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Executive Summary
Conditional Use

HEARING DATE: FEBRUARY 8, 2018
CONTINUED FROM: OCTOBER 12, 2017, DECEMBER 7, 2017 & JANUARY 18, 2018

Date:	February 1, 2018
Case No.:	**2014-003160CUA**
Project Address:	**3314 Cesar Chavez Street**
Zoning:	Mission Street NCT (Neighborhood Commercial Transit) District 65-X Height and Bulk District Calle 24 Special Use District Mission Alcoholic Beverage Special Use District
Block/Lot:	6571/012
Project Sponsor:	Drake Gardner ZoneDesign Development 10 Carlile Drive Novato, CA 94945
Staff Contact:	Doug Vu – (415) 575-9120 Doug.Vu@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The proposed project includes the demolition of a 13,000 square-foot (sq. ft.) light industrial building and new construction of a 65-ft. tall, six-to seven-story mixed-use building measuring 49,665 sq. ft. that includes approximately 1,300 sq. ft. of ground floor retail sales and service uses and 48,365 sq. ft. of residential use for 58 dwelling units with a mix of 30 one-bedroom and 28 two-bedroom units. The project would also include 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 28 accessory automobile and one car-share parking spaces.

SITE DESCRIPTION AND PRESENT USE

The project site measures 13,529 sq. ft. and is located on Assessor's Block 6571 and Lot 012 on the north side of Cesar Chavez Street between South Van Ness Avenue and Mission Street. The property has approximately 92 linear feet of frontage along Cesar Chavez Street and is developed with a one-story light industrial building measuring 13,000 sq. ft. that was constructed ca. 1950, and has been occupied by the owner's construction company (dba"Alpha Bay Builders") since 2005.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project is located on the southern end of the Mission Street Neighborhood Commercial Transit (NCT) District within the boundaries of the Mission Area Plan, and is also within the Calle 24 Latino Cultural

District. The immediate context is mixed in character with a combination of residential, sales & service, automotive service, and institutional uses. Buildings in the vicinity typically range from two to five stories in height, with the upper floors of buildings generally occupied with residential units. The adjacent properties are developed with an automobile service station to the east, and a 25-unit residential apartment building to the west. Within the broader vicinity are Leonard Flynn Elementary School, St. Anthony of Padua Church, Garfield Square Recreation Center, Precita Park, and St. Luke's Hospital. Other zoning districts near the project include the Valencia Street NCT and the Neighborhood Commercial-Moderate Scale (NC-3) corridor along Mission Street that begins south of Cesar Chavez Street.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on January 25, 2018, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 22, 2017	September 20, 2017	22 days
Posted Notice	20 days	September 22, 2017	September 22, 2017	20 days
Mailed Notice	20 days	September 22, 2017	September 20, 2017	22 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the notification for the Conditional Use Authorization.

PUBLIC COMMENT/COMMUNITY OUTREACH

To date, the Department has not received any public correspondence expressing support for, or opposition to this project.

Aside from the mandatory pre-application meeting that was held on February 24, 2015, the sponsor has conducted additional community outreach including a second neighborhood meeting on September 14, 2016, and two meetings with representatives from the Calle 24 Latino Cultural District. According to the sponsor, attempts to engage Mission Economic Development Association (MEDA) were also made in November 2017.

ISSUES AND OTHER CONSIDERATIONS

- The project is located in the Mission Street NCT Zoning District and is not subject to the limitation on conversion of Production, Distribution and Repair ("PDR"), Institutional Community, and Arts Activity uses under Planning Code Section 202.8, also referred to as Proposition X. These provisions are applicable to properties located in several South of Market and Eastern Neighborhoods Mixed Use Zoning Districts that propose to convert at least 5,000 sq. ft. of the protected uses above, not including exemptions listed under Section 202.8(f).

- The project has elected to provide on-site affordable housing as identified in Planning Code Section 415.6, which requires 14.5 percent of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 58 dwelling units; therefore, eight (8) units are required to be designated as part of the inclusionary affordable housing program. However, the sponsor has voluntarily agreed to provide one additional unit for a total of nine (9) affordable on-site ownership units or 15.5 percent of the total dwelling units. These units will be available for ownership.

- In compliance with Planning Code Section 169, the sponsor submitted a Transportation Demand Management Plan to achieve a target of 16 points, which is greater than the required 7 points through measures including unbundled parking, car share, and additional Class 1 and 2 bicycle parking spaces.

- The project would provide two small storefronts that would measure between 625 and 675 sq. ft. and cannot be merged into one unit. These retail storefronts may provide greater ownership opportunities for locally owned and operated retail sales & service stores.

- Community outreach has resulted in an agreement by the sponsor to provide one additional unit of affordable housing and collaborate with the Calle 24 Latino Cultural District to create a mural on the building's west wall.

MISSION ACTION PLAN 2020

The project site is located within the area of the ongoing Mission Action Plan 2020 ("MAP2020"). MAP 2020 is a collaboration initiated by the community, between community organizations and the City of San Francisco, to create and preserve affordable housing and bring economic stability to the Mission. The goal is to retain and attract low to moderate income residents and community-serving businesses, artists, and nonprofits in order to strengthen and preserve the socioeconomic and cultural diversity of the Mission neighborhood.

Community organizations initiated the plan given the loss and displacement trends of low to moderate income residents, community-serving businesses, artists, and nonprofits affecting the neighborhood due to the affordability crisis. Some of the concerns community representatives involved in MAP2020 and other community organizing efforts, such as the proposed moratoriums earlier this year, relate to the role market-rate projects could play in exacerbating the direct or indirect displacement and gentrification of this historically working-class neighborhood. Community advocates would like more scrutiny and examination of what these potential effects are, and for market-rate projects to contribute to the solutions, to neighborhood stabilization, and to minimize any potential displacement.

These community concerns gave rise, in part, to the Mission Interim Zoning Controls while permanent solutions and controls are drafted. Interim zoning controls are intended to provide the Commission with additional information to consider in its deliberation related to a project's contribution to the goals of neighborhood stabilization, and whether they are addressing any potential negative effects such as direct displacement of residents or businesses. Currently, the interim zoning controls, as recently adopted by the Board of Supervisors and in effect until April 19, 2019, apply to the merger of storefronts and the establishment of Restaurants within the Mission Interim Control Area.

The MAP2020 was endorsed by the Planning Commission on March 2, 2017. Additional information on the neighborhood trends and the MAP2020 process can be found at:
http://sf-planning.org/mission-action-plan-2020

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Sections 121.1 and 303, for development on a lot larger than 10,000 square feet for the project involving demolition of the existing 13,000 sq. ft. building and the new construction of a 49,665 sq. ft., 65-feet tall, six- to seven-story mixed-use building that contains 1,300 sq. ft. of commercial retail sales & service use and storage for 56 bicycle spaces at the ground floor, 48,365 sq. ft. of residential use for 58 dwelling units that will have a total 9,020 sq. ft. of private or common open space, and an additional 6,300 sq. ft. basement-level garage for 28 accessory automobile, one car-share, and six additional bicycle parking spaces.

BASIS FOR RECOMMENDATION

- The Project is, on balance, consistent with the Objectives and Policies of the General Plan and Mission Area Plan.
- The Project is located in a zoning district that principally permits residential and commercial retail uses, and complies with the applicable requirements of the Planning Code.
- The Project is an appropriate in-fill development that will add 58 new dwelling units to the City's housing stock, including nine permanently affordable ownership units in an area that encourages the development of high-density, mid-rise housing.
- The Project will provide two small storefronts totaling 1,300 sq. ft. that cannot be merged to provide a greater ownership opportunity for a locally owned and operated retail sales & service uses in an area that encourages the development of a continuous ground floor commercial frontage with pedestrian-oriented retail activities.
- The Project is in full compliance with the Planning Code, and is not seeking any variances or exceptions from the Planning Code.
- The Project is necessary and desirable, is compatible with the surrounding neighborhood, and would not be detrimental to persons or adjacent properties in the vicinity.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

- The Project complies with the First Source Hiring Program.

RECOMMENDATION:	**Approval with Conditions**

Attachments:
Draft Motion
Parcel Map
Sanborn Map
Zoning Map
Height and Bulk Map
Aerial Photographs
Site Photos
Project Sponsor Submittal
- Inclusionary Affordable Housing Program Affidavit
- Anti-Discriminatory Housing Affidavit
- First Source Hiring Affidavit
- Reduced Architectural Drawings

Community Plan Exemption

Attachment Checklist

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

  Drawings: Existing Conditions
  - ☒ Check for legibility

  Drawings: Proposed Project
  - ☒ Check for legibility

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

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

Planner's Initials

DV: G:\Documents\CUA\3314 Cesar Chavez Street_2014-003160CUA\Draft Docs\3314 Cesar Chavez St_Exec Summary.doc

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☒ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☒ Transportation Sustainability Fee (Sec. 411A)
- ☒ First Source Hiring (Admin. Code)
- ☒ Child Care Requirement (Sec. 414A)
- ☒ Eastern Neighborhoods Impact Fee (Sec. 423)

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Planning Commission Draft Motion

HEARING DATE: FEBRUARY 8, 2018

Case No.:	**2014-003160CUA**
Project Address:	**3314 Cesar Chavez Street**
Zoning:	Mission Street NCT (Neighborhood Commercial Transit) District Calle 24 Special Use District Mission Alcoholic Beverage Special Use District 65-X Height and Bulk District
Block/Lot:	6571/012
Project Sponsor:	Drake Gardner ZoneDesign Development 10 Carlile Drive Novato, CA 94945
Staff Contact:	Doug Vu – (415) 575-9120 Doug.Vu@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT PLANNING CODE SECTIONS 121.1 AND 303 FOR DEVELOPMENT ON A LOT LARGER THAN 10,000 SQUARE FEET FOR THE PROJECT INVOLVING DEMOLITION OF AN EXISTING 13,000 SQUARE-FOOT BUILDING AND NEW CONSTRUCTION OF A 49,665 SQUARE–FOOT, 65-FEET TALL AND SIX- TO SEVEN-STORY MIXED USE BUILDING WITH 1,300 SQUARE-FEET OF COMMERCIAL RETAIL SALES AND SERVICE USES, 48,365 SQUARE-FEET OF RESIDENTIAL USE FOR UP TO 58 DWELLING UNITS, AN ADDITIONAL 9,020 SQUARE-FEET OF OPEN SPACE AND A 6,300 SQUARE-FOOT BASEMENT LEVEL GARAGE FOR 28 ACCESSORY AUTOMOBILE AND ONE CAR SHARE PARKING SPACES LOCATED AT 3314 CESAR CHAVEZ STREET, LOT 012 IN ASSESSOR'S BLOCK 6571, WITHIN THE MISSION STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT, A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 21, 2016, Drake Gardner of ZoneDesign Development on behalf of 3314 Cesar Chavez LLC (hereinafter "Project Sponsor"), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 121.1 and 303 for development on a lot larger than 10,000 square feet for the project involving demolition of an existing 13,000 sq. ft. building and the new construction of a 49,665 sq. ft., 65-feet tall, six- to seven-story mixed-use building containing 1,300 sq. ft. of commercial retail sales & service use, storage for 56 bicycle spaces

at the ground floor, 48,365 sq. ft. of residential use for 58 dwelling units with 9,020 sq. ft. of private or common open space, and an additional 6,300 sq. ft. basement-level garage for 28 accessory automobile, one car-share, and six additional bicycle parking spaces at 3314 Cesar Chavez Street (Block 6571, Lot 012) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project–specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off–site and cumulative impacts which were not discussed in the underlying EIR, or(d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On January 25, 2018, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (hereinafter "MMRP") setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On October 12, 2017, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2014-003160CUA, and continued the item to December 7, 2017.

On December 7, 2017, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2014-003160CUA, and continued the item to January 18, 2018.

On January 18, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2014-003160CUA, and continued the item to February 8, 2018.

On February 8, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2014-003160CUA.

The Planning Department Commission Secretary is the custodian of records, located in the File for Case No. 2014-003160CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014-003160CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

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

2. **Site Description and Present Use.** The project site measures 13,529 sq. ft. and is located on Assessor's Block 6571 and Lot 012 on the north side of Cesar Chavez Street between South Van Ness Avenue and Mission Street. The property has approximately 92 linear feet of frontage along Cesar Chavez Street and is developed with a one-story light industrial building (measuring 13,000 sq. ft.) that was constructed ca. 1950 and has been occupied by the owner's construction company (dba"Alpha Bay Builders") since 2005.

3. **Surrounding Properties and Neighborhood.** The project is located on the southern end of the Mission Street Neighborhood Commercial Transit (NCT) District within the boundaries of the

Mission Area Plan, and is also within the Calle 24 Latino Cultural District. The immediate context is mixed in character with a combination of residential, sales & service, automotive service, and institutional uses. Buildings in the vicinity typically range from two to five stories in height, with the upper floors of buildings generally occupied with residential units. The adjacent properties are developed with an automobile service station to the east, and a 25-unit residential apartment building to the west. Within the broader vicinity are Leonard Flynn Elementary School, St. Anthony of Padua Church, Garfield Square Recr4eation Center, Precita Park, and St. Luke's Hospital. Other zoning districts near the project include the Valencia Street NCT and the Neighborhood Commercial-Moderate Scale (NC-3) corridor along Mission Street that begins south of Cesar Chavez Street.

4. **Project Description.** The proposed project includes the demolition of a 13,000 square-foot (sq. ft.) light industrial building and new construction of a 65-ft. tall, six-to seven-story mixed-use building (measuring 49,665 sq. ft.) that includes approximately 1,300 sq. ft. of ground floor retail sales and service uses and 48,365 sq. ft. of residential use for 58 dwelling units with a mix of 30 one-bedroom and 28 two-bedroom units. The project would also include 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 28 accessory automobile and one car-share parking spaces.

5. **Public Comment**. The Department has not received any public correspondence expressing support for, or opposition to this project. Aside from the mandatory pre-application meeting that was held on February 24, 2015, the sponsor has conducted additional community outreach including a second neighborhood meeting on September 14, 2016, and two meetings with representatives from the Calle 24 Latino Cultural District on November 14 and December 12, 2017

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

   A. **Permitted Uses.** Planning Code Section 754 states that residential use and retail sales and service uses are principally permitted within the Mission St NCT Zoning District.

   The project would construct 1,300 sq. ft. of retail sales and service use and 48,365 sq. ft. of residential use; therefore, the Project is consistent with Planning Code Section 754.

   B. **Development of Large Lots.** Planning Code Section 121.1 requires that new construction or significant enlargement of existing buildings on lots 10,000 sq. ft. or greater shall be permitted only as Conditional Use.

   The sponsor submitted a Conditional Use Authorization application on January 21, 2016 for development on the 13,529 sq. ft. lot in compliance with this requirement. See Below.

