times. Although occupants of nearby private property may regard the increase in shadow as undesirable, the increase in shading of private properties as a result of the proposed project is not considered a significant impact under CEQA.

**Impact C-WS-1: The proposed project, in combination with other past, present, or reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to wind. (Less than Significant)**

Wind tunnel testing was conducted at 55 wind speed sensors under Cumulative Conditions (which includes the proposed project), taking into account the following anticipated/proposed buildings at the following locations: 1036-1040 Mission Street, 570 Jessie Street, 1125 Market Street, 1075 Market Street, 1053 Market Street, 1028 Market Street, 945 Market Street, 950-974 Market Street, 19-25 Mason Street and 2-16 Turk Street, 168 Eddy Street/210 Taylor Street, 181 Turk Street/180 Jones Street, 145 Leavenworth Street, and 351 Turk Street. The results of the project-related wind tunnel testing indicate that none of the 48 at-grade sensor locations or the seven above-grade sensor locations would exceed the hazard criterion under cumulative conditions.<sup>87</sup> For informational purposes, the results of the wind tunnel testing indicate that 18 of the 48 sensor locations at pedestrian height exceed the *Planning Code's* 11 mph pedestrian comfort criterion under Cumulative Conditions, an increase of six sensor locations compared to Existing Conditions. Four of the at-grade sensors are located on-site, and 13 are located off-site. Five of the seven above-grade sensors on the roof terrace exceed the *Planning Code's* 11 mph pedestrian comfort criterion under cumulative conditions. Wind speeds of 10 percent exceedance (i.e., the

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<sup>87</sup> The hazard criterion of the *Planning Code* requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph, as averaged from a single full hour of the year.

wind speed exceeded 10 percent of time) would be 11 mph on average over the 48 sensor locations at pedestrian height, an increase of 2 mph compared to Existing Conditions. Additional wind comfort criterion exceedances compared to Existing Conditions would occur on-site within the proposed open-air courtyard, along the north side of Market Street, along the north side of McAllister Street, and along both sides of Jones Street. The highest wind speeds (18 mph) are anticipated to occur adjacent to the project site along the east side of Jones Street near the existing curb cut as well as on the south side of Market Street. Under Cumulative Conditions, no sensor locations would exceed the hazard criterion. Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable wind impact.

**Impact C-WS-2: The proposed project, in combination with other past, present, or reasonably foreseeable future projects in the vicinity of the project site, would result in less than significant cumulative impacts related to shadow. (Less than Significant)**

Based on the fact that the proposed project would not cast new shadows on a public open space, it would not contribute to a cumulative shadow impact on the public open spaces in the project vicinity. Future projects would be subject to *Planning Code* Section 295 and other controls to avoid substantial net new shading of public open space. Thus, the proposed project, in combination with other past, present, and reasonably foreseeable future projects proposed in the vicinity, would not result in a cumulatively considerable shadow impact.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>                | <i>Not<br/>Applicable</i> |
|--|---|---|--|-------------------------------------|---------------------------|
| <b>9. RECREATION—Would the project:</b>  |   |   |  |                                     |                           |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input 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 type="checkbox"/>                     | <input checked="" 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 physically degrade existing recreation resources nor would it increase the use of existing neighborhood parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. (Less than Significant)**

There are several recreation facilities and public open spaces near the project site, including:

- Father Alfred E. Boeddeker Park (at the intersection of Eddy and Jones Streets), an approximately 0.97-acre park containing basketball half-court, swings, slide and play structures as well as a community clubhouse, located approximately 800 feet north of the project site.
- United Nations Plaza, an approximately 2.6-acre pedestrian mall extending from Market Street to Hyde Street in the city's Civic Center area located approximately 500 feet southeast of the 1066 Market Street entrance.
- Civic Center Plaza (at the intersection of McAllister and Larkin Streets), an approximately 5.9-acre public open space containing lawn areas and two tot lots, located adjacent to the City Hall, approximately 1,500 feet west of the project site.

The San Francisco General Plan Recreation and Open Space Element (ROSE) defines a "high needs area" of the City as an area that is projected to absorb future population growth and that exhibits a combination of high population densities; high percentages of children and youth, seniors, and low-income households relative to the City as a whole; and low access to open space.<sup>88</sup> As shown on Maps 4a through 4c of the ROSE, the project site is located within the ½-mile service area of "Active Use/Sports Fields" and "Passive Use/Tranquil Spaces" and the ¼-mile service area of "Playgrounds." As shown on Maps 5a, 5c, and 5d of the ROSE, the project site is not within an area of the City that exhibits higher population densities or higher percentages of children and youth and seniors relative to the City as a whole, although it is adjacent to such areas

<sup>88</sup> City and County of San Francisco. San Francisco General Plan. Recreation and Open Space Element (ROSE). Available: <http://openspace.sfplanning.org> Accessed: February 4, 2015 and January 5, 2016.

in the Tenderloin neighborhood. However, it is within an area with a higher percentage of low-income households relative to the City as a whole (Map 5b) and an area designated to absorb future population growth (Map 6 of the ROSE). Based on these variables, a composite map was generated to identify areas of the City that receive priority when opportunities to acquire land for development of new parks arise and when funding decisions for the renovation of existing parks are made (Map 7 of the ROSE). As shown on Map 7, the project site is not located within a “high needs area,” but is immediately adjacent to such areas.<sup>89</sup>

The proposed project involves demolition of an existing building and parking lot and construction of a new residential building with 304 dwelling units and ground-floor retail space. As described in Impact PH-1 in Section E.2, Population and Housing, the proposed project would add 736 permanent residents and 13 employees to the local population, which would increase the demand for parks and recreational services in the project vicinity. The proposed project would provide passive recreational spaces onsite for the residents, including 12,333 sf of common open space at the courtyard and roof terraces. In addition, residents of the proposed residential units would be within walking distance of the above-noted open spaces. Based on the number of public parks and open spaces, playgrounds, and other recreational resources in the project vicinity; the availability of open space on and in the immediate vicinity of the project site; and the incremental increase in population due to the proposed project, project-generated demand could be accommodated by the existing local recreational resources. Although new residents may use park and recreational services in the project vicinity, and existing open space in the vicinity is limited, such use would most likely be modest given the size of the projected population increase due to the proposed project. In addition, the adjacent Tenderloin neighborhood is a “high needs area” that would receive priority for development of new parks or renovation of existing facilities; implementation of the policies included in the ROSE would address long-term needs associated with population increase in the project vicinity. Therefore, it is unlikely that physical deterioration of existing facilities would occur with increased use by project residents. In addition, the proposed project would not substantially increase demand for or use of citywide/regional facilities such as Golden Gate Park or other recreational facilities such as the Tenderloin Recreation Center because the size of the projected population increase would be modest compared to existing populations within the city and the region. The proposed project thus would not result in the physical alteration or degradation of any recreational resource within the vicinity of the project site or in the city as a whole.

Therefore, the proposed project is not expected to create a substantial contribution to the existing demand for existing neighborhood parks or other recreational facilities in the area or physically degrade existing recreational facilities. This impact would be less than significant.

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<sup>89</sup> ROSE, Maps 4 through 9. Available: <http://openspace.sfplanning.org>. Accessed: January 5, 2016.

**Impact RE-2: The proposed project would not require the construction of recreational facilities that may have an adverse physical effect on the environment. (No Impact)**

The proposed project does not include public recreational facilities. As described in Impact RE-1, the proposed project would not substantially increase use of nearby recreational facilities and thus would not require the construction or expansion of recreational facilities. Therefore, the project would not result in the construction of recreational facilities that would themselves have a physical environmental impact. The proposed project would have no impact.

**Impact C-RE: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to recreation. (Less than Significant)**

Recreational facility use in the project area would most likely increase with the development of the proposed project, especially in combination with other reasonably foreseeable residential and mixed-use development projects in the vicinity. However, the use of recreational facilities in the vicinity of the project site is not expected to increase noticeably as a result of the proposed project because the increase in new employees and residents in the project vicinity as a result of the proposed project would be relatively small compared with the existing population. Similar to the proposed project, cumulative projects in the area would be subject to *Planning Code* open space requirements regarding the provision of public and/or private open space. As noted above, implementation of the policies included in the ROSE would address long-term needs associated with population increase in the project vicinity. For these reasons, the proposed project would not result in a considerable contribution to any potential cumulative impact on recreational facilities. Cumulative impacts would be less than significant.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>    |
|--|---|---|--|--------------------------|--------------------------|
| <b>10. UTILITIES AND SERVICE SYSTEMS—<br/>Would the project:</b>   |   |   |  |                          |                          |
| 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 stormwater 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: Implementation of the proposed project would not exceed wastewater treatment requirements, exceed the capacity of the wastewater treatment provider serving the project site, or result in the construction of new or expansion of existing wastewater treatment or stormwater drainage facilities. (Less than Significant)**

Wastewater and stormwater associated with the proposed project would flow to the City's combined stormwater and sewer system and be treated to the standards of the City's National Pollutant Discharge Elimination System (NPDES) permit for the Southeast Water Pollution Control Plant. Then, treated water would be discharged in the San Francisco Bay. The San Francisco Bay Area Regional Water Quality Control Board (RWQCB) sets and regulates the NPDES requirements. The proposed project would comply with RWQCB standards.

The project site is completely covered with impervious surfaces. With implementation of the proposed project, the amount of impervious surface at the project site would decrease slightly because the proposed project would include an open-air courtyard with 3,200 sf of landscaped area. Therefore, the proposed project could reduce the amount of stormwater discharged from the project site. Compliance with the City's Stormwater Management Ordinance (Ordinance No. 83-10) would require the proposed project to reduce or eliminate 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 would manage stormwater on-site and limit demand on both collection system and wastewater facilities resulting from stormwater discharges. A Stormwater Control Plan would be designed for review and approval by the SFPUC because the proposed project would result in ground disturbance of an area greater than 5,000 sf. The Stormwater Control Plan would also include a maintenance agreement that must be signed by the project sponsor to ensure proper care of the necessary stormwater controls. Therefore, the proposed project would not substantially increase the demand for wastewater or stormwater treatment and would result in a less-than-significant impact.

As described in Impact PH-1 in Section E.2, Population and Housing, the proposed project would add 736 permanent residents and 13 employees to the project site, which would increase the amount of wastewater generated at the project site. In compliance with Title 24 of the California Code of Regulations and the City's Green Building Ordinance, the proposed project would include water-efficient fixtures to reduce wastewater flows and the amount of potable water used for building functions. The SFPUC's infrastructure capacity plans account for projected population and employment growth in San Francisco. As discussed in Section E.2, Population and Housing, population and employment growth induced by the proposed project is not considered substantial. In addition, the utilization of water-efficient fixtures would allow more efficient use of existing infrastructure. Therefore, implementation of the proposed project would not require construction or expansion of wastewater treatment facilities, and this impact would be less than significant.

**Impact UT-2: The SFPUC has sufficient water supply and entitlements to serve the proposed project, and implementation of the proposed project would not require expansion or construction of new water treatment facilities. (Less than Significant)**

The SFPUC's 2010 Urban Watershed Management Plan (UWMP) uses 2035 growth projections that were prepared by the Planning Department and ABAG to estimate future water demand. The proposed project would add residential units and commercial uses to the project site, which would increase the demand for water on the site. This increase is within the demand projections included in the UWMP. Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated under the anticipated water use and supply projections for San Francisco.<sup>90,91</sup>

In compliance with Title 24 of the California Code of Regulations and the City's Green Building Ordinance, the proposed project would include water-efficient fixtures to reduce the amount of

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<sup>90</sup> San Francisco Public Utilities Commission. 2010. *Urban Water Management Plan*. Includes countywide demand projections through 2035 and compares water supply and demand. Available: <http://sfwater.org/modules/showdocument.aspx?documentid=1055>. Accessed: October 12, 2015.

<sup>91</sup> San Francisco Public Utilities Commission. 2013. *Water Availability Study for the City and County of San Francisco*. Available: <http://www.sfwaters.org/modules/showdocument.aspx?documentid=3589>. Accessed: June 14, 2013.



potable water used for building functions. In addition, the proposed project would comply with all applicable standards in the Residential Water Conservation Ordinance. Furthermore, because the proposed project would include an open-air courtyard that would include 3,200 sf of landscaped area, the proposed project would comply with the San Francisco Water Efficient Irrigation Ordinance. Because the water demand could be accommodated by the existing and planned water supply anticipated under the UWMP and would include water-efficient elements, the proposed project would not result in a substantial increase in water use and would be served from existing water supply entitlements and resources. Therefore, the proposed project would not require the expansion of water facilities, and this impact would be less than significant.

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

Solid waste from the project site would be collected and hauled to a transfer station near Candlestick Point and recycled as feasible. The majority of the City's non-recycled solid waste is transported to the Altamont Landfill, in Alameda County, for disposal. As of March 2013, San Francisco's remaining capacity at the landfill was approximately 1 million tons out of the original 15-million-ton capacity.<sup>92</sup> At current disposal rates, San Francisco's available landfill space under the existing contract will run out in January 2016. In September 2015, the City approved an Agreement with Recology, Inc., for the transport and disposal of the City's municipal solid waste at the Recology Hay Road Landfill in Solano County. That Agreement is anticipated to extend for approximately nine years from 2016, with an option to renew the Agreement thereafter for an additional six years. 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.<sup>93</sup> San Francisco diverted 80 percent of its solid waste in 2010.<sup>94</sup> The proposed project would be served by a landfill with adequate capacity.

The proposed project would be subject to the City's Mandatory Recycling and Composting Ordinance, which requires all San Francisco residents and commercial landlords to separate their refuse into recyclables, compostables, and trash, thereby minimizing solid waste disposal and maximizing recycling. The proposed 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, which can divert a minimum of 65 percent of the material from landfills.

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<sup>92</sup> San Francisco Department of the Environment. n.d. Zero Waste FAQ. Available: <http://www.sfenvironment.org/zero-waste/overview/zero-waste-faq>. Accessed: February 4, 2015.

<sup>93</sup> Elizabeth Purl. 2015. Personal communication. December 7.

<sup>94</sup> San Francisco Department of the Environment. 2012. Mayor Lee Announces San Francisco Reaches 80 Percent Landfill Waste Diversion, Leads All Cities in North America. Available: <http://www.sfenvironment.org/news/press-release/mayor-lee-announces-san-francisco-reaches-80-percent-landfill-waste-diversion-leads-all-cities-in-north-america>. Accessed: February 4, 2015.

Although the proposed project would increase total waste generation within the city, the increasing rate of diversion through recycling and other methods would result in a decreasing share of total waste that would require disposal at the landfill. Given this, the solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would result in a less-than-significant solid waste generation impact.

**Impact UT-4: The construction and operation of the proposed project would comply with 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 related 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 had a goal of 75 percent solid waste diversion by 2010 and a goal of 100 percent solid waste diversion by 2020. San Francisco diverted 80 percent of its solid waste in 2010.<sup>95</sup> 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 would have a less-than-significant impact related to applicable solid waste statutes and regulations.

**Impact C-UT: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to utilities and service systems. (Less than Significant)**

The proposed project would not substantially affect utility provision or service, including water supply, wastewater facilities, and solid waste services. The SFPUC, the local water and wastewater service provider, has incorporated the demand associated with cumulative projects in its future water supply and wastewater service projections. The City and County of San Francisco currently exceed statewide goals for reducing solid waste and are expected to reduce solid waste volumes further in the future. The operation of the proposed project would not contribute considerably to significant regional impacts on landfill capacity because it would comply with City and County of San Francisco requirements to reduce solid waste, as would other development projects that would also contribute waste to the city's landfills. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable utilities and service systems impact.

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<sup>95</sup> San Francisco Department of the Environment. 2012. Mayor Lee Announces San Francisco Reaches 80 Percent Landfill Waste Diversion, Leads All Cities in North America. Available: <http://www.sfenvironment.org/news/press-release/mayor-lee-announces-san-francisco-reaches-80-percent-landfill-waste-diversion-leads-all-cities-in-north-america>. Accessed: February 4, 2015.

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

A description of impacts on parks is provided in Impact RE-1, RE-2, and RE-3.

**Impact PS-1: The proposed project would increase demand for police protection and fire protection but not to an extent that would require new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. (Less than Significant)**

The project site currently receives fire protection services from the San Francisco Fire Department. The two closest fire stations are Stations 1 and 36. Station 1 is located at 935 Folsom Street, approximately 0.5 mile northeast of the project site.<sup>96</sup> Station 36 is located at 109 Oak Street, approximately 0.7 mile southwest of the project site.<sup>97,98</sup> The project site currently receives police protection services from the Tenderloin police station, located at 301 Eddy Street, approximately 0.1 mile north of the project site.

The proposed project involves demolition of an existing vacant building and parking lot and construction of a new 12-story, 120-foot-tall residential building, approximately 297,950 gsf, containing approximately 304 dwelling units. Construction of the proposed project would be subject to and would comply with the regulations of the California Fire Code, which establishes requirements pertaining to fire protection systems, including the provision of state-mandated fire alarms, fire extinguishers, appropriate building access and egress, and emergency response notification systems.

As described in Impact PH-1, the proposed project would add approximately 736 permanent residents and 13 employees to the local population, which would incrementally increase demand

<sup>96</sup> City and County of San Francisco Fire Department. n.d. SFFD Fire Station Locations. Available: <<http://www.sf-fire.org/Modules/ShowDocument.aspx?documentid=1975>> Accessed: January 20, 2015.

<sup>97</sup> City and County of San Francisco Fire Department. n.d. Fire Station Locations. Available: <<http://www.sf-fire.org/index.aspx?page=176>>. Accessed: January 20, 2015.

<sup>98</sup> City and County of San Francisco Fire Department. n.d. SFFD Fire Station Locations Map. Available: <<http://www.sf-fire.org/Modules/ShowDocument.aspx?documentid=1975>> Accessed: January 20, 2015.

for fire protection and police services. This increase in population could result in an incremental increase in demand for fire and police protection services but not in excess of amounts expected and provided for in this area. No new or physically altered facilities would be required.

Given that the proposed project is located near, and already served by, existing police and fire protection services, the proposed new and modified structures would be required to comply with fire codes, and the proposed project would increase the service population in the area of the project only incrementally, impacts related to police and fire services would be less than significant.

**Impact PS-2: The proposed project could directly increase the population of school-aged children, but these new students would be accommodated within existing school facilities and would not require new or physically altered school facilities. (Less than Significant)**

School services in the city are provided by the San Francisco Unified School District (SFUSD). Although some of the new residents of the proposed 304 dwelling units may be families with school-age children, it is anticipated that existing schools in the city could accommodate these students. However, the proposed project would be assessed a per-gross-square-foot school impact fee for the increase in residential space to help offset school district costs. Because the project is not anticipated to necessitate new or physically altered school facilities, impacts on schools are expected to be less than significant.

**Impact PS-3: The proposed project would not increase demand for government services, and there would be no impact on government facilities. (Less than Significant)**

Similar to Impacts PS-1 and PS-2, residents of the proposed project would most likely use existing government services, including libraries, but this increase in demand would be small compared with demand from the existing population and overall service capacity. The project would not affect government services to the extent that new government services or physically altered government facilities would be required. Therefore, the proposed project would have a less-than-significant impact on government services.

**Impact C-PS: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to public services. (Less than Significant)**

The cumulative context for public services impacts consists of public service providers in the vicinity of the project site. Public services in the project vicinity include services provided by the San Francisco Police Department, San Francisco Fire Department, SFUSD, and City and County of San Francisco. Similar to the proposed project, projects within the vicinity would utilize services provided by these departments.

There are several reasonably foreseeable projects in the immediate project vicinity, including, but not limited to, the nearby planned developments located at 950–974 Market Street, 1028 Market

Street, 1125 Market Street, 1055 Market Street, and 1075 Market Street (which are to begin construction in 2016), as well as other planned developments that could be proposed under the potential Mid-Market Special Use District proposal. Cumulative development in the project vicinity could incrementally increase demand for public services, which could result in the need for new or altered government facilities. The proposed project's increase in employment and visitor attendance would incrementally increase demand for public services, but this increase would not be cumulatively considerable because the increase in demand would not be beyond levels anticipated and planned for in the project site vicinity. For these reasons, the proposed project would not result in a considerable contribution to cumulative public service impacts. This impact would be less than significant.