   C. **Rear Yard.** Planning Code Section134 requires the subject property to have a minimum rear yard at all levels containing residential use that is 25 percent the depth of the lot or 15-feet, whichever is greater. The subject lot has an average depth of 147 feet and requires a rear yard measuring at least 36-ft. 9-in. at grade.

The project proposes a rear yard measuring 36-ft. 9-in. at grade that is equal to 25% the depth of the lot and complies with Code Section 134.

D. **Open Space.** Planning Code Section 135 requires the project to provide at least 80 sq. ft. of private, or 100 sq. ft. of usable common open space for each dwelling unit. The project is required to provide at least 4,640 sq. ft. of private, 5,800 sq. ft. of common, or any combination of private and common open space for the number of units provided.

The project includes 320 sq. ft. of private open space for the four units at the ground floor, a 2,600 sq. ft. common rear deck at the ground floor and a 3,500 sq. ft. common roof deck, for a total of 8,700 sq. ft., which is greater than the required 5,400 sq. ft. for the remaining 54 units to comply with Code Section 135.

E. **Permitted Obstructions**. Planning Code Section 136 permits bay windows over streets and in required setbacks to each have a maximum length of 15-ft. at the line establishing the required setback that is reduced in proportion by 45 degree angles drawn inward from the ends reaching a maximum of 9-ft. along a line parallel to and at a distance of 3-ft. from the setback line.

The project proposes front bays that measure 10-ft. in length at a 2-ft. distance from the property line, and rear bays that measure 12-ft. in length at a 1-ft. distance from the rear yard setback, which are both within the allowable footprint to comply with Code Section 136.

F. **Exposure.** Planning Code Section 140 requires the windows of at least one room in each dwelling unit to face directly on an open area that includes a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, rear yard meeting the requirements of the Planning Code, or an inner court or a space between separate buildings on the same lot) which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

All 58 proposed dwelling units face either Cesar Chavez Street or the Code complying 36-ft. 9-in. rear yard to comply with Code Section 140.

G. **Ground Floor Frontage.** Planning Code Section 145.1 requires the following for street frontages in Neighborhood Commercial Districts: (1) not more than 1/3 the width of the building facing the street may be devoted to ingress/egress to parking; (2) off-street parking at street grade must be set back at least 25 feet; (3) "active" use shall be provided within the first 25 feet of building depth at the ground floor; (4) ground floor non-residential uses in shall have a floor-to-floor height of 14-feet; (5) interior spaces housing non-residential active uses and lobbies to be as close as possible to the adjacent sidewalk; (6) active uses fenestrated with transparent windows for at least 60 percent of the street frontage; and (7) decorative railings or grillwork placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view.

The project has 92-ft. of frontage along Cesar Chavez Street that includes one 10-ft driveway to provide garage access to the basement-level parking, two commercial storefronts with a floor-to-floor height of 15-ft. and minimum depth of 26-ft. 8-in. that are separated by the residential lobby, and fenestration with transparent windows for approximately 80% of the frontage to comply with Planning Code Section 145.1.

H. **Off-Street Parking**. Planning Code Section 151.1 principally permits one auto parking space per two dwelling units and one parking space for each 500 sq. ft. of occupied floor area for retail uses. The project includes 58 dwelling units and 1,300 occupied sq. ft. of retail uses that would principally permit 31 parking spaces.

The project proposes 28 parking spaces and complies with Code Section 151.1

I. **Bicycle Parking.** Planning Code Section 155.2 requires one Class 1 bicycle parking space per dwelling unit and one Class 2 space per twenty units, in addition to two Class 2 spaces per 2,500 sq. ft. of sales and service use. The project includes 58 dwelling units that require at least 58 Class 1 and five Class 2 bicycle parking spaces.

The project proposes 62 Class 1 and ten Class 2 bicycle parking spaces to comply with Code Section 155.2.

J. **Car Share.** Planning Code Section 166 requires one designated car share space for each project containing between 50 and 200 dwelling units. The project includes 58 dwelling units and is required to provide one car share space.

The project proposes one designated car share space in the basement-level garage and complies with Code Section 166.

K. **Unbundled Parking**. Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units in compliance with Planning Code Section 167.

L. **Transportation Demand Management (TDM) Program.** The TDM Program seeks to promote sustainable travel modes by requiring new development projects to incorporate design features, incentives, and tools that support transit, ride-sharing, walking, and bicycle riding for the residents, tenants, employees, and visitors of their projects. The sponsor is required to submit a TDM Plan for Department review of compliance with Code Section 169, including the Planning Commission's TDM Program Standards.

The Sponsor submitted a completed Environmental Evaluation Application prior to September 4, 2016 on February 25, 2015, and is therefore required to only achieve 50% of the point target established in

the TDM Program Standards for a target of 7 points. The Project will achieve this by achieving 16 points through the "Bicycle Parking (Option B)" TDM measure.

M. **Dwelling Unit Mix.** Planning Code Section 207.6 requires a project with five or more new dwelling units to include no less than 40% of the total number of proposed units that contain at least two bedrooms.

The project's unit mix includes 30 one-bedroom and 28 two-bedroom units, of which 48% of the total units will have two bedrooms to comply with Code Section 207.6.

N. **Height.** Planning Code Section 260 establishes the method for measuring height. For upsloping lots, the height is measured using the existing elevation at every cross-section of the building using the average of the ground elevations at either side of the building or building step at that cross-section.

The project will require excavation that is approximately 20 feet deep for the basement and a portion of the first floor at the rear of the property. Using the method of measurement for an upsloping lot allows the project to include seven floors at the rear of the building while complying with the 65-ft. height limit and Code Section 260.

O. **Shadow Analysis.** Pursuant to Planning Code Section 295, projects over 40 feet in height that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission requires approval by the Planning Commission pursuant to the provisions of Section 295.

A preliminary shadow analysis conducted by the Planning Department based on the plans submitted indicates there would be no shadows cast on properties under the jurisdiction of the Recreation and Park Department. Therefore, the Project complies with Planning Code Section 295.

P. **Transportation Sustainability Fee ("TSF")**. Planning Code Section 411A applies to any development project that will result in more than twenty dwelling units. Projects that have filed a development application or environmental review application on or before July 21, 2015 are subject to 50% of the applicable fee for residential uses and the applicable TIDF fee per Planning Code Section 411 for non-residential use.

The project includes the change of use for 13,000 gross sq. ft. of PDR to Residential use, 35,365 sq. ft. of new Residential use, and 1,300 sq. ft. of Retail use that will be subject to the TSF.

Q. **Residential Child-Care Impact Fee.** Pursuant to Section 414A, the Residential Child Care Impact Fee applies to a project that includes at least one new dwelling unit and takes change of use into consideration.

The project includes the change of use for 13,000 gross sq. ft. of PDR to Residential use and 35,365 sq. ft. of new Residential use that will be subject to the Residential Child Care Impact Fee.

R. **Eastern Neighborhoods Impact Fees**. Planning Code Section 423 is applicable to any development project in the Eastern Neighborhoods Program Area which results in at least one net new residential unit or the new construction of a non-residential use.

The Project includes the change of use for 13,000 gross sq. ft. of PDR to Residential use, 35,365 sq. ft. of new Residential use, and 1,300 sq. ft. of Retail use that will be subject to the Eastern Neighborhoods Impact Fee.

S. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on February 24, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 14.5% of the proposed dwelling units as affordable

The Sponsor has demonstrated that the Project is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on February 9, 2017. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on February 25, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 14.5% of the total proposed dwelling units as affordable. Eight (8) units (30 two-bedroom, and 28 three-bedroom) of the total 58 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

As noted by the Project Sponsor, one additional dwelling unit will be voluntarily designated as part of the Inclusionary Affordable Housing Program. Therefore, a total of nine (9) of the 58 dwelling units will be designated as part of the City's Inclusionary Affordable Housing Program.

7. **Conditional Use Authorization for Development of Large Lots.** Planning Code Section 121.1 establishes the following additional criteria the Planning Commission shall consider for new construction on lots of the same size or larger than 10,000 sq. ft. in the Mission Street NCT District:

A. The mass and façade of the proposed structure are compatible with the existing scale of the district.

The proposed building design takes cues from the neighborhood that is mixed in character with a combination of residential and non-residential uses in buildings that range from two to five stories in height to create a building that is compatible with the existing scale while introducing a six-story structure to the immediate area. The building achieves this with a 7-ft. 6-in. recess at the center where the lobby is located, bay windows that visually separate the upper floors into smaller vertical components, and a central courtyard that bisects the building to create two distinct volumes which further breaks up the massing. The façade includes materials such as textured stucco, cement fiber cladding, recessed aluminum window systems, stainless steel frames with glass awnings at the upper floor, and wood fascia caps. At the ground floor, the building has been designed to include a narrow 10-ft. garage door, ample fenestration using 18-inch recessed commercial storefronts, finished concrete walls, and landscaping to provide varied and interesting pedestrian level.

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

The building's façade reflects the mixed character of the block that includes single-family, multi-family and apartment dwellings with commercial uses that are concentrated at the intersection of Mission and Valencia Streets by using includes materials such as textured stucco, cement fiber cladding, and recessed aluminum window systems accented with stainless steel and wood. At the ground floor, the building has been designed to include a narrow 10-ft. garage door, ample fenestration using 18-inch recessed commercial storefronts, finished concrete walls, and landscaping to provide varied and interesting pedestrian level. The west wall of the building would also include an artistic mural that will be selected and completed in collaboration with the Calle 24 Latino Cultural District representatives to further contribute to the positive visual quality of the Mission District.

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

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

The Project's residential and commercial uses are consistent with the goals and objectives of the Mission Area Plan, and will replace an underutilized building with a development that is visually desirable and compatible with the mixed character of the block, which includes single-family, multi-family and apartment dwellings, and commercial uses concentrated at the intersection of Mission and Valencia Streets. The increased density and intensity of the proposed residential uses and ground floor space for commercial retail uses will improve the overall quality of the neighborhood by increasing pedestrian activity and improving the visual quality of the surrounding area with a well-designed and finished building. Furthermore, the west wall of the building will include an artistic mural that will be

selected and completed in collaboration with the Calle 24 Latino Cultural District representatives to further contribute to the positive qualities of the Mission District

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

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

The Project site consists of a rectangular 13,529 sq. ft. upsloping lot with 92 feet of frontage along Cesar Chavez Street, and is developed with a 13,000 sq. ft. single-story industrial building that covers the majority of the parcel. The proposed project would replace this structure with a new 65-ft. tall, six-to seven-story and 49,665 sq. ft. mixed-use building that would contain ground floor commercial space, 58 dwelling units and a basement-level garage for 28 vehicles. The project provides a code-complying rear yard, which contributes to the pattern of midblock open space, which is evident on the properties along 26th Street.

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

The Project includes 58 new dwelling units on a site fronting Cesar Chavez, which is major arterial roadway providing vehicular and transit access throughout the City. The Project proposes 27 off-street parking spaces at a ratio of 0.47 spaces per dwelling unit in a 6,300 sq. ft. underground garage accessed through a 10-ft. driveway. The Project also includes 62 Class 1 bicycle parking spaces at the basement and ground floors, and ten Class 2 bicycle parking spaces adjacent to the residential entry. Pedestrian access to the Project will be via a lobby at Cesar Chavez Street.

The Project is adjacent to an established street network of north-south and east-west arterials, and will not impact the accessibility or traffic patterns in the surrounding roadways. For these reasons, the Project will not result in parking or traffic that would be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.

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

The Project would not create any noxious or offensive emissions such as noise, glare, dust and odor. All construction activities will comply with the San Francisco Building Code requirements, which include compliance with air quality control measures for dust and odor. The design of the façade will include non-reflective materials and will not result in or create glare. Operation of the Project site as a primarily residential development will not generate noxious or offensive emissions such as noise or odor.

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

The Project will comply with the City's Better Streets Plan and include new street trees, sidewalk landscaping, and Class 2 bicycle parking spaces. Portions of the structure will be recessed at the ground floor to provide additional landscaping and visual interest at a pedestrian scale along this frontage.

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

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

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

The Project is located in the Mission Street NCT District that has controls designed to permit moderate-scale buildings. New neighborhood-serving commercial development is encouraged mainly at the ground story with most commercial uses prohibited above the second story. A continuous retail frontage is promoted by requiring ground floor commercial uses in new developments, and housing in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot but by physical envelope controls. The Project conforms to the stated purpose of this district and is an appropriate in-fill development that will add 58 new dwelling units to the City's housing stock and 1,300 square feet of commercial space in an area that encourages the development of high-density, mid-rise housing and continuous ground floor commercial frontage with pedestrian-oriented retail activities.

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

HOUSING ELEMENT

Objectives and Policies

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

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

Policy 1.2
Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas such as Treasure Island, Candlestick Park and Hunter's Point Shipyard.

Policy 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The Project is a high density residential development that provides 58 new dwelling units in a mixed-use area that was rezoned as part of a long range planning goal to create a cohesive residential and mixed-use neighborhood. The Project will provide nine on-site affordable housing units for ownership that will assist in meeting the City's affordable housing goals. The Project is also in close proximity to numerous public transportation options.

OBJECTIVE 4
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4
Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5
Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The Project will add 58 dwelling units to the City's housing stock, and meets the affordable housing requirements by providing nine on-site permanently affordable units for ownership.

OBJECTIVE 11
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

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

Policy 11.2
Ensure implementation of accepted design standards in project approvals.

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

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

Policy 11.6
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8
Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2
Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

OBJECTIVE 13
PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1
Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.1
Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project responds to the site's mixed-character by providing new dwelling units that are compatible with the surrounding residential, commercial retail, and institutional uses. The Project appropriately responds to, and is well integrated with the varied character of the larger neighborhood. The Project site is ideally situated with easy access to transit routes along Mission and Cesar Chavez Streets, and is within walking distance to the 24th Street Bay Area Regional Transit (BART) station that promotes "smart" regional growth.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 6. MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.9
Regulate uses so that traffic impacts and parking problems are minimized.

The project proposes 27 off-street accessory parking spaces and one designated car-share space in an underground garage that is accessed by one 10-ft. wide driveway and curb cut on Cesar Chavez Street to

provide the maximum amount of active uses, and minimize conflicts with the pedestrian and transit movements.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 4:
PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5:
Require private usable outdoor open space in new residential development.

Policy 4.6:
Assure the provision of adequate public open space to serve new residential development.

The Project provides 8,700 sq. ft. of usable common open space through a rear yard and rooftop deck to serve 54 dwelling units, in addition to 320 sq. ft. of private open space that serves four dwelling units at the ground floor. This amount significantly exceeds the 5,400 sq. ft. of common open space that is required by the Planning Code.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.3:
Install pedestrian-serving street furniture where appropriate.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

The Project includes active uses including two commercial storefronts with a floor-to-ceiling height of 15-feet on either side of the entrance lobby for the dwelling units. The Project will also include street trees and landscaping that will comply with the City's Better Streets Plan to further activate the building frontage.

OBJECTIVE 28:
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:
Provide parking facilities which are safe, secure, and convenient.

The Project includes 62 Class 1 bicycle parking spaces and ten Class 2 bicycle parking spaces in secure, convenient locations that exceed the amount required by the Planning Code.

OBJECTIVE 34:
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1:
Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:
Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5:
Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The Project adheres to the principally permitted parking amounts within the Planning Code. The 27 accessory spaces and one car share parking space are adequate for the Project that are accessed by one 10-ft. driveway will eliminate only one on-street parking space.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3:
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7:
Recognize the natural boundaries of districts, and promote connections between districts.

OBJECTIVE 3:

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

Policy 3.1:
Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.3:
Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.4:
Promote building forms that will respect and improve the integrity of open spaces and other public areas

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.5:
Design walkways and parking facilities to minimize danger to pedestrians.

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

The Project's building façade reflects the mixed character of the block that includes single-family, multi-family and apartment dwellings with commercial uses that are concentrated at the intersection of Mission and Valencia Streets by using includes materials such as textured stucco, cement fiber cladding, and recessed aluminum window systems accented with stainless steel and wood. At the ground floor, the building has been designed to include a narrow 10-ft. garage door, ample fenestration using 18-inch recessed commercial storefronts, finished concrete walls, and landscaping to provide varied and interesting pedestrian level.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1
STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK

Policy 1.1.8
While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

OBJECTIVE 1.2
IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1
Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.3
In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

Policy 1.2.4
Identify portions of the Mission where it would be appropriate to increase maximum heights for residential development.

Housing

OBJECTIVE 2.1
ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE MISSION IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

Policy 2.1.1
Require developers in some formally industrial areas to contribute towards the City's very low-, low-, moderate- and middle-income needs as identified in the Housing Element of the General Plan.

OBJECTIVE 2.3
ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES

Policy 2.3.3
Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5
Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6
Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street

improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

Built Form

OBJECTIVE 3.1
PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER

Policy 3.1.1
Adopt heights that are appropriate for the Mission's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

Policy 3.1.8
New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

OBJECTIVE 3.2
PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

Policy 3.2.1
Require high quality design of street-facing building exteriors.

Policy 3.2.3
Minimize the visual impact of parking.

Policy 3.2.4
Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.6
Sidewalks abutting new developments should be constructed in accordance with locally appropriate guidelines based on established best practices in streetscape design.

Transportation

OBJECTIVE 4.7
IMPROVE PUBLIC TRANSIT TO BETTER SERVE EXISTING AND NEW DEVELOPMENT IN THE MISSION

Policy 4.7.2
Provide secure, accessible and abundant bicycle parking, particularly at transit stations, within shopping areas and at concentrations of employment.

OBJECTIVE 4.8
ENCOURAGE ALTERNATIVES TO CAR OWNERSHIP AND THE REDUCTION OF PRIVATE VEHICLE TRIPS

Policy 4.8.1
Continue to require car-sharing arrangements in new residential and commercial developments, as well as any new parking garages.

Streets & Open Space

OBJECTIVE 5.3
CREATE A NETWORK OF GREEN STREETS THAT CONNECTS OPEN SPACES AND IMPROVES THE WALKABILITY, AESTHETICS AND ECOLOGICAL SUSTAINABILITY OF THE NEIGHBORHOOD.

Policy 5.3.1
Redesign underutilized portions of streets as public open spaces, including widened sidewalks or medians, curb bulb-outs, "living streets" or green connector streets.

Policy 5.3.2
Maximize sidewalk landscaping, street trees and pedestrian scale street furnishing to the greatest extent feasible.

The Project includes the demolition of an underutilized 13,000 sq. ft. light industrial building that is owner occupied. The proposed development will replace this structure with a mixed-use building that will include ground floor commercial space and 58 units of new housing with a mix of one- and two-bedroom units that include nine on-site BMR units. The Project includes appropriate uses encouraged by the Mission Area Plan for this location and is designed to meet the prescribed height and bulk limits. The Project's design adds a contemporary architectural vocabulary that is sensitive to the prevailing scale and neighborhood fabric and incorporates a building exterior that includes a variety of materials, colors and textures including finished concrete, textured stucco, cement fiber cladding, recessed aluminum window systems and storefronts, stainless steel frames with glass awnings at the upper floor, and wood fascia caps to provide a varied and interesting pedestrian level. The Project provides ample private and common open space and also improves the public right-of-way with new street trees, sidewalk landscaping and bicycle parking spaces. The Project minimizes the impact of off-street parking in an underground garage and is in proximity to numerous public transit options. The Project is also compatible with the surrounding residential, commercial and institutional land uses, and will also pay the appropriate development impact fees including the Eastern Neighborhoods Impact Fee. On balance, the Project meets the Objectives and Policies of the Mission Area Plan.

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

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

The subject property is owner occupied but has been underutilized and the proposed project includes 1,300 sq. ft. of new commercial retail space that will provide new employment or ownership opportunities. The project would also provide new commercial retail space for the residents and adjacent residential neighborhood. In addition, the new residents of the project would frequent the nearby existing retail uses

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

The Project site is located in a mixed-use neighborhood that proposes to provide 58 new residences and two retail storefronts that will embrace the character of the existing neighborhood in its design and is providing unit sizes compatible with the location.

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

The subject property does not currently possess any existing affordable housing, and the project will comply with the City's Inclusionary Housing Program by providing nine (9) below-market rate dwelling units for ownership. Therefore, the Project will increase the stock of affordable housing units in the City.

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

The Project is primarily residential in use that will create minimal, if any, new commuter traffic that could over burden local streets or impact neighborhood parking. The Project would provide 27 off-street parking spaces and one car share space that is equal to 0.47 spaces per dwelling unit.

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

The project does not include commercial office development and proposes a mixed-use residential and retail commercial development that will be consistent with the existing character of the Mission neighborhood. The subject property is owner occupied, and project will not result in the loss of a locally owned company or the displacement of any jobs.

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

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

There are no existing landmarks or historic buildings on the Project site.

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

The Project will not affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of the Recreation and Park Commission.

9. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

   The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-003160CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 14, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 8, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 8, 2018

EXHIBIT A

AUTHORIZATION

This is for a Conditional Use Authorization to allow demolition of a 13,000 square-foot (sq. ft.) light industrial building and new construction of a 65-ft. tall, six-to seven-story and 49,665 sq. ft. mixed-use building that includes approximately 1,300 sq. ft. of ground floor retail sales and service uses and 48,365 sq. ft. of residential use for 58 dwelling units with a mix of 30 one-bedroom and 28 two-bedroom units. The project would also include 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 28 accessory automobile and one car-share parking spaces located at Lot 012 in Parcel 6571, pursuant to Planning Code Sections 12.1 and 329 in the Mission Street NCT (Neighborhood Commercial-Transit) Zoning District, and a 65-X Height and Bulk District, in general conformance with plans, dated July 14, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2014-003160CUA and subject to conditions of approval reviewed and approved by the Commission on February 8, 2018, under Motion No. XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on February 8, 2018 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014-003160ENV) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

9. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
   - On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
   - On-site, in a driveway, underground;
   - On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
   - On-site, in a ground floor façade.
   - Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
   - Public right-of-way, underground; and based on Better Streets Plan guidelines;
   - Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, http://sfdpw.org

PARKING AND TRAFFIC

10. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 27 off-street accessory residential spaces, not including the required car share parking space.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

11. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

12. **Car Share.** Pursuant to Planning Code Section 166, the Project shall provide at least one, and not more than three additional dedicated car-share parking spaces. The required car-share spaces shall be made available, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 60 Class 1 bicycle parking spaces and ten (10) Class 2 bicycle parking spaces for the 58 dwelling units and 1,300 sq. ft. of commercial space.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

15. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

17. **Residential Childcare Impact Fee.** Pursuant to Planning Code Section 414A, the Project Sponsor shall comply with the Residential Childcare Impact Fee provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

18. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

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

MONITORING

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

21. **Revocation Due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

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

23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, http://sfdpw.org

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

INCLUSIONARY AFFORDABLE HOUSING PROGRAM

25. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 14.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 58 units; therefore, eight (8) affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the eight affordable units on-site. The Project Sponsor has also elected to provide 15.5% of the units as Inclusionary Units by adding one additional affordable unit beyond that required by Section 415. The Project Sponsor has requested that the additional unit would be subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual") for ease of implementation. Accordingly, all affordable units will be subject to the same

requirements and the Procedures Manual. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

26. **Voluntary Affordable Units.** The Project Sponsor has elected to provide a total of 15.5% of the proposed 58 units as Inclusionary Units by adding one additional affordable unit beyond that required by Section 415. The additional unit is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

27. **Unit Mix.** The Project contains 30 one-bedroom and 28 two-bedroom units; therefore, the required affordable unit mix is five (5) one-bedroom and four (4) two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

28. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

29. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than 15.5 percent, or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

30. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

31. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

    a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing**.** Other specific standards for on-site units are outlined in the Procedures Manual.

    b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

    c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

    d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.

e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.

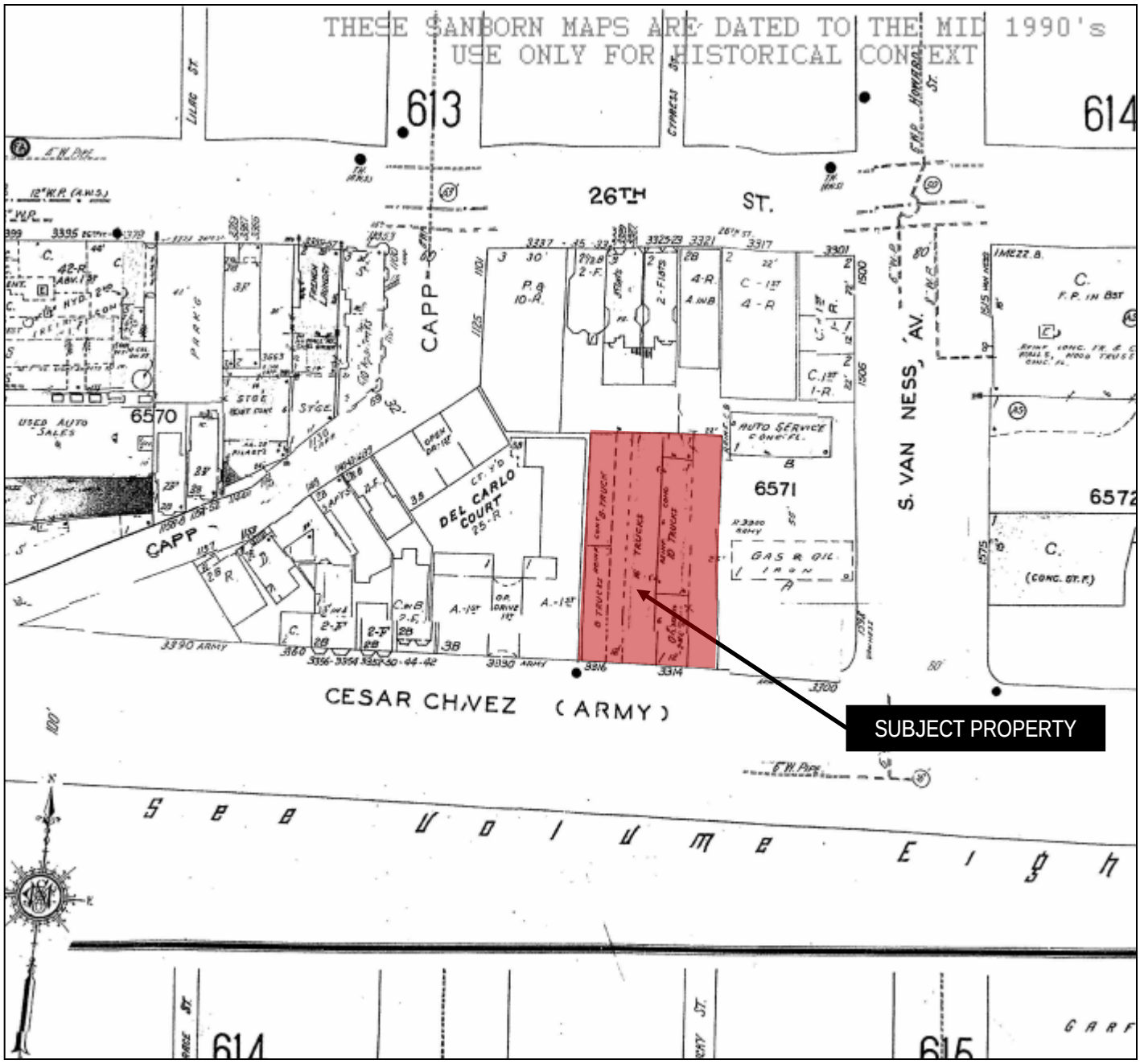
g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable**.**

Parcel Map


Capp St
Van Ness Ave
Cypress St
Lilac St
Virgil St
26th St
Cesar Chavez St
6528
6526
6571
6572
SUBJECT PROPERTY
Within 1/4 Mile of an Existing Fringe Financial Service
Fringe Financial Services RUD