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| <i>Topics:</i>  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>               |
|---|---|---|--|--------------------------|-------------------------------------|
| <b>12. BIOLOGICAL RESOURCES—<br/>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 type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input 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 type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project area does not include riparian habitat or other sensitive natural communities, as defined by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service; therefore, Topic 12b is not applicable to the proposed project. In addition, the project area does not contain any wetlands, as defined by Section 404 of the Clean Water Act; therefore, Topic 12c is not applicable to the proposed project. The project site is not located within the jurisdiction of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Therefore, Topic 12f is not applicable to the proposed project.

**Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status species. (Less than Significant)**

The project site is currently occupied by a vacant commercial building and an adjoining surface parking lot. Along Market Street, Jones Street, and Golden Gate Avenue, the existing building and

surface parking lot are surrounded by sidewalks with a total of five street trees. There are no trees on the project site. The proposed project would include removal and replacement of two street trees, including one Callery pear (trunk diameter of four inches) and one Brisbane box (trunk diameter of six inches).<sup>99</sup> No special-status species are known to occur at the project site.<sup>100</sup> The project site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect or diminish plant or animal habitats. Therefore, the impacts of the proposed project on special-status species would be less than significant.

**Impact BI-2: The proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. (Less than Significant)**

The proposed residential building would be approximately 113 to 120 feet tall (129 to 136 feet, including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). Because of their location and/or their features, structures in an urban setting may present risks for birds as they traverse their migratory paths. The City has adopted guidelines to address this issue and provided regulations for bird-safe design within the city.<sup>101</sup> The regulations establish bird-safe standards for new building construction, additions to existing buildings, and replacement façades to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be “bird hazards.” The two circumstances regulated are 1) location-related hazards where the siting of a structure (defined as inside or within 300 feet of open spaces that are two acres and larger and dominated by vegetation or open water) creates an increased risk to birds and 2) feature-related hazards, which may increase risks to birds regardless of where the structure is located. For new building construction where the location-related standard would apply, the façade requirements include no more than 10 percent untreated glazing and minimal lighting. Any lighting that is used must be shielded and prevented from resulting in any uplighting. Feature-related hazards include free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 sf or larger in size. Any structure that contains these elements must treat 100 percent of the glazing.

The project site is not located within 300 feet of open spaces that are 2 acres or larger. The standards for location-related hazards would therefore not apply. In addition, the proposed project would not include features on rooftops that would have unbroken glazed segments 24 sf

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<sup>99</sup> San Francisco Planning Department. 2014. Required Checklist for Tree Planting and Protection for 1066 Market Street, San Francisco, CA. February 12, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>100</sup> Project site was visited on January 16, 2015.

<sup>101</sup> San Francisco Planning Department. 2011. Standards for Bird Safe Buildings. Available: [http://www.sf-planning.org/ftp/files/publications\\_reports/bird\\_safe\\_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf](http://www.sf-planning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf). Accessed: February 4, 2015.

or larger in size. Therefore, the proposed project would not include bird hazards related to building features.

The proposed project would also be required to comply with the California Fish and Game Codes and the Migratory Bird Treaty Act (MBTA), which protect special-status bird species.

Existing street trees could support native nesting birds that are protected under the California Fish and Game Code or the MBTA. Although the majority of these existing trees would not be directly affected by construction activities, the activities could occur during the breeding season. However, compliance with the requirements of the Fish and Game Code and the MBTA would ensure that there would be no loss of active nests or bird mortality. The requirements include one or more of the following for construction that takes place during the bird nesting season (January 15–August 15):

- Preconstruction surveys will be conducted by a qualified biologist no more than 15 days prior to the start of work during the nesting season to determine if any birds are nesting in or in the vicinity of any vegetation that is to be removed for the construction to be undertaken.
- Any nests that are identified will be avoided, and the qualified biologist will establish a construction-free buffer zone, which is to be maintained until the nestlings have fledged.

Because the proposed project would be subject to and would comply with City-adopted regulations for bird-safe buildings and federal and State migratory bird regulations, the proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. The impacts would be less than significant.

**Impact BI-3: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than Significant)**

The San Francisco Board of Supervisors adopted legislation that amended the City's Urban Forestry Ordinance, Public Works Code Section 801 et seq., to require a permit from Public Works to remove any protected trees.<sup>102</sup> If any activity is to occur within the dripline of a protected tree, prior to building permit issuance, a tree protection plan prepared by an International Society of Arborists–certified arborist is to be submitted to the Planning Department for review and approval. All permit applications that could affect a protected tree must include the Planning Department's Required Checklist for Tree Planting and Protection. Protected trees include landmark trees, significant trees, or streets trees that are located on private or public property anywhere within the territorial limits of the city and county of San Francisco. Article 16 of the San

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<sup>102</sup> San Francisco Planning Department. 2014. Required Checklist for Tree Planting and Protection for 1066 Market Street, San Francisco, CA. February 12, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.



San Francisco Public Works Code, the Urban Forestry Ordinance, provides for the protection of landmark, significant, and street trees. Landmark trees are designated by the Board of Supervisors upon the recommendation of the Urban Forestry Council, which determines whether a nominated tree meets the qualification for landmark designation by using established criteria (Section 810). Significant trees are those trees within the jurisdiction of Public Works or trees on private property within 10 feet of the public right-of-way that meet any of three size criteria. Significant trees must have a diameter at breast height in excess of 12 inches or a height in excess of 20 feet or a canopy in excess of 15 feet (Section 810(A)(a)).

Street trees are any trees that are growing within the public right-of-way, including unimproved public streets and sidewalks, and any trees that are growing on land that is under the jurisdiction of Public Works (Section 802(w)). If a project were to result in tree removal, subject to the Urban Forestry Ordinance, and Public Works were to grant a permit, Public Works would require replacement trees to be planted (at a one-to-one ratio) by the project sponsor or an in-lieu fee to be paid by the project sponsor (Section 806(b)).

As described in Impact BI-1, the existing building and surface parking lot are surrounded by sidewalks with a total of five street trees. There are no trees on the site. Two existing street trees would be removed and replaced along the east side of Jones Street, pursuant to Public Works review and approval. Thirteen new street trees would be planted under the proposed project. None of the surrounding street trees is a significant or landmark tree. Project construction would last for approximately 21 months. The three existing street trees that would not be removed under the proposed project would be protected in place during project construction, as described in the Required Checklist for Tree Planting and Protection prepared for the proposed project. Therefore, the proposed project would not conflict with any local policy ordinance for the protection biological resources, and impacts would be less than significant.

**Impact C-BI: The proposed project would not result in impacts on biological resources, and therefore, a discussion of cumulative impacts is not necessary. (Less than Significant)**

The geographic scope for potential cumulative biological resources impacts encompasses land uses in the vicinity of the project site. The area generally includes the area bounded by Turk Street to the north, Leavenworth Street to the west, Taylor Street to the east, and Stevenson Street to the south. Similar to the project area, the project vicinity does not include riparian habitat or other sensitive natural communities. With the exception of trees (primarily street trees) and landscaped areas, the area does not support or provide habitat for any known rare or endangered species. Project development would not interfere with any resident or migratory species.

Similar to the proposed project, other projects in the area would be required to comply with the federal Endangered Species Act, California Fish and Game Codes, the MBTA, which protects special-status bird species, and the *Standards for Bird-Safe Buildings*. Projects could result in cumulative impacts on street trees or other protected trees but would be subject to Public Works Code Section 8.02-8.11 as well as *Planning Code* Section 138.1, regarding the planting of street trees. The proposed project would include removal and replacement of two street trees, which are

protected because of their status as “street trees” or trees that are growing within the public right-of-way but are not identified as significant or landmark trees. However, the proposed project would include the planting of 13 new street trees.

In summary, as noted above, the proposed project would not have significant impacts on special-status species, avian species, or 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 not contribute to potential cumulative impacts on biological resources. Therefore, the proposed project’s contribution to cumulative impacts on biological resources would not be cumulatively considerable.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>               |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>13. GEOLOGY AND SOILS—<br/>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) Seismically 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 checked="" type="checkbox"/>          | <input 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"/>            |
| 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 that are 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"/>            |
| g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                     | <input type="checkbox"/> | <input type="checkbox"/>            |

The proposed project would connect to San Francisco's sewer and stormwater collection and treatment system. It would not use a septic water disposal system. Therefore, Topic 13e is not applicable to the proposed project.

**Impact GE-1: The proposed project would not result in exposure of people and structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismically related ground shaking, liquefaction, lateral spreading, or landslides. (Less than Significant)**

A geotechnical investigation was prepared for the proposed project.<sup>103</sup> The following analysis is based in part on the geotechnical investigation findings.

### ***Known Earthquake Fault, Seismically Related Ground Shaking, and Landslides***

During a major earthquake event, the project site is expected to experience strong to very strong ground shaking, which could result in ground failure associated with soil liquefaction,<sup>104</sup> lateral spreading,<sup>105</sup> and seismic densification.<sup>106</sup> The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known or potentially active faults exist on the project site. In a seismically active area, the remote possibility exists for future faulting in areas where no active faults previously existed; however, the risk of surface faulting or consequent secondary ground failure from a previously unknown site is low. The major active faults in the project area are the San Andreas, Hayward, San Gregorio, and Calaveras faults. The closest major active fault is the San Andreas – Peninsula fault, located approximately 11.7 miles west of the project site. The Community Safety Element of the general plan identifies the potential for very strong seismic ground shaking at the project site from a magnitude 7.2 earthquake on this fault. The Community Safety Element of the general plan also identifies the potential for strong seismic ground shaking at the project site from a magnitude 6.5 earthquake on the Hayward fault, approximately 17 miles northeast of the project site. With respect to seismic densification, it is estimated to occur from a range of 0.25 to 5.50 inches as a result of strong ground shaking during a major earthquake event at a nearby fault.