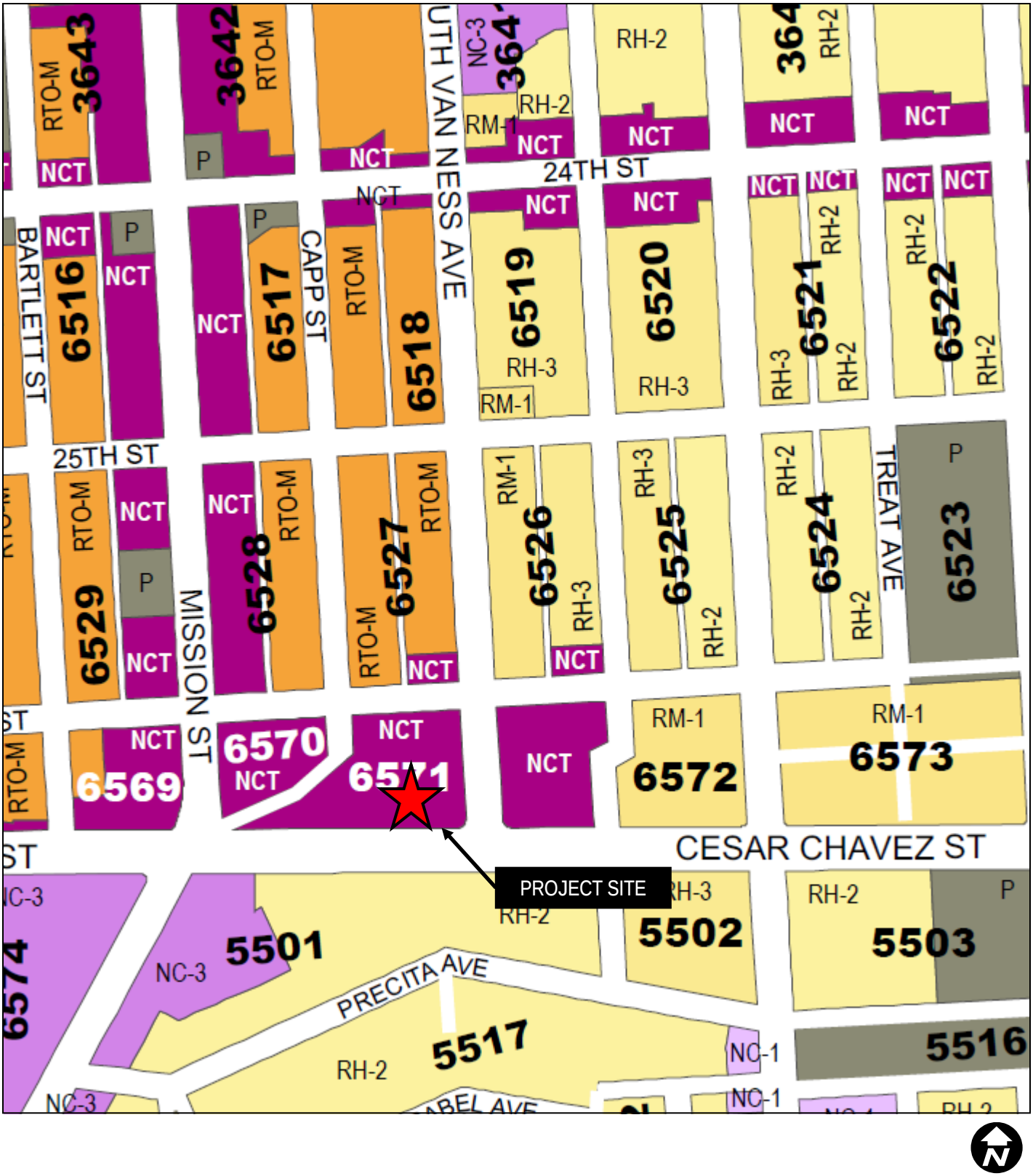
Sanborn Map*



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

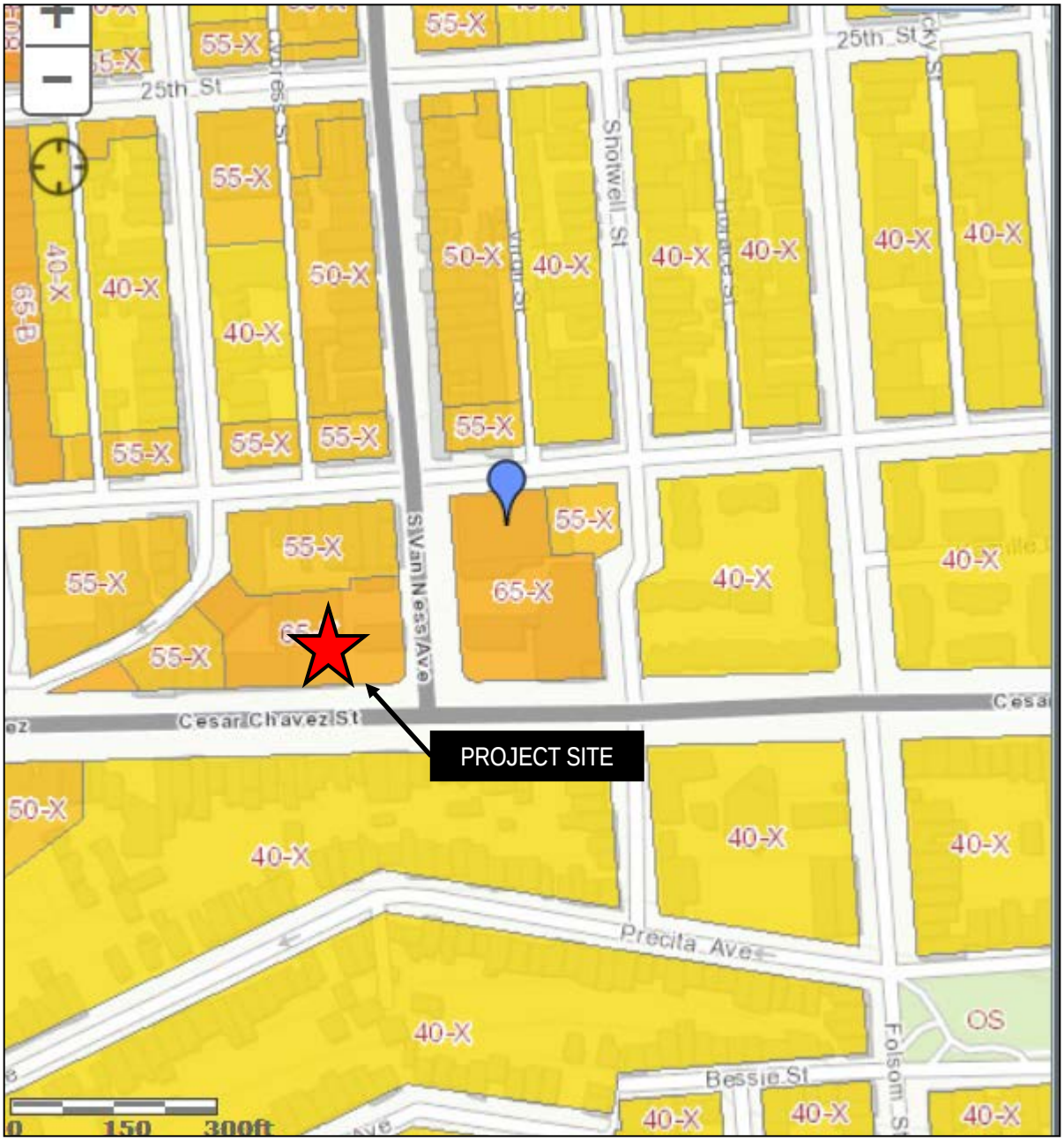
Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Zoning Map



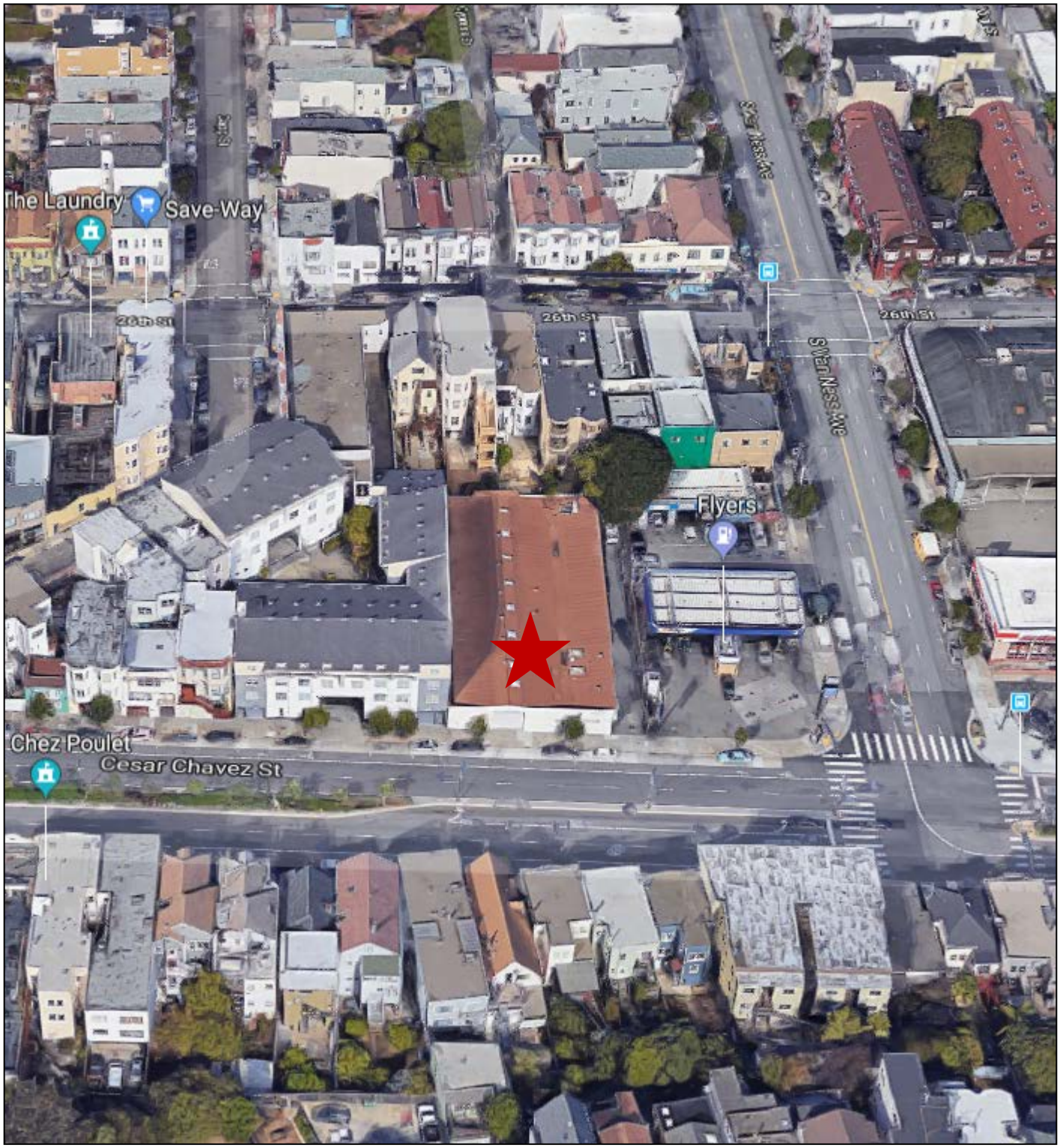
Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Height and Bulk Map



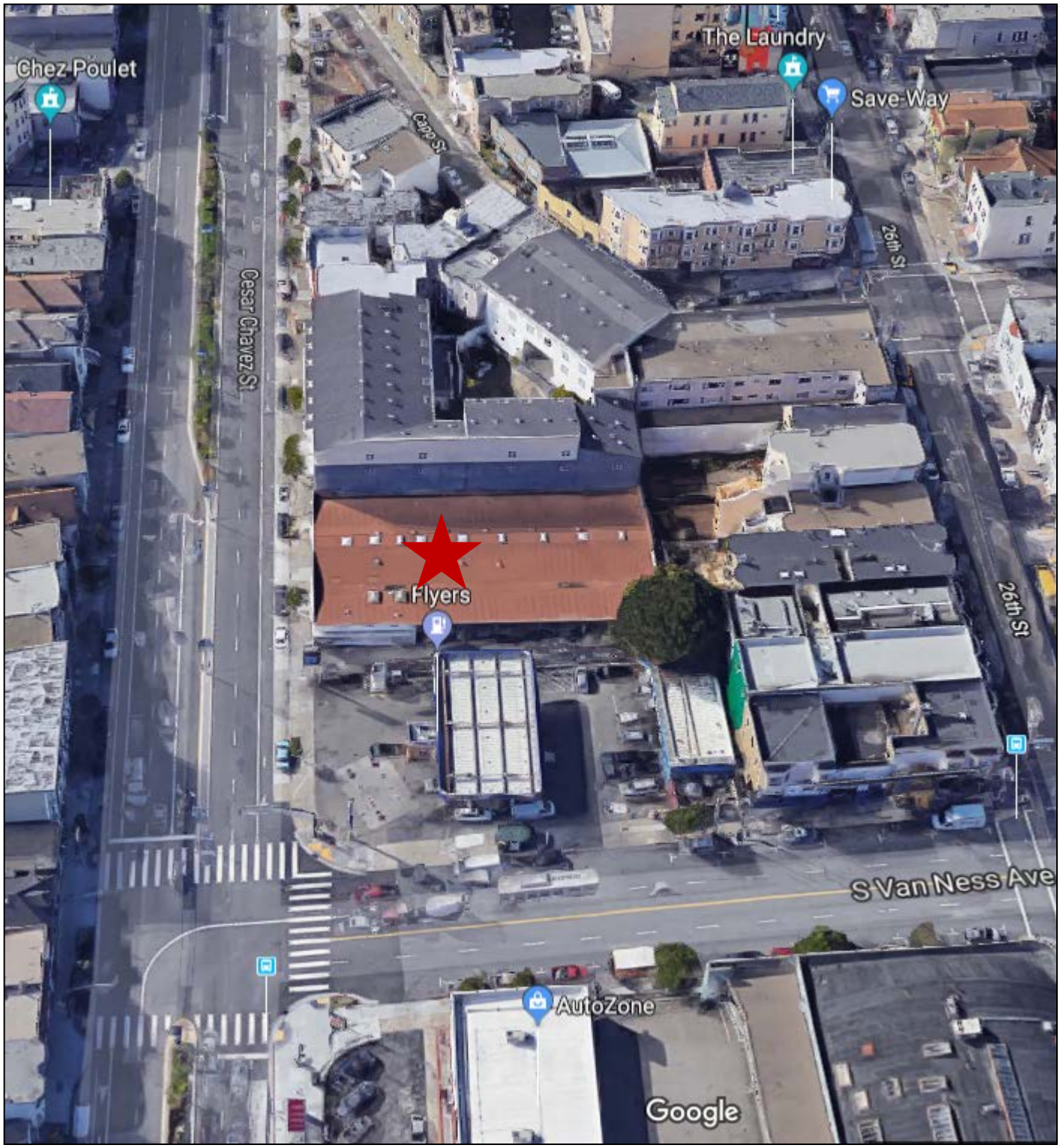
Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Aerial Photo – Facing North



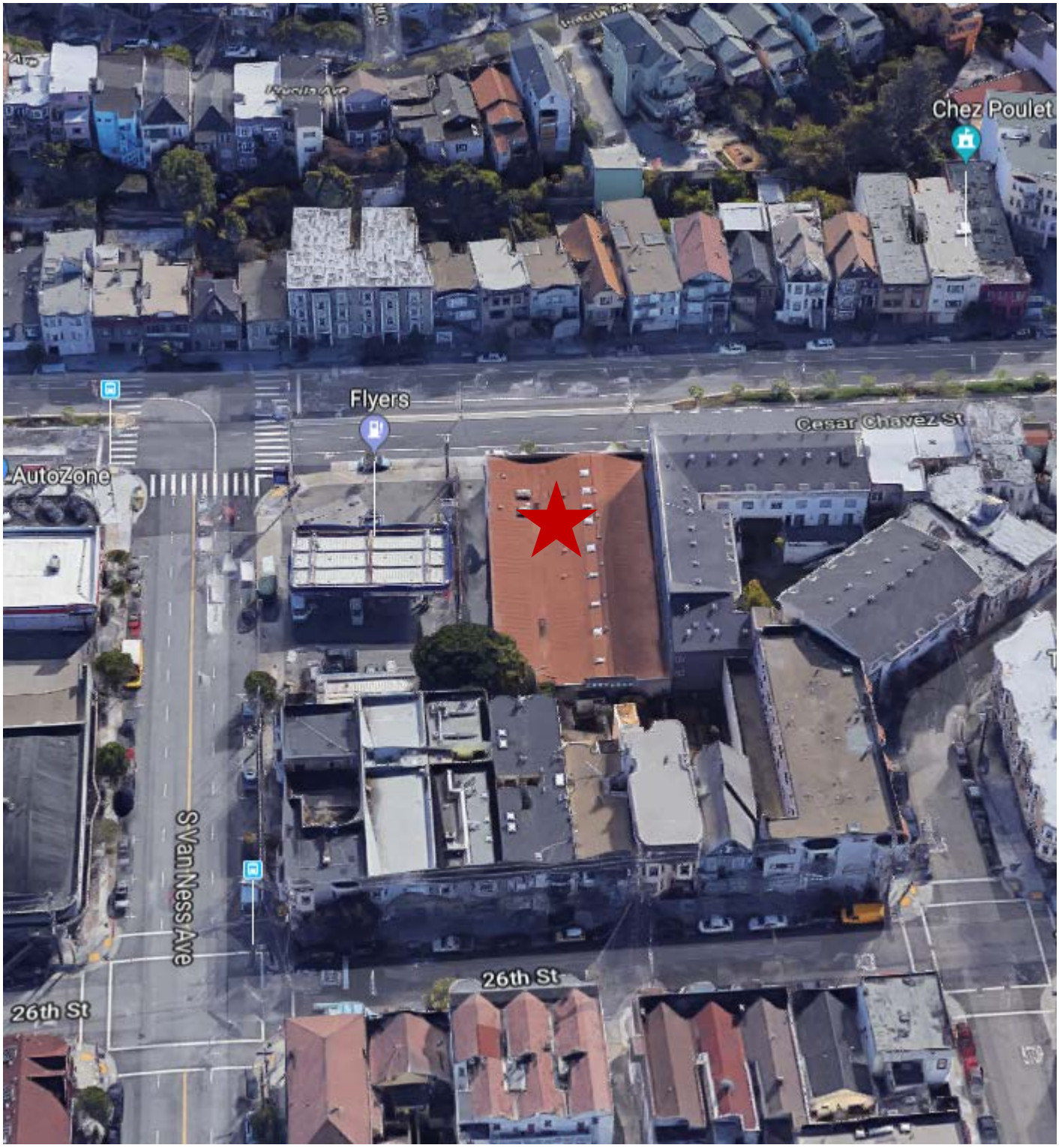
Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Aerial Photo – Facing West



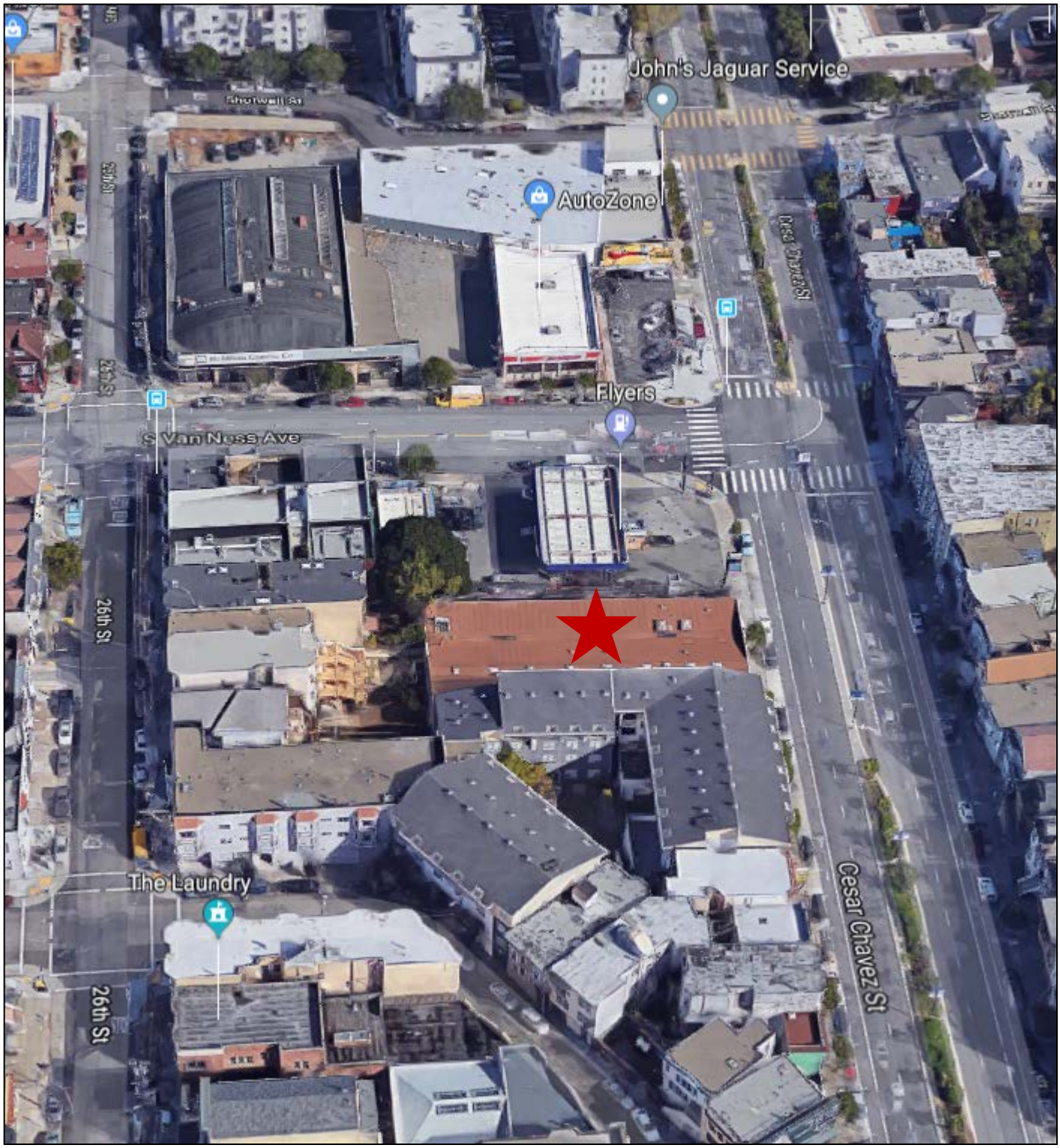
Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Aerial Photo – Facing South



Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Aerial Photo – Facing East



Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Site Photo – Cesar Chavez Street Frontage

Conditional Use Authorization
Case No. 2014-003160CUA
3314 Cesar Chavez Street

Site Photo - Corner of Cesar Chavez St. & South Van Ness Ave.

PROJECT SPONSOR'S SUBMITTAL IN SUPPORT OF CONDITIONAL USE AUTHORIZATION (PLANNING CODE SECTION 303)

For

Property Located at 3314 Cesar Chavez Street

Block 6571, Lot 012

Project Sponsor:

Sherman Chiu

Planning Department Case No. 2014-003160

Hearing Date: February 8, 2018

Attorneys for Project Sponsor:

REUBEN, JUNIUS & ROSE, LLP

One Bush Street, Suite 600 San Francisco, CA 94104
t] 415 567 9000 f] 415 399 9480

3314 Cesar Chavez Street, San Francisco

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3314 Cesar Chavez Street

Sherman Chiu (the "Project Sponsor") is the owner of the property located at 3314 Cesar Chavez Street (the "Property") where he has operated his construction business for more than thirteen years. The Property is located near the corner of South Van Ness Avenue. The Project Sponsor proposes to demolish the one-story commercial building and construct a mixed-use building with 58 dwelling units, 1,300 sq. ft. of commercial use on the ground floor, and 28 accessory parking spaces (the "Project").

A. THE PROJECT WILL PROVIDE SIGNIFICANT BENEFITS FOR THE COMMUNITY.

The proposed Project:

1. Will provide 8 onsite BMR units.

The Project Sponsor will provide 8 onsite below market rate units which will provide housing opportunities with a mix of one and two bedroom units.

2. Multiple Community and Outreach Meetings.

The Project Sponsor has conducted multiple community outreach and consultation meetings with the neighborhood including the Calle 24 Latino Cultural District Council ("Calle 24").

The first Pre-App meeting was held on February 24, 2015 at the Project Site. Twelve interested neighbors attended with very few negative comments. Terry Milne of the Bernal Heights Neighborhood Association requested that the palm street trees be changed to leafy trees and a neighbor across Mission Street was worried about shadows being cast on their building. The Project Sponsor provided them with a computer generated shadow study that showed no shadow would be cast.

A notice was also sent out as part of the environmental review process on approximately April 1, 2015. One response was received from someone outside of the 300' radius area requesting more information and they were included in the second pre-app meeting notice.

The second meeting included additional neighborhood groups. The second meeting was held September 14, 2016 at the Project Site. The second meeting was sparsely attended. Issues of affordability were discussed. The Project Sponsor reviewed the plan revisions showing undergrounded parking and eight (8) additional units behind the commercial space, which created an additional affordable unit.

There have been two meetings with Calle 24. Representing Calle 24 at both meetings were Erick Arguello, co-founder and president, and J. Scott Weaver, their attorney. Representing the project were Drake Gardner, and the Project Sponsor, Sherman Chiu.

The first meeting with Calle 24 was held on November 14, 2017 and was largely informational. After meeting with their board, Mr. Arguello / Calle 24 sent an email on December 2, 2017, with the following suggestions as to what would make the project more supportable for Calle 24:

- Reducing the height back to its original plan 58 (units) to 22 (units);
- Adding more rentals; and,
- Including Section 8 Program for a period of 13 years.

A second meeting with Calle 24 was held on December 12, 2017 to discuss the bullet points listed above. The first bullet point appeared to stem from a misunderstanding regarding the genesis of the Project. The second and third points were aspects of the proposal that had some flexibility and were the focus of further discussion. That discussion culminated in the December 12 email from the Project Sponsor regarding proposed community benefits.

At the second meeting, there was discussion of the aesthetic elements of the proposed building. Calle 24 had suggestions about window size and the incorporation of railings/Juliet balconies. Calle 24 was encouraged that Mr. Gardner had previously designed another building in the Mission that they felt fit and enhanced the character of the neighborhood. Calle 24 appreciated that there was a dedicated space for a mural on the West wall, and they acknowledged positively that the Project Sponsor is a long time business owner in the neighborhood.

On November 14, 2017, the Project Sponsor reached out to four members of MEDA via email: Executive Director Luis Granados, Director of Development Adriana Solis Lopez, Development Manager Ahmar Qadir, and Senior Content Marketing Manager Christopher Gil. We have not heard from any of them, or from anybody else in MEDA.

On November 17, 2017 the Project Sponsor met with Supervisor Hillary Ronen and her legislative aide, Amy Beinart, Supervisor Ronen had to remain neutral with respect to her support for the Project, but she was able to provide context: she gave provided examples of other medium to large projects that have been approved recently in her district and talked about the negotiation process between those developers and the neighborhood groups. The Project Sponsor incorporated information received from Sup. Ronen into his discussions with Calle 24.

3. Changes to Project.

The Project Sponsor has moved the parking area underground to allow for the addition of eight (8) dwelling units, per the Planning Department's request. The Project Sponsor also incorporated leafy trees, changed the siding and added an art wall at the entryway.

4. Will provide in excess of $1,396,125 in impact fees for community benefits.

Community benefits from the Project will include funding by the Project Sponsor for transit improvements, education, and infrastructure improvements in the neighborhood. The

Project Sponsor is also working with the Calle 24 Latino Cultural District to create a mural for the West wall of the Project.

The 58-unit development will enjoy nearby access to BART and Muni, as well as ample neighborhood amenities and businesses and easy connections to regional hubs. The proposed Project aims to complement the buildings in the area while also providing transparency and physical connections that will contribute to the neighborhood's growth as a dynamic, walkable neighborhood.

The design of the six-story building highlights connectivity and community throughout. The commercial space has been designed to blend with a traditional entry and window design. The dwelling units will enjoy unobstructed and plentiful natural light, with direct sunlight on three sides. A rooftop terrace will provide residents with an outdoor environment for connecting and gathering.

Composed of clear high-performance glass and stucco, the facade includes materials of the neighborhood's typical buildings and introduces a play of light and shadow throughout the day. Horizontal sunshades will add visual interest to the façade.

B. SITE INFORMATION

Street Address:	3314 Cesar Chavez Street
Cross Street:	South Van Ness Avenue
Assessor's Block/Lot:	Block 6571, Lot 012
Zoning District:	Neighborhood Commercial Transit (NCT)
Other Planning Areas:	Eastern Neighborhoods Plan Area (Mission)
Height/Bulk District:	65-X
Lot Area:	13,500 sq. ft.
Gross Floor Area:	57,715 sq. ft.

C. PROJECT SUMMARY

Proposed use:	Mixed-use: ground floor commercial, residential on upper floors, 28 parking spaces.
Residential units:	58 residential units: 30 one-bedroom units, 28 two-bedroom units
Residential Open Space:	Common Open Space: 2,600 sq. ft. at ground level and 6,100 sq. ft. at the roof deck, total 8,700 sq. ft.

Commercial space:	Ground Floor: approximately 1,300 square feet
Bicycle Parking:	58 class 1 spaces.
Number of Stories:	6 stories (65 ft.).
Lot Size:	Approximately 13,500 square feet.

D. DESCRIPTION OF THE PROPOSED PROJECT

The Project would construct approximately 1,300 square feet of commercial space on the ground floor, 58 residential units, and 58 bicycle spaces. The building will have a total of approximately 57,715 gross square feet of space and will be 65 feet tall.

The Project will provide active commercial use and much needed housing on a site that has been underutilized for many years, thereby contributing to neighborhood vitality, neighborhood jobs, and increased security for pedestrians.

E. FREQUENTLY ASKED QUESTIONS

Why does the building not include more affordable housing?

The physical space of the lot limits the permissible size of the building and the community expects projects to observe local zoning. Smaller buildings offer less economic flexibility to produce more below-market units. The Project Sponsor does plan to have the affordable units on-site. The Planning Code requirement for this Project is 8 affordable units.

Why doesn't the Project include more parking?

3314 Cesar Chavez Street is transit-friendly. BART and Muni lines are located within several blocks of the Project Site.

This Project advances the policies of the Master Plan and the Planning Code. It will provide 8 onsite Below Market Rate housing units in a neighborhood commercial area in accordance with Master Plan policies.

Planning Code Section 101.1 establishes eight priority planning policies and requires review of applications for consistency with said policies. Review of the relevant priority planning policies demonstrates that:

(a) The proposed Project will be in keeping with the existing housing and neighborhood character; and

(b) The proposed Project will have a beneficial effect on the City's supply of affordable housing, preparedness to protect against injury and loss of life in an earthquake, and commercial activity.