### ***Liquefaction***

The project site is within a liquefaction hazard zone (i.e., an area where ground shaking causes saturated soils to lose strength and behave like a liquid rather than a solid) but not in a landslide hazard zone (i.e., an area where the movement of a mass of soil down a steep slope occurs when the soil loses strength and can no longer support the weight of overlying soil or rocks). It is estimated that liquefaction-induced settlement ranging from zero to three inches would occur at the project site during a major earthquake on a nearby fault. This settlement could be erratic and vary significantly across the site; differential liquefaction-induced settlement could be on the order of three inches within a horizontal distance of 30 feet. Because of the presence of relatively shallow, potentially liquefiable soil, ground failure, such as lurch cracking or the development of sand boils, could occur at the site during a major earthquake.

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<sup>103</sup> Langan Treadwell Rollo. 2014. Geotechnical Investigation for 1066 Market Street San Francisco, California. January 29, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.

<sup>104</sup> Liquefaction occurs when saturated soils are subjected to earthquake-induced or other cyclic loading, resulting in a buildup of excess pore water pressure and causing the soils to lose strength temporarily.

<sup>105</sup> Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

<sup>106</sup> Seismic densification (also referred to as differential compaction) is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing ground-surface settlement.

### *Lateral Spreading*

With respect to lateral spreading, the potentially liquefiable layers were generally isolated and discontinuous, as evidenced by the borings, aside from the loose to medium-dense fill and medium-dense Dune sand found below the water table. The native Dune sand at the project site is too dense to be subject to lateral spreading. Additionally, the potentially liquefiable fill layers are thin and discontinuous across the project site. Therefore, the potential for lateral spreading to occur beneath the project site is low.

### *Geotechnical Recommendations*

As shown in **Figure 11**, the BART tunnel and Muni light rail tunnel run underground beneath Market Street adjacent to the site. It is estimated that the BART zone of influence extends 74 feet into the project site, as measured from the Market Street property line, and the presence of the BART and Muni tunnels south of the project site would need to be considered in determining appropriate foundation, shoring, and dewatering systems for the proposed project. BART has developed guidelines for construction near its subway structures. The BART guidelines would need to be considered during the design and construction of foundation and shoring systems for the planned building within the zone of influence. The recommendations in the geotechnical investigation are designed to adhere to BART requirements and mitigate potential impacts on the tunnels. Based on the geotechnical analysis, it was determined that the project site can be developed as planned, provided that the recommendations presented in the geotechnical investigation are incorporated into the design and contract documents and during construction of the proposed project. Recommendations provided in the geotechnical investigation include criteria for foundation design, together with recommendations for site preparation, shoring, below-grade walls, floor slabs, and seismic design.

Final building foundation plans would be reviewed by San Francisco DBI. To ensure compliance with all building code provisions regarding structure safety, when San Francisco DBI reviews the geotechnical investigation and building plans for a proposed project, it determines the adequacy of engineering and design features. Past geological and geotechnical investigations would be available for use by San Francisco DBI during its review of building permits for the project site. Also, San Francisco DBI could require that additional site-specific soil reports be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through San Francisco DBI's requirement for a geotechnical investigation and review of the building permit application, pursuant to San Francisco DBI implementation of the building code. This impact would be less than significant.

### *Conclusion*

Overall, the proposed project would not 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. This impact would be less than significant.





**Impact GE-2: The proposed project would not result in substantial soil erosion or loss of topsoil. (Less than Significant)**

The proposed project is located in a highly developed urban area. The project site is blanketed by approximately 22 to 26 feet of fill, consisting of very loose to very dense sand with variable silt, clay, and gravel content that includes fragments of brick, concrete, and other rubble. The site slopes downward gradually from the northwest to the southeast, from an elevation of approximately 47 feet SF Datum in the northwest corner of the project site to an elevation of approximately 34 feet SF Datum at the southeast corner of the project site. Site preparation and excavation activities would disturb soils on the gradually sloped site, creating the potential for wind and water-borne soil erosion. However, the proposed project would implement construction BMPs to prevent erosion and the discharge of sediment into construction site stormwater runoff, as described in Section E.14, Hydrology and Water Quality. Therefore, impacts related to the loss of topsoil and soil erosion would be less than significant.

**Impact GE-3: The proposed project would not substantially change the topography or any unique geologic or physical features of the site. (Less than Significant)**

The project site slopes gradually from the northwest to the southeast and has no unique topographic, geologic, or physical features. Construction of the proposed project would not substantially alter the topography of the site. Therefore, the impact is less than significant.

**Impact GE-4: The project site could be located on expansive soil but would not create substantial risks to life or property. (Less than Significant)**

Expansive soils expand and contract in response to changes in soil moisture, most notably when near-surface soils change from saturated to low-moisture-content conditions and back again. It is unknown if the project site is located on expansive soils. However, the proposed project would be required to comply with recommendations from San Francisco DBI, which would be developed through its building permit review process and include an analysis of the potential for soil expansion impacts. Therefore, the proposed project would not create substantial risks to life and property from expansive soils, and the impact would be less than significant.

**Impact GE-5: The proposed project could result in damage to, or destruction of, an as-yet-unknown unique paleontological resource or site or unique geologic feature. (Less than Significant with Mitigation)**

Paleontological resources, or fossils, are the remains, imprints, 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 cannot be replaced.



The deposition and preservation of paleontological resources are related to the lithologic (rock) unit in which they occur. If a rock type was created in a deposition environment that was not conducive to the deposition and preservation of fossils, fossils will not be present. Lithologic units that may be fossiliferous include sedimentary and volcanic formations. Pleistocene sediments in the San Francisco Bay are known to yield vertebrate fossils.<sup>107</sup>

The project site is blanketed by approximately 22 to 26 feet of artificial fill, consisting of very loose to very dense sand, with variable silt, clay, and gravel content, including fragments of brick, concrete and other rubble. The artificial fill is underlain by medium-dense to dense native sand of Holocene age, known locally as Dune sand.<sup>108</sup> The Dune sand and the fill are underlain by a Marsh deposit that is of Holocene or Pleistocene age,<sup>109</sup> consisting of medium-stiff to stiff clay, with sand, stiff to very stiff sandy clay, very loose to medium-dense clayey sand, and loose to medium-dense clayey silty sand. The bottom of the Marsh deposit was encountered at depths between 36 and 38 feet bgs. The Marsh deposits are underlain by eroded Franciscan Complex bedrock.<sup>110</sup> Because the Marsh deposits could be of Pleistocene age and thus may contain vertebrate fossils, the Marsh deposits have undetermined paleontological sensitivity. The depth of excavation would be 25 to 36 feet bgs, extending into the Marsh deposits layer. Thus, excavation work resulting from the proposed project could affect geologic units that might contain paleontological remains or traces of paleontological remains. This constitutes a potentially significant impact.

Implementation of Measure M-GE-4 would reduce this potential impact to a less than significant level.

#### **Mitigation Measure M-GE-4: Paleontological Resource Accidental Discovery**

Given the potential for paleontological resources to be present within the project site at excavation depths within the Marsh deposit, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on paleontological resources. Before the start of any earthmoving activities, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists. The qualified

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<sup>107</sup> UC Museum of Paleontology Specimens. 2015. *UC Museum of Paleontology Specimens*. Available: [http://ucmpdb.berkeley.edu/cgi/ucmp\\_query2](http://ucmpdb.berkeley.edu/cgi/ucmp_query2). Accessed: October 8, 2015.

<sup>108</sup> Blake, M.C., Jr., Graymer, R.W., and Jones, D.L. 2000. *Geologic Map and Database of Parts of Marin, San Francisco, Alameda, Contra Costa, and Sonoma Counties, California*. U.S. Geological Survey, Miscellaneous Field Studies, MF 2337, Online Version 1.0. Available: <http://pubs.usgs.gov/mf/2000/2337/>. Accessed: March 12, 2015.

<sup>109</sup> Haasl, D.M. and L.H. Fisk. 2015. Paleontological Resource Monitoring and Mitigation Plan for the 706 Mission Street Project, City and County of San Francisco, California. Prepared for: City and County of San Francisco Planning Department, San Francisco, CA and Kristin Gonsar, Millennium Partners, San Francisco, CA. September 17. Auburn, CA.

<sup>110</sup> Blake, M.C., Jr., Graymer, R.W., and Jones, D.L. 2000. *Geologic Map and Database of Parts of Marin, San Francisco, Alameda, Contra Costa, and Sonoma Counties, California*. U.S. Geological Survey, Miscellaneous Field Studies, MF 2337, Online Version 1.0. Available: <http://pubs.usgs.gov/mf/2000/2337/>. Accessed: March 12, 2015.

paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, and proper notification procedures should fossils be encountered. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who shall evaluate the significance.

If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work near the find and notify the project sponsor and the San Francisco Planning Department. Construction work in the affected areas shall remain stopped or be diverted to allow recovery of fossil remains in a timely manner. The project sponsor shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with SVP guidelines.<sup>111</sup> The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City of San Francisco (City) to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. The City shall be responsible for ensuring that the monitor's recommendations regarding treatment and reporting are implemented.

As discussed above, the project site is underlain by artificial fill and sedimentary deposits. No unique geologic features exist at the project site, and there would be no impact related to such resources.

**Impact C-GE: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to geology and soils. (Less than Significant)**

Geological impacts, including impacts on paleontological resources, are generally site specific, and the proposed project would not have the potential for cumulative effects with other projects. Cumulative development would be subject to the same design review and safety measures that apply to the proposed project. These measures would reduce the geologic effects of cumulative projects to less-than-significant levels. Projects with a potential for impacts on paleontological resources would be subject to the same review and mitigation requirements. For these reasons, the proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable geology and soils impact.

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<sup>111</sup> Society of Vertebrate Paleontology. 1996. *Conditions of Receivership for Paleontologic Salvage Collections*. Final draft. Society of Vertebrate Paleontology News Bulletin 166:31-32.

| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>               |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>14. HYDROLOGY AND WATER QUALITY—<br/>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"/>            |
| 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 that 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 or 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 that 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project site is not located in a 100-year flood hazard boundary, a dam failure area, or a tsunami flood hazard area.<sup>112,113</sup> A seiche is an oscillation of a water body, such as a bay, that may cause local flooding. A seiche could occur in the San Francisco Bay because of seismic or atmospheric activity. The project site is located 1.3 miles from San Francisco Bay and would therefore not be subject to a seiche. No mudslide hazards exist at the project site because the project site is not located near any landslide-prone areas.<sup>114</sup> Therefore, Topics 14g, 14h, 14i, and 14j are not applicable to the proposed project.

**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)**

Proposed project-related wastewater would flow to the City's combined stormwater and sewer system and would be treated to standards contained in the City's NPDES permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Because the NPDES standards are set and regulated by the RWQCB, the proposed project would not conflict with RWQCB requirements.

According to the geotechnical investigation prepared for the proposed project, the groundwater level is anticipated to vary, depending upon the amount of rainfall. Based on the available subsurface information for the site and vicinity, the groundwater surface slopes downward from the northwest to the southeast portions of the project site, consistent with the change in ground surface elevation across the project site. The high groundwater level is at 25 feet SF Datum at the northwest corner of the project site and slopes downward linearly to 13 feet SF Datum at the southeast corner of the project site. The proposed depth of excavation would be 25 to 36 feet bgs, and the proposed project's excavation could therefore encounter groundwater, requiring dewatering that could affect water quality. Groundwater dewatering during construction of the proposed project would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the SFPUC for discharge of water produced by dewatering. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. The SFPUC may also require water

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<sup>112</sup> San Francisco Planning Department. 2012. San Francisco General Plan. Community Safety Element, Map 6. Available: [http://www.sf-planning.org/ftp/general\\_plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/general_plan/Community_Safety_Element_2012.pdf). Accessed March 6, 2015.

<sup>113</sup> San Francisco Planning Department. 2012. San Francisco General Plan. Community Safety Element, Map 5. Available: [http://www.sf-planning.org/ftp/general\\_plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/general_plan/Community_Safety_Element_2012.pdf). Accessed March 6, 2015.

<sup>114</sup> San Francisco Planning Department. 2012. San Francisco General Plan. Community Safety Element, Map 4. Available: [http://www.sf-planning.org/ftp/general\\_plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/general_plan/Community_Safety_Element_2012.pdf). Accessed March 6, 2015.

analysis prior to discharge, per the City's Industrial Waste Ordinance (Ordinance number 199-77). As described in the geotechnical investigation, if the groundwater level is lowered outside the property boundary, the groundwater level in the vicinity of the BART and Muni tunnels would need to be monitored while the site is dewatered, and recharging the groundwater in the vicinity of the tunnels to pre-construction levels will be required. In addition, as described under Impact HZ-2 in Section E.15, Hazards and Hazardous Materials, the proposed project would be required to comply with the Maher Ordinance, which enforces further site management and reporting requirements for potentially hazardous soils.

During construction of the proposed project, the potential for erosion and the transport of soil particles would exist through surface water runoff. Once in surface water runoff, sediment and other pollutants could leave the construction site and drain into the City's combined stormwater and sewer system, necessitating treatment at the Southeast Water Pollution Control Plant prior to discharge into the Bay. To prevent sediments and other pollutants from entering the combined stormwater and sewer system, the project sponsor would be required to prepare and implement an Erosion Control Plan, including BMPs.

As described in Impact UT-1 in Section E.10, Utilities and Service Systems, the project site is completely covered with impervious surfaces. With implementation of the proposed project, the amount of impervious surface at the project site would decrease because the proposed project includes an open-air courtyard with 3,200 sf of landscaped area. Therefore, the proposed project could slightly reduce the amount of stormwater discharged from the project site compared to existing conditions. A Stormwater Control Plan would be designed for review and approval by the SFPUC, and the proposed project would be required to manage stormwater on-site using a low-impact design. Compliance with the City's Stormwater Management Ordinance (Ordinance No. 83-10) would require the proposed project to maintain, reduce, or eliminate 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 would retain runoff on-site, promote stormwater reuse, and limit (or eliminate altogether) site discharges to the combined sewer collection system.

Based on the analysis above, 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. This impact would be less than significant.

**Impacts 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 described in Impact HY-1, the high groundwater level was encountered at 25 feet SF Datum at the northwest corner of the project site and was found to slope downward linearly to 13 feet SF Datum at the southeast corner of the project site. The depth of excavation would be 25 to 36 feet bgs. The proposed project's excavation could encounter groundwater, and construction dewatering could affect groundwater supplies. In addition, as described in the geotechnical

investigation prepared for the proposed project, if the groundwater level is lowered outside the property boundary, the groundwater level in the vicinity of the BART and Muni tunnels would need to be monitored while the site is dewatered, and recharging the groundwater in the vicinity of the tunnels to pre-construction levels would be required. Although dewatering could be required during construction, any effects related to lowering the water table would be temporary and would not be expected to deplete groundwater resources substantially. The proposed project would not require long-term, continuous dewatering following construction. When a mat foundation or slabs are below or less than 30 inches above the design groundwater level, the basement floor/mat and basement walls must be waterproofed and designed to resist hydrostatic uplift pressures. The specifications for construction dewatering, potential groundwater recharge, and protection against long-term groundwater intrusion are outlined in the geotechnical investigation prepared for the proposed project and will be reviewed by the San Francisco DBI as part of the building permit process. In addition, the project site is located in the Downtown San Francisco Groundwater Basin. This basin is not used as a drinking water supply, and no plans for development of this basin for groundwater production exist.

Based on the analysis above, 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, and this impact would be less than significant.

**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. (Less than Significant)**

There are no streams or rivers present on the project site. Therefore, the proposed project would not alter the route of a stream or river or substantially alter the existing drainage pattern of the project site or area. As described in Impact HY-1, there would be some potential for the transportation of soil particles during construction. However, the proposed project would be subject to and required to comply with regulations that would limit the amount of runoff from the project site. The project site is completely covered with impervious surfaces. With implementation of the proposed project, the amount of impervious surface at the project site would decrease because the proposed project would include an open-air courtyard with 3,200 sf of landscaped area. Therefore, the proposed project could reduce the amount of stormwater discharged from the project site. Furthermore, because of the requirements of applicable regulations, and because the proposed project would not increase impervious surfaces or runoff at the project site, the proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute to runoff that would exceed the capacity of the existing or planned storm drainage system. This impact would be less than significant.

**Impacts C-HY: The proposed project, in combination past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to hydrology and water quality. (Less than Significant)**

Cumulative development in the project area could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC has accounted for such growth in its service projections. Cumulative development could also result in an increase in polluted runoff and stormwater discharges. However, the other development projects would be required to comply with construction-phase stormwater pollution control and water quality regulations, if necessary, similar to the proposed project. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable hydrology and water quality impact.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>               |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>15. HAZARDS AND HAZARDOUS MATERIALS—<br/>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 checked="" type="checkbox"/>                                   | <input type="checkbox"/>                     | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or result in hazardous or acutely hazardous materials, substances, or waste being handled within 0.25 mile of an existing or proposed school?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?   | <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 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 or in the vicinity of a private airstrip. Therefore, Topics 15e and 15f are not applicable to the proposed project.

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

The proposed project would involve demolition of an existing building and parking lot and construction of a new residential building with ground-floor retail space and subterranean parking. The project would result in the use of relatively small amounts of hazardous materials, those typically used by residential and retail land uses, such as disinfectants, cleaners, fertilizers, and other types of hazardous materials. Because the materials are labeled to inform users of potential adverse effects as well as proper handling and care, it is unlikely that the use of such materials would create a significant hazard. Additionally, most of the hazardous components of



disinfectants, cleaners, fertilizers, and other types of hazardous materials are consumed through use, resulting in little waste. Therefore, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. For these reasons, the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, and this impact would be less than significant.

**Impact HZ-2: The proposed project could create a potentially 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 with Mitigation)**

A Phase I Environmental Site Assessment (ESA) was prepared for the proposed project.<sup>115</sup> A Phase I ESA provides a record of conditions at a subject property and identifies potential environmental issues at the site. In addition, the Phase I ESA evaluates the potential for adverse environmental impacts from current and historical on-site practices and in the surrounding area.

The project site is currently occupied by a two-story vacant commercial building and an adjoining surface parking lot. According to the Phase I ESA, an early use of the property was for a dry goods building, with office uses on the second through fourth floors. In 1913, the project site was used for a department store and a theater. The current building was constructed in 1966, with the northern portion of the site used as a parking lot by 1968 and the southern portion of the site used as a restaurant and store, with offices on the second floor. The site has never been used for industrial uses.

As discussed below, the Phase I ESA documented one recognized environmental condition in connection with the project site: the project site is underlain by approximately 20 feet of fill materials. As with many sites in San Francisco, these fill materials may contain elevated concentrations of metals. Elevated concentrations of metals (particularly lead) often result in the classification of construction-generated soils as hazardous waste.

The Phase I ESA also documented one historical recognized environmental condition in connection with the project site: the presence of leaking underground fuel storage tanks. Two underground storage tanks (USTs), a 2,000-gallon tank and a 4,000-gallon tank that were used to store gasoline, were removed from the project site with approval and oversight from the San Francisco DPH on January 16, 1990. Confirmation soil sampling detected total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylenes (BTEX) in soil near the fuel dispenser at concentrations below current RWQCB environmental screening levels (ESLs) for shallow soil on residential properties where groundwater is a current or potential drinking water resource. TPHg and BTEX were not detected after four rounds of groundwater sampling

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<sup>115</sup> Iris Environmental. 2014. Phase I Environmental Site Assessment, 1066 Market Street and 99 Golden Gate Avenue, San Francisco, California. Prepared for Shorenstein Properties, LLC., San Francisco. January 31, 2014. This document is on file and available for public review as part of Case File No. 2013.1753E.

from a well installed in the location of the former dispenser. Based on the sampling results, the RWQCB closed the case on May 18, 1993.