Objective 12 of the Housing Element of the General Plan is "Provide a Quality Living Environment." Policy 5 of Objective 12 explains that land use should be appropriate in scale. The proposed Project respects the scale, privacy, light and air of adjacent properties.

The project advances Housing Element Policies 11.5 and 11.8 which provide as follows: Policy 11.5: Promote the construction of well-designed housing that enhances existing neighborhood character. The residential use will enhance the neighborhood character.

F. DESIGN ELEMENTS

1. Overall building massing and scale.

The Project's mass and scale will be consistent with other mixed-use buildings in the surrounding area. The Project is a six-story residential building with commercial use on the ground floor and residential use on the upper floors.

2. Architectural treatments, faced design and building materials.

The architectural style and façade of the Project is an appropriate, contemporary design that is consistent with other newer developments in the area. The building materials used are well within current construction standards and requirements.

3. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size and equivalence in quality with that otherwise required on-site.

All required open space will be provided on-site. 8,700 square feet of open space (fulfilling the open space requirement for 58 dwelling units) will be provided by 6,100 sq. ft. of common area roof deck and 2,600 sq. ft. at ground level.

4. Streetscape and other public improvements, including tree planting, street furniture, and lighting.

In accordance with Section 143 of the Code, street trees will be planted along the sidewalks adjacent to the Property. Adequate lighting will be provided along Cesar Chavez Street.

5. Circulation, including streets, alleys and mid-block pedestrian pathways.

The Project will not impact street circulation.

6. Bulk limits.

The Property is zoned as 65-B height and bulk district, and the Project complies with the requirements of this district.

G. PRIORITY MASTER PLAN POLICIES FINDINGS

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project is consistent with each of these policies as follows:

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

The Project will provide 1,300 square feet of commercial space on its ground floor. This space will be re-occupied by the Project Sponsor's construction company.

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

Neither housing nor businesses will be permanently removed as a result of the Project. This will help preserve the cultural and economic diversity of the neighborhood by giving residents more options for housing. The Project will supplement the positive aspects of the neighborhood.

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

The Project will provide 8 BMR units onsite. The Project will create 58 new dwelling units.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.

The Project is located within walking distance to the 24th and Mission BART Station. Residents or employees may therefore use public transit and reduce the likelihood that commuter traffic will significantly increase. Indeed, locating housing units near public transit directly supports Policy 2.1 of the Transportation Element and Policy 1.1 of the Housing Element of the General Plan.

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

No industrial or service sector uses will be removed by the Project, and the Project does not propose any office development. The Project's commercial space will provide employment opportunities.

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

The Project will conform to the structural and seismic requirements of the San Francisco Building Code.

7. That landmarks and historic buildings be preserved.

The Project will not have any impacts on landmarks or historic buildings.

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

The Property is not near any parks or public open space, and will therefore have no affect on access to sunlight or vistas.

H. CONCLUSION

The Project satisfies all of the criteria of the Planning Code and the Master Plan for approval of a Large Project Authorization. The Project will include 8 below market rate units onsite and more than $1,396,125 in impact fees for funding of community benefits including transit improvements, education, and infrastructure improvements. The proposal is located near a transit corridor and furthers the objectives and policies of the Master Plan by promoting the use of public transit to reach nearby employment centers.

Accordingly, we respectfully request that the Planning Commission approve the Project.

Respectfully submitted,

REUBEN, JUNIUS & ROSE, LLP

Dated: January 26, 2018

By: _____
David Silverman
Attorneys for Sherman Chiu

The Project contains:	The zoning of the property is:	Complete EEA was submitted on:
58 RES. UNITS	MISSION NCT	02.06.15

CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

Complete EEA Accepted: →	*Before 1/1/13*	*Before 1/1/14*	*Before 1/1/15*	*Before 1/12/16*	*After 1/12/16*
Fee or Off-site					
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%	33.0%
25+ unit projects over 120' in height *	20.0%	33.0%	33.0%	33.0%	33.0%
On-site					
10-24 unit projects	12.0%	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%	25.0%

* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet.

CHART B: Inclusionary Requirements for UMU Districts. Please note that the Middle Income Incentive Alternative regulated in Planning Code Section 419 was not changed by Code amendment (Ord. No. 76-16). Also, certain projects in the SOMA Youth and Family SUD rely upon UMU requirements as stipulated by the Planning Code.

Complete EEA Accepted: →	*Before 1/1/13*	*Before 1/1/14*	*Before 1/1/15*	*Before 1/12/16*	*After 1/12/16*
On-site UMU					
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%	25.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%	25.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%	25.0%
Fee or Off-site UMU					
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.5%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	32.5%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	27.0%	32.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT					
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%	40.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%	45.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%	40.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415 & 419

San Francisco Planning

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

02.09.17
Date

I, DRAKE GARDNER,
do hereby declare as follows:

A The subject property is located at (address and block/lot):

3314 CESAR CHAVEZ 94110
Address

6571/012
Block / Lot

B The proposed project at the above address is subject to the *Inclusionary Affordable Housing Program*, Planning Code Section 415 and 419 et seq.

The Planning Case Number and/or Building Permit Number is:

2014-003160 CUA
Planning Case Number

Building Permit Number

This project requires the following approval:

☒ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)

☐ This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

DOUG VU
Planner Name

Is this project an UMU project within the Eastern Neighborhoods Plan Area?

☐ Yes _____ ☒ No

(If yes, please indicate Affordable Housing Tier)

This project is exempt from the *Inclusionary Affordable Housing Program* because:

☐ This project is 100% affordable.

☐ This project is 100% student housing.

C This project will comply with the Inclusionary Affordable Housing Program by:

☐ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5).

☒ On-site Affordable Housing Alternative (Planning Code Sections 415.6).

☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7):

☐ Small Sites Affordable Housing Alternative

☐ Land Dedication

D If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative.

☒ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.

☐ **Rental.** Exemption from Costa Hawkins Rental Housing Act.[1] The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

- ☐ Direct financial contribution from a public entity.
- ☐ Development or density bonus, or other public form of assistance.
- ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

E The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

(1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;

(2) Record a new Notice of Special Restrictions; and

(3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

1 California Civil Code Section 1954.50 and following.

F Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
8	14.5	8

No. of Affordable Units:	% Affordable Units:	AMI Level:

G The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

H I am a duly authorized agent or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

NOVATO, CA.
Location

02.09.17
Date

Sign Here

Signature

DRAKE GARDNER (AGENT)
Name (Print), Title

415.377.6694
Contact Phone Number

cc: Mayor's Office of Housing and Community Development

Planning Department Case Docket

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:					
TOTAL UNITS: 58	SRO / Group Housing:	Studios:	One-Bedroom Units: 30	Two-Bedroom Units: 28	Three (or more) Bedroom Units:

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☒ **On-site Affordable Housing Alternative** Planning Code Section 415.6): calculated at 14.5 % of the unit total.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS: 8	SRO / Group Housing:	Studios:	One-Bedroom Units: 4	Two-Bedroom Units: 4	Three (or more) Bedroom Units:

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7): calculated at ☐ % of the unit total.

Number of Affordable Units to be Located OFF-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):		Off-Site Project Address:			
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

☐ **Combination** of payment of a **fee, on-site affordable units**, or **off-site affordable units** with the following distribution:

Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee ☐ % of affordable housing requirement.
2. On-Site ☐ % of affordable housing requirement.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

3. Off-Site ☐ % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):		Off-Site Project Address:			
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

ZONE DESIGN DEVELOPMENT
Company Name

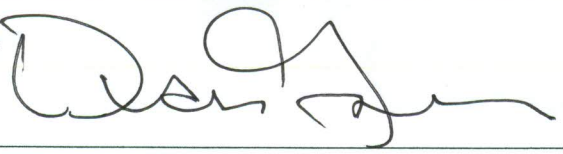
DRAKE GARDNER
Name (Print) of Contact Person

10 CARLILE DR. NOVATO, CA. 94945
Address *City, State, Zip*

415-377-6694 DRAKEZONE@COMCAST-NET
Phone / Fax *Email*

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature: 

Name (Print), Title: DRAKE GARDNER (AGENT)

Contact Information and Declaration of Sponsor of OFF-SITE PROJECT (*If Different*)

Company Name

Name (Print) of Contact Person

Address *City, State, Zip*

Phone / Fax *Email*

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature: *Name (Print), Title:*

SUPPLEMENTAL INFORMATION FOR

Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
SHERMAN CHU	
PROPERTY OWNER'S ADDRESS:	**TELEPHONE:**
3314 CESAR CHAVEZ SAN FRANCISCO, CA. 94110	(415) 264.3699
	EMAIL:
	CHUSHER@YAHOO.COM

APPLICANT'S NAME:	Same as Above ☒
APPLICANT'S ADDRESS:	**TELEPHONE:**
	( )
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	Same as Above ☐
ZONE DESIGN DEVELOPMENT / DRAKE GARDNER	
ADDRESS:	**TELEPHONE:**
10 CARLILE DR. NOVATO, CA. 94945	(415) 377.6694
	EMAIL:
	DRAKEZONE@COMCAST.NET

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	Same as Above ☒
ADDRESS:	**TELEPHONE:**
	( )
	EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT:	ZIP CODE:
3314 CESAR CHAVEZ ST.	94110
CROSS STREETS:	

ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
6571 / 012	MISSION NCT	65X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
☒ New Construction	0	58	58
☒ Demolition			
☐ Alteration			
☐ Other: _____			

Compliance with the Anti-Discriminatory Housing Policy

1. **Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California?** ☐ YES ☒ NO

   1a. If yes, in which States? _____

   _____

   1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest? ☐ YES ☐ NO

   1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property? ☐ YES ☐ NO

   If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.

Human Rights Commission contact information
Mullane Ahern at (415)252-2514 or mullane.ahern@sfgov.org

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: Other information or applications may be required.

Signature: _____ Date: 02.09.17

Print name, and indicate whether owner, or authorized agent:

DRAKE GARDNER (AGENT)

Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

☐ Anti-Discriminatory Housing Policy Form is **Complete**

☐ Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):	DATE FILED:
RECORD NUMBER:	**DATE FILED:**

VERIFIED BY PLANNER:

Signature: _____ Date: _____

Printed Name: _____ Phone: _____

ROUTED TO HRC:	DATE:
☐ Emailed to: _____	

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Community Plan Evaluation

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2014-003160ENV**
Project Address:	**3314 Cesar Chavez Street**
Zoning:	Mission Street Neighborhood Commercial Transit District 65-X Height and Bulk District Calle 24 Special Use District
Block/Lot:	6571/012
Lot Size:	13,529 square feet
Plan Area:	Eastern Neighborhoods Area Plan (Mission)
Project Sponsor:	Drake Gardner, Zone Design Development, (415) 377-6694
Staff Contact:	Don Lewis, (415) 575-9168, don.lewis@sfgov.org

PROJECT DESCRIPTION

The project site is located on the north side of Cesar Chavez between South Van Ness Avenue and Capp Street in the Mission neighborhood. The project site is occupied by a 17-foot-tall, one-story light industrial building (constructed in 1950) approximately 13,800 square feet in size with 12 off-street vehicle parking spaces. The project site is currently used as an office and equipment storage for an owned-occupied construction company ("Alpha Bay Builders"). The project sponsor proposes the demolition of the existing light industrial building, and construction of a 65-foot-tall (74-foot-tall including elevator penthouse), six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street parking spaces located at the basement level accessed from Cesar Chavez Street.

(Continued on next page)

CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Lisa Gibson

LISA GIBSON
Environmental Review Officer

1/25/18

Date

cc: Drake Gardner, Project Sponsor
Doug Vu, Current Planner
Supervisor Hillary Ronen, District 9
Virna Byrd, M.D.F.
Exclusion/Exemption Dist. List

PROJECT DESCRIPTION (continued)

The proposed mix of units would include one-bedroom and two-bedroom units. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

The project site is located on the north side of Cesar Chavez between South Van Ness Avenue and Capp Street in the Mission neighborhood. The project site is occupied by a 17-foot-tall, one-story light industrial building (constructed in 1950) approximately 13,800 square feet in size with 12 off-street vehicle parking spaces. The project site is currently used as an office and equipment storage for an owner-occupied construction company ("Alpha Bay Builders"). The project sponsor proposes the demolition of the existing light industrial building, and construction of a 65-foot-tall (74-foot-tall including elevator penthouse), six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street parking spaces located at the basement level accessed from Cesar Chavez Street. The proposed mix of units would include one-bedroom and two-bedroom units. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

The project would include an approximately 700-square-foot mural on the west elevation of the proposed building at the fifth and sixth floors. The project would remove the two existing street trees in front of the project site and would plant five new street trees. The project would include a total of 10,600 square feet of common open space, comprised of a 2,600-square-foot rear yard at the ground floor, two inner courtyards at the ground floor totaling 1,900 square feet, and a 6,100-square-foot roof deck. In addition, the project would provide a total of 640 square feet of private open space, comprised of four 160-square-foot private patios at the ground floor.

The two existing curb cuts with widths of 17 and 15 feet would be removed and standard sidewalk and curb dimensions restored. The proposed project would create a new 10-foot-wide curb cut for access to the basement level garage. Because the width of the driveway would only accommodate one vehicle traveling in the inbound or outbound direction at a given time, the driveway and garage ramp would include specific management controls for two-way traffic. Sensors would be installed at the gated driveway ramp and at the driveway entrance/exit lane (at the intersection of Cesar Chavez Street) to detect inbound or outbound vehicles within the driveway and ramp area. Upon exiting the parking garage, vehicles traveling up the garage ramp and approaching the gate would activate an electronic sign or signal at the driveway entrance to notify any inbound drivers, pedestrians, or bicyclists along westbound Cesar Chavez Street of exiting vehicles. A separate sensor at the parking garage driveway entrance would trigger an electronic sign or signal to notify any outbound vehicles within the parking garage of approaching inbound vehicles. In the event of inbound vehicles accessing the project driveway and garage ramp, outbound vehicles would be required to wait at the bottom of the ramp and allow the inbound vehicle to enter the garage and clear the ramp before proceeding. In addition to the electronic signal notifying outbound vehicles of approaching inbound vehicle use of the garage ramp, the proposed project would include signage directing outbound vehicles to yield to inbound vehicles within the garage ramp.

Traffic calming and safety treatments would be installed within the parking driveway area, and signage would be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any

pedestrians walking along the sidewalk on Cesar Chavez Street (e.g., "Caution: Pedestrian Crossing,", "Watch for Pedestrians," "Exit Slowly," "STOP," etc.). Diagonal mirrors would be installed to ensure that drivers exiting the parking garage and pedestrians on the sidewalk along the project frontage could see each other. The project would include rumble strips or similar traffic calming devices to maintain slow speeds for vehicles within the parking garage ramp.