### ***Soil and Groundwater***

As described above, the Phase I ESA documented one recognized environmental condition and one historical recognized environmental condition in connection with the project site, either of which could be potential sources of soil and/or groundwater contamination. In addition, the project site is located within the Maher Zone. Therefore, the proposed project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the San Francisco DPH. The Phase I ESA satisfies one of the requirements of Health Code Section 22.A.6A. Based on the information in the Phase I ESA, 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 would be required to submit a Site Mitigation Plan (SMP) to DPH or other appropriate state or federal agencies and remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH, and a Phase I ESA has been prepared to assess the potential for site contamination.

The proposed project would be required to remediate any soil or groundwater contamination identified on-site in accordance with Article 22A of the Health Code. Compliance with this regulation would avoid potential contamination-related impacts. Therefore, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and groundwater, and this impact would be less than significant.

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

Given its age, the existing building may contain hazardous building materials, including asbestos-containing materials, lead-based paint, and polychlorinated biphenyls (PCBs), bis(2-ethylhexyl) phthalate (DEHP), and mercury. Electrical equipment may contain PCBs, while fluorescent light ballasts may contain PCBs or DEHP. Fluorescent light tubes generally contain mercury vapors. All of these materials were commonly employed well into the second half of the 20<sup>th</sup> century and were still in use at the time the building was constructed. During building demolition, workers and the public could be exposed to hazardous building materials if they were not abated prior to demolition. However, as discussed below, there is a well-established regulatory framework for the abatement of asbestos-containing materials and lead-based paint, and impacts related to exposure to these hazardous building materials would be less than significant with compliance with regulatory requirements. Impacts related to exposure to other hazardous building materials would be potentially significant but could be mitigated to a less-than-significant level.

**Lead-based Paint.** Work that could result in disturbance of lead-based paint must comply with Section 3425 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead-based paint on the exterior of any building built prior to 1979, Section 3425 requires specific notification

and work standards and identifies prohibited work methods and penalties. Section 3425 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.

Section 3425 contains performance standards, including the establishment of containment barriers, and identifies prohibited practices that may not be used during any disturbance or removal of lead-based paint. Any person who performs work that is subject to Section 3425 shall make all reasonable efforts to prevent the migration of lead-paint contaminants beyond containment barriers during the course of the work, and any person who performs regulated work shall make all reasonable efforts to remove all visible lead-paint contaminants from all regulated areas of the property prior to completion of the work.

Section 3425 also includes requirements pertaining to notification and project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more sf or 100 or more linear feet of lead-based paint in total, the responsible party must provide the director of the San Francisco DBI with written notice that includes the following: the address and location of the proposed project; the scope and specific location of the work; information regarding whether the responsible party has reason to know or presume that lead-based paint is present; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential; whether it is owner occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a posted sign, notifying the public of restricted access to work area; a notice to residential occupants; a pamphlet related to protection from lead in the home; an early commencement of work notice (by owner, requested by tenant), and notice of lead contaminated dust or soil, if applicable. Section 3425 contains provisions regarding inspection and sampling for compliance by San Francisco DBI, as well as enforcement. It also describes penalties for non-compliance with the requirements of the ordinance.

Demolition would also be subject to the Cal/OSHA Lead in Construction Standard (8 CCR Section 1532.1). This standard requires development and implementation of a lead compliance plan when materials that contain lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA would require 24-hour notification if more than 100 square feet of materials that contain lead would be disturbed.

Implementation of procedures required by Section 3425 of the Building Code and the Lead in Construction Standard would ensure that potential impacts from demolition or renovation of structures with lead-based paint would be less than significant.

**Asbestos-Containing Building Materials.** Section 19827.5 of the California Health and Safety Code requires local agencies not to issue 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 10 days in advance of any proposed demolition or asbestos abatement work. The notification must include (1) the address of the operation; (2) the names and addresses of those who are responsible; (3) the location and description of the structure to be altered, including size, age, prior use, and the approximate amount of friable asbestos; (4) scheduled start and completion dates for the asbestos abatement work; (5) nature of the planned work and methods to be employed; (6) procedures to be employed to meet BAAQMD requirements; (7) 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 about which a complaint has been received. Any asbestos-containing building material disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials; Asbestos Demolition, Renovation, and Manufacturing.

The local office of the State Occupational Safety and Health Administration must also be notified of any asbestos abatement that is to be carried out. Asbestos abatement contractors must follow state regulations contained in the California Code of Regulations, Title 8, Section 1529, and Title 8, Sections 341.6 through 341.14, where there is asbestos-related work involving 100 sf or more of asbestos-containing building material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, San Francisco DBI will not issue the required permit until the applicant has complied with the notice requirements described above.

Compliance with these regulations and implementation of the required procedures during the development process would ensure that any potential impacts due to demolition or renovation of structures with asbestos-containing materials would be less than significant.

**Other Hazardous Building Materials.** Other hazardous building materials that could be present include electrical transformers, which could contain PCBs; fluorescent light ballasts, which could contain PCBs or DEHP; and fluorescent light tubes, which could contain mercury vapors. Disruption of these materials could pose health threats for construction workers if not properly disposed of, a potentially significant impact. However, implementation of **Mitigation Measure M-HZ-2**, Hazardous Building Materials Abatement, would require that the presence of such materials be evaluated prior to demolition or renovation and, if such materials are present, that they be properly handled during removal and building demolition or renovation. This would

reduce the potential impacts of exposure to these hazardous building materials to a less-than-significant level.

### **Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement**

The project sponsor shall ensure that, prior to demolition, the building is surveyed for hazardous building materials, including electrical equipment that contains polychlorinated biphenyl (PCBs), fluorescent light ballasts that contain PCBs or bis(2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes that contain mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition or renovation. Light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs. In cases where the presence of PCBs in the light ballasts cannot be verified, it shall be assumed that they contain PCBs and handled and disposed of accordingly under applicable laws and regulations. Any other hazardous building materials identified either before or during demolition or renovation shall be abated according to federal, state, and local laws and regulations.

Implementation of **Mitigation Measure M-HZ-2** would reduce impacts related to exposure to hazardous building materials during demolition to a less-than-significant level.

### ***Conclusions***

With the existing regulations in place and with the mitigation identified above, proposed demolition of the existing building and construction of the proposed project would not have the potential to pose a direct (through material removal) or indirect (through transport of materials or accidental release) public health hazard for the surrounding neighborhood. Compliance with existing regulatory requirements and permits would ensure that operation of the proposed project would not result in significant effects due to hazardous materials or wastes. Therefore, the proposed project would have less-than-significant impacts related to hazardous materials use.

**Impact HZ-3: The project would not emit hazardous emissions or result in hazardous or acutely hazardous materials, substances, or waste being handled within 0.25 mile of an existing or proposed school site. (Less than Significant)**

There are no public schools within 0.25 mile of the project site.<sup>116</sup> There are private schools within 0.25 mile of the project site, including De Marillac Middle School, located 0.07 mile to the west, and San Francisco City Academy, located 0.10 mile to the north. The project would result in the use of relatively small amounts of hazardous materials, those that are typically used by residential and retail uses, such as disinfectants, cleaners, fertilizers, and similar types of hazardous materials. Because the materials would be used in small quantities and are labeled to inform users of potential adverse effects as well as proper handling and care, it is unlikely that the use of such

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<sup>116</sup> San Francisco Public Schools. 2014. Search results. Available: <http://www.sfpublicschools.org/php/lookup.php>. Accessed: January 21, 2015.

materials would create a significant hazard. Overall, the proposed project would not use or emit hazardous or acutely hazardous substances. Therefore, the proposed project's impact with respect to emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste near a school would be less than significant.

**Impact HZ-4: The project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 but no risk to human health has been identified. (Less than Significant)**

The Phase I ESA prepared for the proposed project included a search of the environmental databases covered by Government Code Section 65962.5. According to the Phase I ESA, the project site is listed in the following hazardous materials databases: Resource Conservation and Recovery Act Information System database of treatment, storage, and disposal facilities that are not subject to corrective action and hazardous waste generators, Engineering Controls Sites, Sites with Institutional Controls, Emergency Response Notification System, UST Registrations database, Site Mitigation and Brownfield Re-use Program Facility Sites with Deed Restrictions and Hazardous Waste Management Program Facility Sites with Deed/Land Use Restrictions database, and the USTs on Indian Land database. As described in Impact HZ-2, the Phase I ESA documented one historical recognized environmental condition in connection with the project site. Two USTs, a 2,000-gallon tank and a 4,000-gallon tank that were used to store gasoline, were removed from the project site with approval and oversight from the San Francisco DPH on January 16, 1990. Based on the sampling results, the RWQCB closed the case on May 18, 1993. No further action is required. Therefore, the proposed project's impact with respect to being included on a list of hazardous materials sites would be less than significant.

**Impact HZ-5: The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving fires or interfere with the implementation of an emergency response plan. (Less than Significant)**

The San Francisco Building and Fire Codes ensure fire safety in San Francisco. In addition, the San Francisco Fire Department (as well as San Francisco DBI) reviews final building plans to ensure conformance with these codes. The proposed project would conform to these fire safety standards, which (depending on building type) may also include development of an emergency procedure manual and an exit drill plan. The proposed project is not located within a fire hazard severity zone.<sup>117</sup>

Implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, traffic associated with the proposed project would be relatively insignificant within the dense urban setting of the project site, and it is expected that traffic would disperse within the existing street grid, resulting in no

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<sup>117</sup> California Department of Forestry and Fire Protection. 2012. San Francisco County Fire Hazard Safety Zone Map. Available at <[http://www.fire.ca.gov/fire\\_prevention/fhsz\\_maps\\_sanfrancisco.php](http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanfrancisco.php)>. Accessed: January 21, 2015.

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. Therefore, the proposed project's impact on emergency response plans and fire hazards would be less than significant.