The project sponsor would apply to the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program for the conversion of three parking spaces (60 feet total length) along the project frontage on Cesar Chavez Street, with two spaces (40 feet) dedicated to commercial loading use, and one space (20 feet) for passenger loading use.[1] In order to manage deliveries within this proposed commercial loading zone, building management would coordinate with delivery companies to institute safe loading procedures that do not conflict with the adjacent westbound class II bicycle lane on Cesar Chavez Street, including but not limited to conditions for loading companies not to double park in the bicycle lane.

During the approximately 18-month construction period, the proposed project would require up to approximately 25 feet of excavation below ground surface for the proposed basement level and car stackers, resulting in approximately 6,000 cubic yards of soil removal. The proposed building would be supported by a mat foundation on improved soil; impact piling driving is not proposed or required.

PROJECT APPROVALS

The proposed 3314 Cesar Chavez Street project would require the following approvals:

Actions by the Planning Commission

- Approval of conditional use authorization from the Planning Commission is required per Planning Code section 121.1 for the new construction on a lot that is larger than 10,000 square feet.

Actions by other City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of building permits from the San Francisco Department of Building Inspection for demolition and new construction.
- Approval of designated color curbs for on-street commercial and passenger loading from the San Francisco Municipal Transportation Agency.

The approval of the conditional use authorization would be the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code section 21083.3 and CEQA Guidelines section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an environmental impact report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-

[1] The SFMTA Color Curb Program: https://www.sfmta.com/getting-around/parking/curb-colors

specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 3314 Cesar Chavez Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)[2]. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 3314 Cesar Chavez Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[3,4]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern

[2] Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

[3] San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: http://www.sf-planning.org/index.aspx?page=1893, accessed August 17, 2012.

[4] San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268, accessed August 17, 2012.

Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,0000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.[5]

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Intial Study Checklist, under Land Use.[6]

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to Mission NCT (Neighborhood Commercial Transit). The Mission NCT District is extremely well-served by transit, and accessory parking for residential uses is not required. Any new parking is required to be set back or be below ground. This district has a mixed pattern of larger and smaller lots and businesses, as well as a sizable number of upper-story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. The project site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with a building up to 65 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 3314 Cesar Chavez Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 3314 Cesar Chavez Street project, and identified the mitigation measures applicable to the 3314 Cesar Chavez Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.[7,8] Therefore, no further CEQA evaluation for the 3314 Cesar Chavez Street project is required. In sum, the Eastern

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

[6] The CPE Initial Study Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014-003160ENV.

[7] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 3314 Cesar Chavez Street*, April 5, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014-003160ENV.

[8] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 3314 Cesar Chavez Street*, June 29, 2016.

Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is located on the north side of Cesar Chavez between South Van Ness Avenue and Capp Street in the Mission neighborhood. The project site is occupied by a 17-foot-tall, one-story light industrial building (constructed in 1950) approximately 13,800 square feet in size with 12 off-street vehicle parking spaces. The project site is currently used as an office and equipment storage for an owner-occupied construction company ("Alpha Bay Builders"). The property immediately adjacent to the west of the project site is a four-story residential building (constructed in 1993) with 25 units. The property immediately adjacent to the east of the project site, at the intersection of Cesar Chavez Street and South Van Ness Avenue, is a gasoline station. The properties immediately adjacent to the north (rear) of the project site that front on 26th Street are two- to three-story residential buildings. The surrounding area around the project site is characterized by a variety of uses, including light industrial, commercial, and residential uses. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 12, 14, 14R, 27, 36, 49, and 67. The nearest Muni bus stops are approximately 215 feet to the east and 550 feet to the west along Cesar Chavez Street. Additionally, the nearest Bay Area Rapid Transit (BART) regional rail station is located approximately 0.4 miles north of the project site at 24th and Mission streets. There is a bicycle route that runs along Cesar Chavez Street. The surrounding parcels are either within the Mission NCT (north of Cesar Chavez Street) or Residential-House, Two Family (south of Cesar Chavez Street). Height and bulk districts within a one-block radius include 65-X (north of Cesar Chavez Street) and 40-X (south of Cesar Chavez Street).

There is an approved development at 1515 South Van Ness Avenue (Case No. 2014-1020ENV) that involves the demolition of an existing commercial building and construction of a six-story mixed-use residential building with 157 units (approximately 170 feet east of the project site). There is also an approved development at 1296 Shotwell Street (Case No. 2015-018056ENV) that involves the demolition of an existing one-story building and construction of a nine-story affordable senior housing building with 94 units (approximately 270 feet east of the project site).

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 3314 Cesar Chavez Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 3314 Cesar Chavez Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would remove existing PDR uses; however, the project site was zoned Mission

Neighborhood Commercial District prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses. Furthermore, the rezoning of the project site to Mission Street NCT was not included to provide PDR uses to address the long-term PDR land supply loss. Therefore, the project would not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The proposed project does not involve demolition of an historic resource and the project site is not located within a historic district. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR. Transit ridership generated by the project, which entails approximately 41 p.m. peak hour transit trips, would not considerably contribute to the transit impacts identified in the Eastern Neighborhoods PEIR. The proposed project would not cast shadow on a park or other public open spaces. Therefore, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not required	Not Applicable
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction (Project Mitigation Measure 2).
F-3: Interior Noise Levels	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site	Not Applicable
F-4: Siting of Noise-Sensitive Uses	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site	Not Applicable
F-5: Siting of Noise-Generating Uses	Not Applicable: proposed project would not include noise-generating uses	Not Applicable

Mitigation Measure	Applicability	Compliance
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environmental conditions on a proposed project's future users if the project would not exacerbate those environmental conditions	Not Applicable
G. Air Quality		
G-1: Construction Air Quality	Not Applicable: project site is not located within an Air Pollutant Exposure Zone and the requirements of the Dust Control Ordinance supersedes the dust control provisions of PEIR Mitigation Measure G-1	Not Applicable
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 38 requirements	Not Applicable
G-3: Siting of Uses that Emit Diesel Particulate Matter (DPM)	Not Applicable: proposed project does not include uses that would emit substantial levels of DPM	Not Applicable
G-4: Siting of Uses that Emit other Toxic Air Contaminants (TACs)	Not Applicable: proposed project does not include uses that would emit substantial levels of other TACs	Not Applicable
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: project site does not have any previous archeological studies on record	Not Applicable
J-2: Properties with no Previous Studies	Applicable: project site is located in an area with no previous archeological studies	The project sponsor has agreed to implement the Planning Department's Standard Archeological Mitigation Measure #3 (Archeological Testing), as Project Mitigation Measure 1.
J-3: Mission Dolores Archeological District	Applicable: project site is not located within the Mission Dolores Archeological District	Not Applicable
K. Historical Resources		
K-1: Interim Procedures	Not Applicable: plan-level mitigation	Not Applicable

Mitigation Measure	Applicability	Compliance
for Permit Review in the Eastern Neighborhoods Plan area	completed by Planning Department	
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	Not Applicable
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	Not Applicable
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: project involves demolition of a building	Project Mitigation Measure 3, which the sponsor has agreed to, requires removal and disposal of any equipment containing PCBs or DEHP according to applicable federal, state, and local laws prior to the start of demolition.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by San Francisco Municipal Transportation Authority (SFMTA)	Not Applicable

Mitigation Measure	Applicability	Compliance
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA, and in compliance with a portion of this mitigation measure, the City adopted a comprehensive Transportation Demand Management Program for most new development citywide	Not Applicable

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A "notification of project receiving environmental review" was mailed on April 4, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments included concerns about shadow impacts, wind impacts, the effect of the proposed project on area rents and property values, the height of the proposed project and its relationship to the surrounding neighborhood, greenhouse gases (GHG) impacts, traffic impacts, and the impact of the project on the Calle 24 Latino Cultural District, as well as the overall suitability of the Eastern Neighborhoods PEIR and its use under CEQA as a document to support a Community Plan Evaluation level of review for the proposed project.

As detailed in the CPE Initial Study Checklist, the proposed project would not result in significant adverse environmental impacts associated with shadow, wind, land use, parking, GHGs, or transportation beyond those identified in the Eastern Neighborhoods PEIR.

CEQA generally does not require the analysis of social or economic impacts. While there could potentially be an impact to property values or rents in the area, such an occurrence would be a socioeconomic impact, which is beyond the scope of CEQA. As stated in CEQA Guidelines Section 15131(a), "[e]conomic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through

anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." In general, analysis of the potential adverse physical impacts resulting from economic activities has been concerned with the question of whether an economic change would lead to physical deterioration in a community. Construction of the proposed project at 3314 Cesar Chavez Street would not create an economic change that would lead to the physical deterioration of the surrounding neighborhood.

One comment asserted that a CPE would not be appropriate for the proposed project because substantial changes have occurred with respect to the circumstances under which the Eastern Neighborhoods Area Plans were approved due to the involvement of new significant environmental effects and a substantial increase in the severity of previously identified significant effects in the Eastern Neighborhoods PEIR. To summarize, the commenter claimed that the current pace of development is faster than that projected in the Eastern Neighborhoods PEIR, that there are more market rate units, that recent new residents have increased the rate of car ownership in the Mission, that former residents displaced from the Mission subsequent to the certification of the PEIR now travel longer distances by automobile, and that there are environmental impacts to cultural resources due to the project's impact on the Latino Cultural District. The commenter has not provided substantial evidence to support these claims.

On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors. CEQA Guidelines Sec 15162(c) establishes that once a project, in this case the Eastern Neighborhoods Rezoning and Area Plans, is approved:

> "[T]he lead agency's role in that approval is completed unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval." [Emphasis added.]

That is, unless and until the Eastern Neighborhoods Rezoning and Area Plans themselves are amended or revised, the reopening of the Eastern Neighborhoods PEIR is neither warranted nor required under CEQA. Impacts to the environment that might result with implementation of the project were analyzed in the CPE Initial Study Checklist according to the project's potential impacts upon the specific setting for each environmental topic, clearly stated significance criteria, and substantial evidence in the form of topic-specific analyses. Consistent with CEQA Guidelines Section 15130, the CPE Initial Study Checklist also includes analysis of the proposed project's potential cumulative impacts for each environmental topic. The CPE Initial Study Checklist prepared for the project evaluates its potential project-specific environmental effects and incorporates by reference information contained in the Eastern Neighborhoods PEIR. Project-specific analysis was prepared for the project to determine if it would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

The CPE Initial Study Checklist determined that the proposed project would not have a significant impact that was not previously identified in the Eastern Neighborhoods PEIR for all CEQA Guidelines Appendix G environmental topics. The received comments from the environmental notice have not provided any evidence that the environmental effects of the project have not been adequately covered by the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist[9]:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;

3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;

4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and

5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

[9] The CPE Initial Study Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014-003160ENV.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Action and Schedule**	**Monitoring/Reporting Responsibility**	**Monitoring Schedule**
MITIGATION MEASURES				
Project Mitigation Measure 1 – Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2) Based on a reasonable presumption that archeological resources may be present on 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 archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist 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 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 4 weeks. At the direction of the ERO, the suspension of construction can be	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to issuance of any permit for soils-disturbing activities and during construction activities.	Project sponsor/archeological consultant and ERO.	Considered complete upon ERO's approval of FARR.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule

extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5(a)(c).

Consultation with Descendant Communities. On discovery of an archeological site[1] associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative[2] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site, and to consult with ERO regarding appropriate archeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

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

[1] The term "archeological site" is intended to minimally include any archeological deposit, feature, burial, or evidence of burial.

[2] An "appropriate representative" of the descendant group is defined, in the case of Native Americans, as 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 archeologist.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance, and that interpretive use of the resource is feasible. **Archeological Monitoring Program.** If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archeological consultant, shall determine which project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), or site remediation shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context.				
▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource.				
▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the 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				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile-driving activity may affect an archeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made, in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.				
Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accordance 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. The ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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 De-accession Policy.** Description of and rationale for field and post-field discard and de-accession 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				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
accession policies of the curation facilities. **Human Remains and Associated or Unassociated Funerary Objects.** The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco; and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, 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 Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert in the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Northwest Information Center (NWIC) shall receive one copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR, along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/CRHR. 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.				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	**Mitigation Action and Schedule**	**Monitoring/Reporting Responsibility**	**Monitoring Schedule**
Project Mitigation Measure 2: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2) The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible: • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; ▪ Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.	Project sponsor and construction contractor.	Prior to issuance of a building permit and during construction activities.	The project sponsor shall prepare and submit monthly noise reports during construction.	Considered complete upon final monthly report.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	**Mitigation Action and Schedule**	**Monitoring/Reporting Responsibility**	**Monitoring Schedule**
Project Mitigation Measure 3 – Hazardous Building Materials Abatement (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1) The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project sponsor, construction contractor(s).	Prior to any demolition or construction activities	Project Sponsor; Planning Department; Department of Public Health	Prior to any demolition or construction activities

	MONITORING AND REPORTING PROGRAM			
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Action and Schedule**	**Monitoring/Reporting Responsibility**	**Monitoring Schedule**
IMPROVEMENT MEASURES				
Project Improvement Measure I-TR-1 – Application to SFMTA Color Curb Program for Commercial Curbside Loading Spaces To reduce the potential for unmet commercial loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to require the retail tenant (once known) to apply to the SFMTA Color Curb Program to potentially convert two existing on-street parking spaces along the project site's frontage on Cesar Chavez Street to a 40-foot-long commercial loading space.	Project sponsor and property owner.	Once retail tenant is known.	SFMTA Color Curb Program	Considered complete upon SFMTA determination.
Project Improvement Measure I-TR-2 – Application to SFMTA Color Curb Program for Curbside Passenger Loading (White Curb) Space To reduce the potential for unmet passenger loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to apply to the SFMTA Color Curb Program to potentially convert one existing on-street parking space along the project site's frontage on Cesar Chavez Street to a 20-foot-long passenger loading space.	Project sponsor and property owner.	Prior to any demolition or construction activities.	SFMTA Color Curb Program	Considered complete upon SFMTA determination.

SAN FRANCISCO
PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

1650 Mission St.
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Planning
Information:
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Case No.:	**2014-003160ENV**
Project Address:	**3314 Cesar Chavez Street**
Zoning:	Mission Street Neighborhood Commercial Transit District 65-X Height and Bulk District Calle 24 Special Use District
Block/Lot:	6571/012
Lot Size:	13,529 square feet
Plan Area:	Eastern Neighborhoods Area Plan (Mission)
Project Sponsor:	Drake Gardner, Zone Design Development, (415) 377-6694
Staff Contact:	Don Lewis, (415) 575-9168, don.lewis@sfgov.org

PROJECT DESCRIPTION

The project site is located on the north side of Cesar Chavez between South Van Ness Avenue and Capp Street in the Mission neighborhood. The project site is occupied by a 17-foot-tall, one-story light industrial building (constructed in 1950) approximately 13,800 square feet in size with 12 off-street vehicle parking spaces. The project site is currently used as an office and equipment storage for an owner-occupied construction company ("Alpha Bay Builders"). The project sponsor proposes the demolition of the existing light industrial building, and construction of a 65-foot-tall (74-foot-tall including elevator penthouse), six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street parking spaces located at the basement level accessed from Cesar Chavez Street. The proposed mix of units would include one-bedroom and two-bedroom units. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

The project would include an approximately 700-square-foot mural on the west elevation of the proposed building at the fifth and sixth floors. The project would remove the two existing street trees in front of the project site and would plant five new street trees. The project would include a total of 10,600 square feet of common open space, comprised of a 2,600-square-foot rear yard at the ground floor, two inner courtyards at the ground floor totaling 1,900 square feet, and a 6,100-square-foot roof deck. In addition, the project would provide a total of 640 square feet of private open space, comprised of four 160-square-foot private patios at the ground floor.