**Impact C-HZ: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to hazards and hazardous materials. (Less than Significant)**

Impacts from hazards are generally site specific and typically do not result in cumulative impacts. The proposed project would not have a significant impact due to hazardous material conditions on the project site or in the vicinity. There are no existing, proposed, or foreseeable developments in the project vicinity that would contribute considerably to cumulative effects. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable hazards and hazardous materials impact.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>               |
|--|---|---|--|--------------------------|-------------------------------------|
| <b>16. MINERAL AND ENERGY RESOURCES—Would the project:</b>   |   |   |  |                          |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Encourage activities that result in the use of large amounts of fuel, water, or energy or use these resources in a wasteful manner?                                 | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/>            |

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975.<sup>118</sup> This designation indicates that there is inadequate information available for assignment to any other MRZ, and thus, the project site is not a designated area of significant mineral deposits. No operational mineral resource recovery sites exist in the project area; therefore, operations or accessibility would not be affected by the proposed project. Therefore, Topics 16a and 16b are not applicable to the proposed project.

**Impact ME-1: The proposed project would not encourage activities that would result in the use of large amounts of fuel, water, or energy or use these resources in a wasteful manner. (Less than Significant)**

The proposed project involves demolition of an existing building and parking lot and construction of a new 12-story, 120-foot-tall residential building, approximately 297,950 gsf, with ground-floor retail space and two levels of subterranean parking. Electricity would be required during demolition and construction activities to operate necessary machinery and equipment. Construction vehicles and equipment would use primarily diesel fuel, and construction workers' vehicles would use gasoline and diesel to commute. Construction activities would not result in a demand for electricity or fuels that would be greater than that of any other similar project in the region. Construction-related energy use would not be large or wasteful relative to similar projects or energy use in the region as a whole. Therefore, the construction-related impacts of the proposed project related to fuel, water, or energy would be less than significant.

Operation of the proposed residential building would not result in wasteful use of fuel, water, or energy. The GHG analysis includes a description of the energy-conservation measures that would

<sup>118</sup> California Division of Mines and Geology. 1986. Open File Report 96 03 and Special Report 146, Parts I and II. Available: <http://www.conservation.ca.gov/cgs/minerals/mlc/Pages/index.aspx>.



be implemented or continued under the proposed project. The proposed project would use energy produced in regional power plants from hydropower, natural gas, coal, and nuclear fuels and would not use substantial quantities of other nonrenewable natural resources. The proposed project would meet or exceed current state and local energy conservation standards, including the City's Green Building Ordinance and Title 24 of the California Code of Regulations, which is enforced by the San Francisco DBI. Although the proposed project would increase demand for energy, the project-generated demand would be typical for a project of this size and negligible in the context of the overall consumer demand in San Francisco and the state. As such, operations-related energy use would not be large or wasteful. Therefore, operations-related impacts of the proposed project related to fuel, water, or energy would be less than significant.

**Impact-C-ME: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would result in less-than-significant cumulative impacts related to energy and minerals. (Less than Significant)**

No known minerals exist at the project site, and thus, the proposed project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco, the greater Bay Area, and the state and would not in and of itself require any expansion of power facilities. The City plans to reduce GHG emissions to 25 percent below 1990 levels by 2017 and ultimately reduce GHG emission to 80 percent below 1990 levels by 2050, which would be achieved through a number of different strategies, including energy efficiency. Therefore, the energy demand associated with the proposed project would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable mineral and energy resources impact.

| <i>Topics:</i> | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i> | <i>Not Applicable</i> |
|----------------|---|---|--|----------------------|-----------------------|
|----------------|---|---|--|----------------------|-----------------------|

#### 17. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts on 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 forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and the 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forestland or conversion of forestland to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to non-agricultural use or forestland to non-forest use?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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 site as Urban and Built-Up Land, which is defined as "... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes; railroad and other transportation yards; cemeteries; airports; golf courses; sanitary landfills; sewage treatment; water control structures; and other developed purposes."<sup>119</sup> Because the project 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. Furthermore, it would not conflict with existing zoning for agricultural land or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland or forestland to non-forest use. Additionally, the proposed project would not convert any forestland or timberland to non-forest use. Forestland is defined as "land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that

<sup>119</sup> California Department of Conservation. 2007. Bay Area Region Important Farmland 2004 and Urbanization 1984 – 2004 (map). Available at: [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/urban\\_change/bayarea\\_urban\\_change1984\\_2004.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/urban_change/bayarea_urban_change1984_2004.pdf). Accessed March 2, 2015.

allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (Public Resources Code Section 12220(g)). Timberland is defined as “land, other than land owned by the federal government and land designated by the board (State Board of Forestry and Fire Protection) as experimental forestland, which is available for, and capable of, growing a crop of trees of any commercial species uses to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others” (Government Code Section 51104(g)). Therefore, Topics 17a, 17b, 17c, 17d, and 17e are not applicable to the proposed project.

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| <i>Topics:</i>   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less-than-<br/>Significant<br/>Impact</i> | <i>No<br/>Impact</i>     | <i>Not Applicable</i>    |
|--|---|---|--|--------------------------|--------------------------|
| <b>18. MANDATORY FINDINGS OF SIGNIFICANCE—<br/>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 type="checkbox"/>  | <input checked="" type="checkbox"/>          | <input type="checkbox"/> | <input type="checkbox"/> |

As described in Section E.3, Cultural Resources, it is possible that below-ground archeological and paleontological resources may be present at the project site. Implementation of **Mitigation Measure M-CR-2** and **M-CR-3** would reduce impacts on these resources to less-than-significant levels. Therefore, the proposed project would not result in a significant archeological or paleontological resource impact.

As described in Section E.6, Air Quality, the proposed project’s construction activities would generate toxic air contaminants, including diesel particulate matter, which could expose sensitive receptors to substantial pollutant concentrations. In addition, the proposed project would add a new source of TACs within an area that already experiences poor air quality. Implementation of **Mitigation Measure M-AQ-2** and **M-AQ-4** would reduce the impacts to less-than-significant levels. Therefore, the proposed project would not result in a significant air quality impact.

Both long-term and short-term environmental effects, including substantial adverse effects on human beings, associated with the proposed project would be less than significant, as discussed under each environmental topic. Each environmental topic area includes an analysis of cumulative impacts based on land use projects, compliance with adopted plans, statutes, and ordinances, and currently proposed projects.

## **F. MITIGATION MEASURES AND IMPROVEMENT MEASURES**

The following mitigation measures have been adopted by the project sponsor and are necessary to reduce the potentially significant environmental impacts of the proposed project to less-than-significant levels. In addition, improvement measures have also been agreed to by the project sponsor to further reduce less-than-significant impacts.

### **Mitigation Measure M-CR-1: Vibration Monitoring and Management Plan**

The project sponsor shall retain the services of a qualified structural engineer and preservation architect that meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards to conduct a Pre-Construction Assessment of the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street). Prior to any ground-disturbing activity, the Pre-Construction Assessment should be prepared to establish a baseline, and shall contain written and/or photographic descriptions of the existing condition of the visible exteriors of the adjacent buildings and in interior locations upon permission of the owners of the adjacent properties. The Pre-Condition Assessment should determine specific locations to be monitored, and include annotated drawings of the buildings to locate accessible digital photo locations and location of survey markers and/or other monitoring devices (e.g., to measure vibrations). The Pre-Construction Assessment will be submitted to the Planning Department along with the Demolition and/or Site Permit Applications.

The structural engineer and/or preservation architect shall develop, and the project sponsor shall adopt, a vibration management and continuous monitoring plan to protect the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street) against damage caused by vibration or differential settlement caused by vibration during project construction activities. In this plan, the maximum vibration level not to be exceeded at each building shall be 0.2 inch/second, or a level determined by the site-specific assessment made by the structural engineer and/or preservation architect for the Project. The vibration management and monitoring plan should document the criteria used in establishing the maximum vibration level for the Project. The vibration management and monitoring plan shall include pre-construction surveys and continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard. The vibration management and monitoring plan shall be submitted to the Planning Department Preservation Staff prior to issuance of any construction permits.

Should vibration levels be observed in excess of the standard, or damage to either the Golden Gate Building (1028 Market Street) and/or former Praeger's Department Store (1072 Market Street) is observed, construction shall be halted and alternative techniques put in practice, to the extent feasible. The structural engineer and/or historic preservation consultant should conduct regular period inspections of digital

photographs, survey markers, and/or other monitoring devices during ground-disturbing activity at the Project site. The buildings shall be protected to prevent further damage and remediated to pre-construction conditions as shown in the Pre-Construction Assessment with the consent of the building owner. Any remedial repairs shall not require building upgrades to comply with current San Francisco Building Code standards.

#### **Mitigation Measure M-CR-4: Archeological Testing Program**

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

*Consultation with Descendant Communities.* On discovery of an archeological site<sup>120</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>121</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the

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<sup>120</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>121</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and, in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archaeologist.

opportunity to monitor archeological field investigations of the site and consult with the ERO regarding appropriate archeological treatment of the site, recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report (FARR) shall be provided to the representative of the descendant group.

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

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soil-disturbing activities commencing. The ERO, in consultation with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, drilling of piers (foundation work, shoring, etc.), site remediation, etc., shall

require archeological monitoring because of the risk these activities pose to potential archaeological resources and their depositional context;

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

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

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



The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the coroner's determination that the human remains are Native American remains, notification of the California Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (State CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey, Northwest Information Center (NWIC), shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall

receive one bound, one unbound, and one unlocked, searchable PDF copy of the FARR on CD, along with copies of any formal site recordation forms (California Department of Parks and Recreation [DPR] 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

#### **Mitigation Measure M-CR-6: Tribal Cultural Resources Interpretive Program**

If the Environmental Review Officer (ERO) determines that preservation-in-place of previously unidentified archeological resources pursuant to Mitigation Measure M-CR-4, Archeological Monitoring, is not a sufficient or feasible option, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a TCR, the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

#### **Mitigation Measure M-AQ-2: Construction Emissions Air Quality**

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

1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - a. Where access to alternative sources of power is available, portable diesel engines shall be prohibited;
  - b. All off-road equipment shall have:
    - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, *and*

- ii. Engines that are retrofitted with an ARB Level 3 VDECS.<sup>122</sup>
  - c. Exceptions:
    - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the applicant shall submit documentation of compliance with A(1)(b) for on-site power generation.
    - ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS would not be technically feasible, would not produce the desired emissions reductions because of the expected operating modes, or would create a safety hazard or impair visibility for the operator after installing the control device or there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the applicant has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
    - iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next-cleanest piece of off-road equipment provided by the step-down schedule, as follows, and document that emissions are sufficiently reduced to ensure excess cancer risks and PM<sub>2.5</sub> concentrations would not exceed the air pollution exposure zone criteria:
      - 1. Compliance Alternative 1: Engine Emissions Standard 2 with the ARB Level 2 VDECS
      - 2. Compliance Alternative 2: Engine Emissions Standard 2 with the ARB Level 1 VDECS
      - 3. Compliance Alternative 3: Engine Emissions Standard 2 with alternative fuels (alternative fuels are not a VDECS)
- 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 that meets Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road

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<sup>122</sup> Equipment with engines that meet Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.

equipment that meets Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

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

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

- C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan

and (2) that all applicable requirements of the Plan have been incorporated into contract specifications.

**Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators**

All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards or (2) meet Tier 2 emission standards and are equipped with an ARB Level 3 VDECS.

**Mitigation Measure M-GE-4: Paleontological Resource Accidental Discovery**

Based on the potential for paleontological resources to be present within the project site at excavation depths within the Dune sand, Marsh deposit, as well as the underlying Franciscan Complex bedrock, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on paleontological resources. Before the start of any earthmoving activities, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists. The qualified paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, and proper notification procedures should fossils be encountered. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who shall evaluate the significance.

If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work near the find and notify the project sponsor and the San Francisco Planning Department. Construction work in the affected areas shall remain stopped or be diverted to allow recovery of fossil remains in a timely manner. The project sponsor shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with SVP guidelines.<sup>123</sup> The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City of San Francisco (City) to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. The City shall be responsible for ensuring that the monitor's recommendations regarding treatment and reporting are implemented.

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<sup>123</sup> Society of Vertebrate Paleontology. 1996. Conditions of Receivership for Paleontologic Salvage Collections. Final draft. Society of Vertebrate Paleontology News Bulletin 166:31-32.

## **Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement**

The project sponsor shall ensure that, prior to demolition, the building is surveyed for hazardous building materials, including electrical equipment that contains polychlorinated biphenyl (PCBs), fluorescent light ballasts that contain PCBs or bis(2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes that contain mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition or renovation. Light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs. In cases where the presence of PCBs in the light ballasts cannot be verified, it shall be assumed that they contain PCBs and handled and disposed of accordingly under applicable laws and regulations. Any other hazardous building materials identified either before or during demolition or renovation shall be abated according to federal, state, and local laws and regulations.

### ***Improvement Measures***

## **Improvement Measure I-CR-1: Construction Best Practices for Historical Architectural Resources**

The project sponsor will incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to the Golden Gate Building (1028 Market Street) and former Praeger's Department Store (1072 Market Street), including, but not limited to, staging of equipment and materials as far as possible from historic buildings to limit damage; using techniques in demolition, excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and historic resource(s); enclosing construction scaffolding to avoid damage from falling objects or debris; and ensuring appropriate security to minimize risks of vandalism and fire. These construction specifications will be submitted to the Planning Department along with the Demolition and Site Permit Applications.

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

As an improvement measure to reduce the potential for queuing from vehicles that are attempting to access the project site, it shall be the responsibility of the project sponsor or subsequent property owner to ensure that recurring vehicle queues do not occur adjacent to the site.

Because the proposed project would include a new off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces), the project is subject to conditions of approval set forth by the San Francisco Planning Department related to monitoring and abatement of queues. It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-

of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) that block any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis. If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods, as needed, to abate the queue. Appropriate abatement methods will vary, depending on the characteristics and causes of the recurring queue as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable). Suggested abatement methods include, but are not limited to, the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs, with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage that directs drivers to available spaces; travel demand management strategies, such as additional bicycle parking, customer shuttles, or delivery services; and/or parking demand management strategies, such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

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

#### **Improvement Measure I-TR-1b: Implement Transportation Demand Management Strategies to Reduce Single-Occupancy Vehicle Trips**

The project sponsor and subsequent property owner should implement a Transportation Demand Management (TDM) program to minimize the number of single-occupancy vehicle (SOV) trips generated by the proposed project for the lifetime of the project. The TDM program targets SOV trips by encouraging persons to select other modes of transportation, including walking, bicycling, transit, car-share options, carpooling, and/or other modes. The Project Sponsor-approved TDM checklist is also provided in Appendix K of the TIS prepared for the proposed project.

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

- **Identify TDM Coordinator:** The project sponsor should identify a TDM coordinator for the project site. The TDM coordinator is responsible for implementation and ongoing operation of all TDM measures described below. The TDM coordinator could be a brokered service provided through an existing transportation management association (e.g., the Transportation Management Association of San Francisco [TMA SF]), or the TDM coordinator could be an existing staff member (e.g., property manager). The TDM coordinator need not work full time at the project site.

However, the TDM coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff members. The TDM coordinator should provide TDM training to the building staff about the transportation amenities and options available at the project site and nearby.

- **Transportation and Trip Planning Information:**

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

- **Data Collection:**

- *City Access:* As part of an ongoing effort to quantify the efficacy of TDM measures, City staff members may need access to the project site (including the garage) to perform trip counts, intercept surveys, or other types of data collection. All on-site activities shall be coordinated through the TDM coordinator. The project sponsor ensures future access to the site by City staff members. Providing access to existing developments for data collection purposes is also encouraged.

- **Bicycle Measures:**

- *Parking:* Increase the number of on-site secured bicycle parking spaces beyond Planning Code requirements and/or provide additional bicycle facilities in the



public right-of-way adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).

- o *Bay Area Bike Share*: The project sponsor shall cooperate with the SFMTA, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow a bike-share station to be installed in the public right-of-way along the project's frontage.
- **Car-Share Measures:**
  - o *Parking*: Provide optional car-share spaces, as described in Planning Code Section 166(g).

#### **Improvement Measure I-TR-1c: Coordination of Move-in/Move-out Operations and Large Deliveries**

To reduce the potential for delivery vehicles parking within the travel lane adjacent to the curb lane on Jones Street or Golden Gate Avenue (in the event that the off-street loading space is occupied), residential move-in and move-out activities and large deliveries shall be scheduled and coordinated through building management. Appropriate move-in/move-out procedures shall be enforced to avoid any blockages of Jones Street or Golden Gate Avenue over an extended period of time and reduce any potential conflicts between movers and pedestrians walking along Jones Street or Golden Gate Avenue. Curb parking on Jones Street and Golden Gate Avenue shall be reserved through the SFMTA or by directly contacting the local 311 service. No loading activities (freight/delivery or residential move-in/-out activities) shall be conducted along Market Street.

The project sponsor shall enforce strict truck size regulations for the off-street loading space in the proposed freight loading area. Trucks that exceed 30 feet shall be prohibited from entering the off-street loading area and shall utilize the existing on-street loading spaces along Golden Gate Avenue, Jones Street, or McAllister Street, adjacent to or near the project site. Appropriate signage shall be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of on-street loading spaces on adjacent streets. The project sponsor shall notify building management and related staff members as well as retail/restaurant tenants of imposed truck size limits in the proposed freight loading area.

Appropriate move-in/move-out and loading procedures shall be enforced to avoid any blockages of any streets adjacent to the project site over an extended period of time and reduce any potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Golden Gate Avenue and Jones Street. Curb parking on Jones Street or Golden Gate Avenue shall be reserved through the SFMTA or by directly contacting the local 311 service.

#### **Improvement Measure I-TR-1d: Construction Truck Deliveries during Off-Peak Periods**

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

As required, the project sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the fire department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruptions and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor shall coordinate with construction contractors regarding any concurrent nearby projects that are planned for construction or later become known.

#### **Improvement Measure I-TR-1e: Construction Management Plan**

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

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

#### **Improvement Measure I-TR-4: Installation of Traffic Calming Devices at Underground Garage Exit Lane**

The project sponsor should install appropriate traffic calming devices (e.g., speed bumps, rumble strips, “slow speed” signage, etc.) at the exiting travel lane along the garage driveway to reduce the speed of vehicles while exiting the underground parking garage and further reduce potential conflicts between pedestrians and bicyclists within the sidewalk area or the travel lane along Jones Street.

## G. PUBLIC NOTICE AND COMMENT

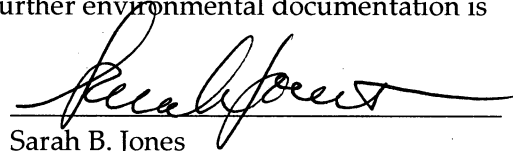
A "Notification of Project Receiving Environmental Review" was mailed on March 5, 2015 to owners of properties within 300 feet of the project site, adjacent occupants, and community organizations. One comment regarding physical environmental effects was related to the displacement of residents. This comment was addressed in Section E.2, Population and Housing.

## 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.

DATE 1/13/2016



Sarah B. Jones

Environmental Review Officer

for

John Rahaim

Director of Planning

## **I. INITIAL STUDY PREPARERS**

Planning Department, City and County of San Francisco  
Environmental Planning Division  
165 Mission Street, Suite 400  
San Francisco, CA 94103

Environmental Review Officer: Sarah B. Jones  
Senior Environmental Planner: Devyani Jain  
Environmental Planner: Elizabeth Purl  
Environmental Planner (archeology): Randall Dean  
Environmental Planner (transportation): Manoj Madhavan and Andrea Contreras  
Preservation Planner: Pilar LaValley

### **Environmental Consultants**

ICF International  
620 Folsom Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94107

Project Manager: Erin Efner  
Deputy Project Manager: Jessica Viramontes  
Technical Staff: Jillian Burns, Geneva Faulkner, Shannon Hatcher, David Buehler, Cory Matsui, and Darrin Trageser

CHS Consulting Group  
130 Sutter Street, Suite 468  
San Francisco, CA 94104

Project Manager: Peter Costa

### **Project Sponsor**

Shorenstein Residential LLC  
235 Montgomery Street, 16<sup>th</sup> Floor  
San Francisco, CA 94104

Julie Burdick