The two existing curb cuts with widths of 17 and 15 feet would be removed and standard sidewalk and curb dimensions restored. The proposed project would create a new 10-foot-wide curb cut for access to the basement level garage. Because the width of the driveway would only accommodate one vehicle traveling in the inbound or outbound direction at a given time, the driveway and garage ramp would include specific management controls for two-way traffic. Sensors would be installed at the gated driveway ramp and at the driveway entrance/exit lane (at the intersection of Cesar Chavez Street) to detect inbound or outbound vehicles within the driveway and ramp area. Upon exiting the parking garage, vehicles traveling up the garage ramp and approaching the gate would activate an electronic sign

or signal at the driveway entrance to notify any inbound drivers, pedestrians, or bicyclists along westbound Cesar Chavez Street of exiting vehicles. A separate sensor at the parking garage driveway entrance would trigger an electronic sign or signal to notify any outbound vehicles within the parking garage of approaching inbound vehicles. In the event of inbound vehicles accessing the project driveway and garage ramp, outbound vehicles would be required to wait at the bottom of the ramp and allow the inbound vehicle to enter the garage and clear the ramp before proceeding. In addition to the electronic signal notifying outbound vehicles of approaching inbound vehicle use of the garage ramp, the proposed project would include signage directing outbound vehicles to yield to inbound vehicles within the garage ramp.

Traffic calming and safety treatments would be installed within the parking driveway area, and signage would be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any pedestrians walking along the sidewalk on Cesar Chavez Street (e.g., "Caution: Pedestrian Crossing,", "Watch for Pedestrians," "Exit Slowly," "STOP," etc.). Diagonal mirrors would be installed to ensure that drivers exiting the parking garage and pedestrians on the sidewalk along the project frontage could see each other. The project would include rumble strips or similar traffic calming devices to maintain slow speeds for vehicles within the parking garage ramp.

The project sponsor would apply to the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program for the conversion of three parking spaces (60 feet total length) along the project frontage on Cesar Chavez Street, with two spaces (40 feet) dedicated to commercial loading use, and one space (20 feet) for passenger loading use.[1] In order to manage deliveries within this proposed commercial loading zone, building management would coordinate with delivery companies to institute safe loading procedures that do not conflict with the adjacent westbound class II bicycle lane on Cesar Chavez Street, including but not limited to conditions for loading companies not to double park in the bicycle lane.

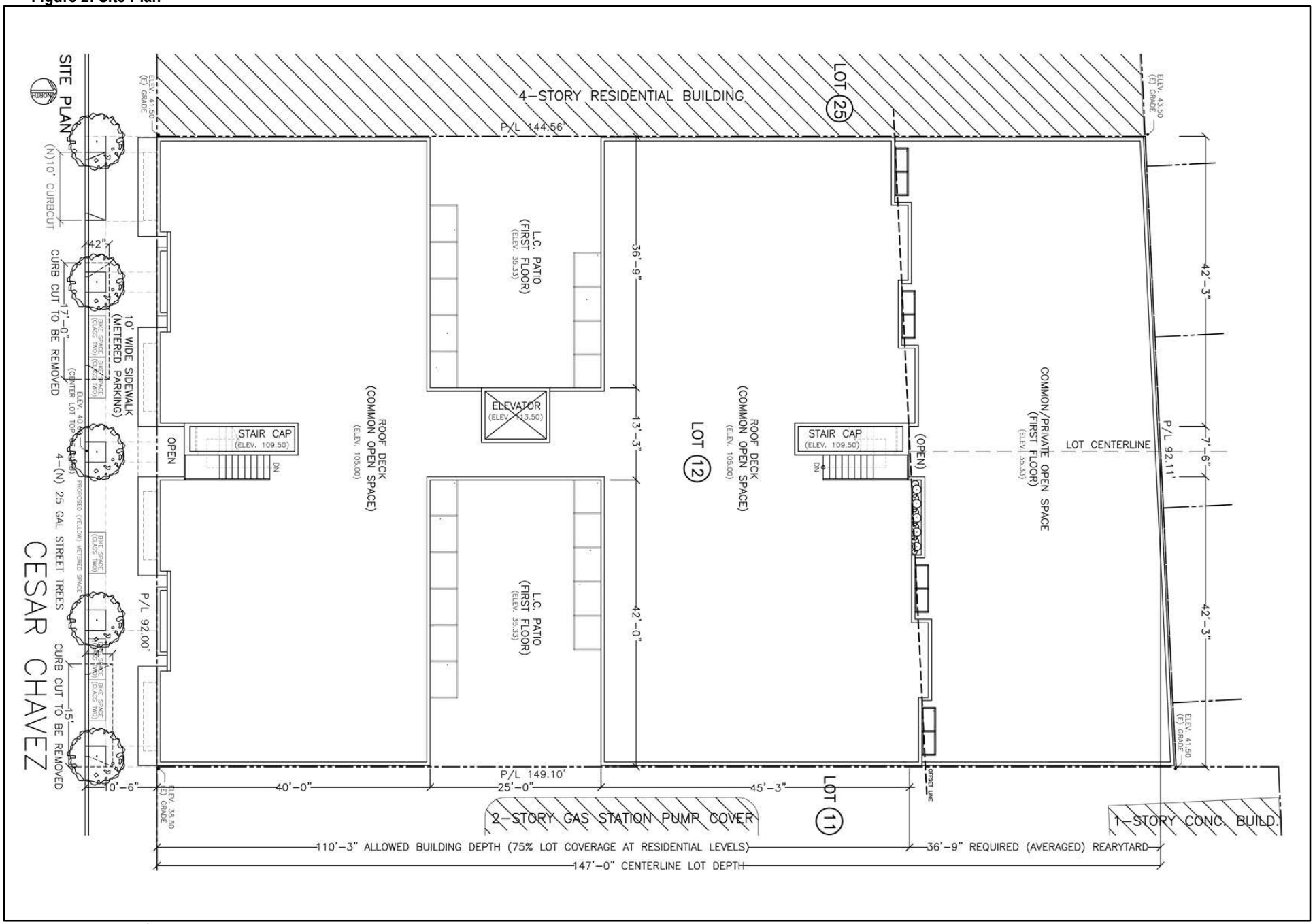
During the approximately 18-month construction period, the proposed project would require up to approximately 25 feet of excavation below ground surface for the proposed basement level and car stackers, resulting in approximately 6,000 cubic yards of soil removal. The proposed building would be supported by a mat foundation on improved soil; impact piling driving is not proposed or required.

[1] The SFMTA Color Curb Program: https://www.sfmta.com/getting-around/parking/curb-colors

FIGURE 1: PROJECT LOCATION

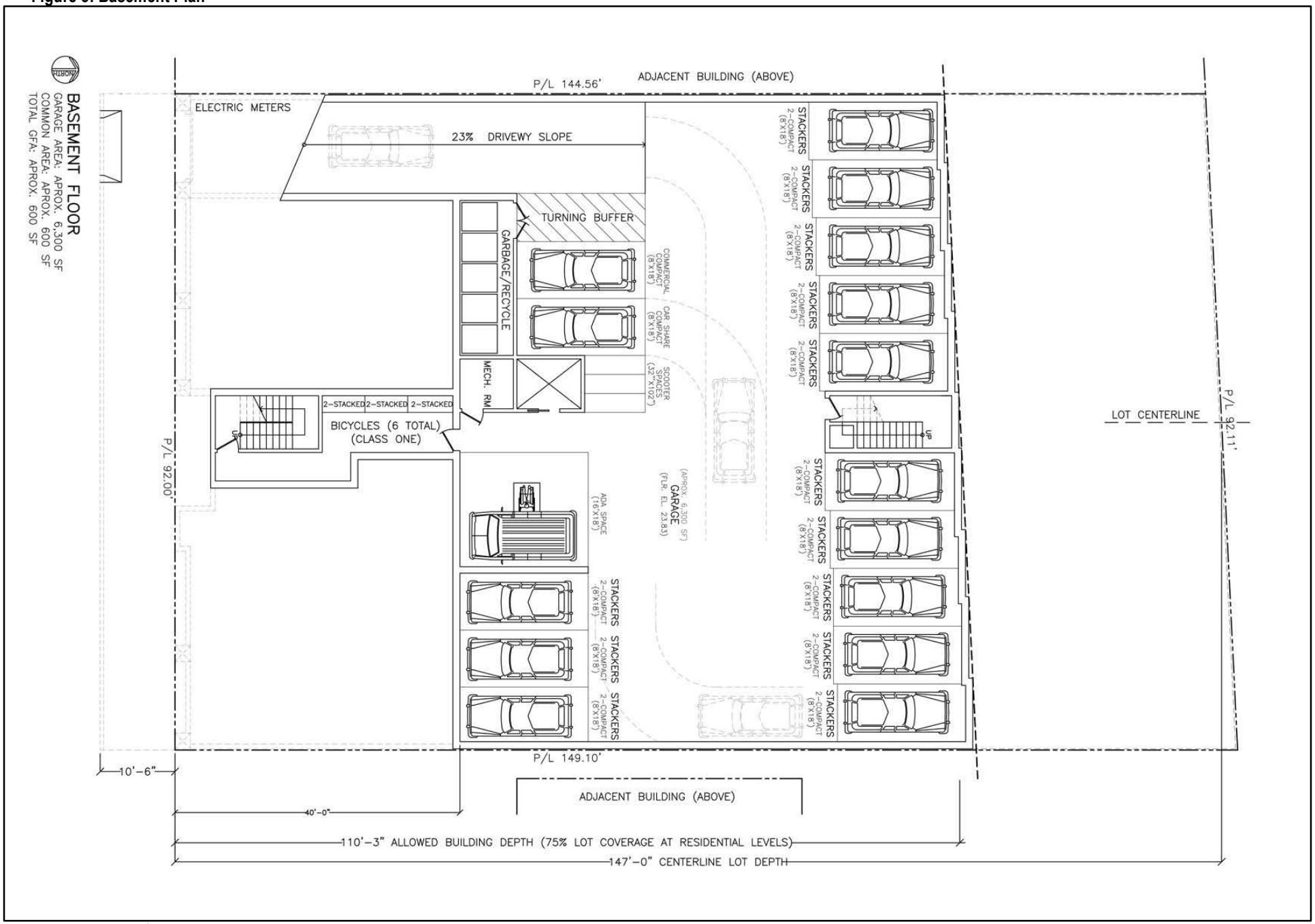
Printed: 1/18/2018

Figure 2: Site Plan



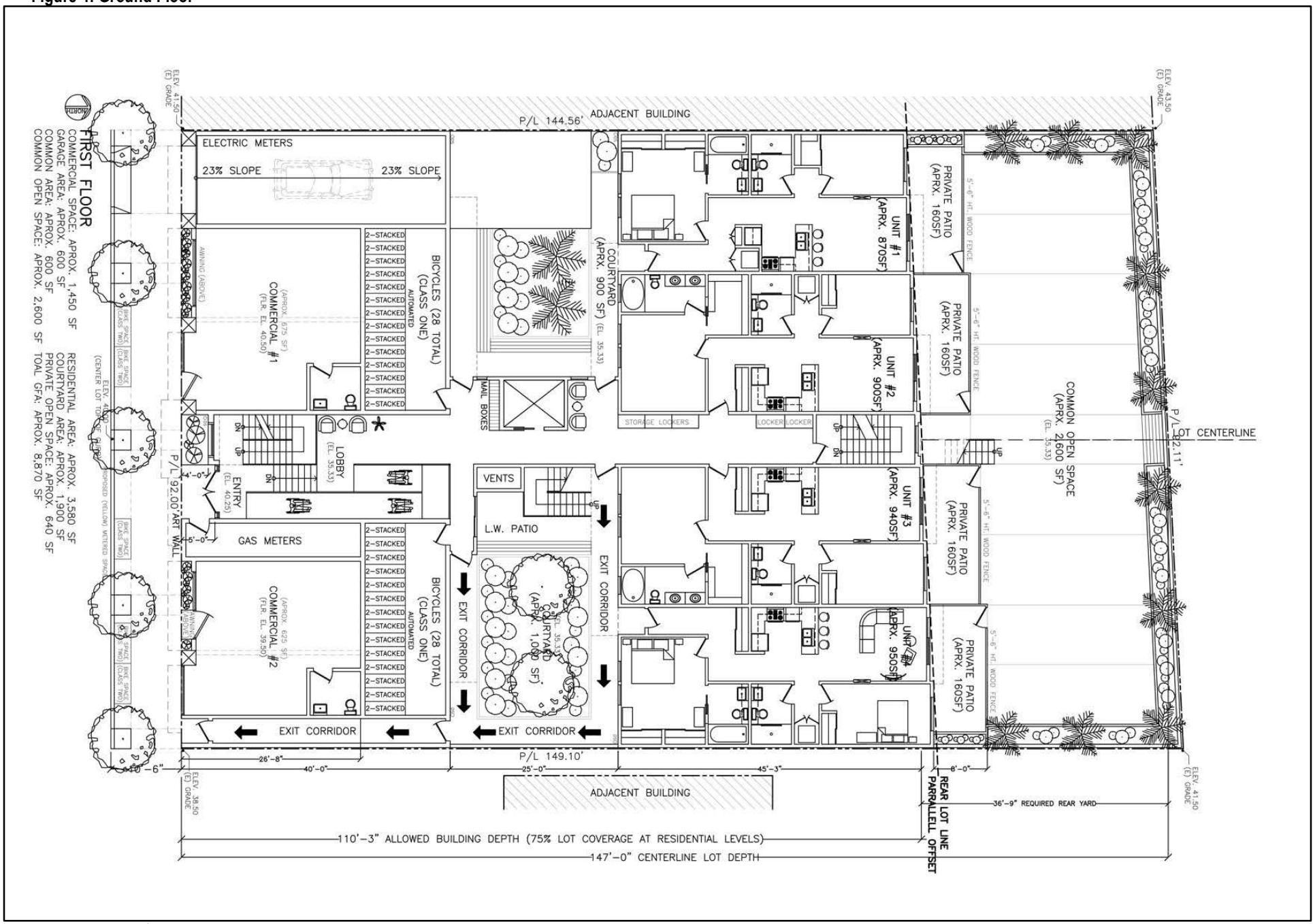
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 3: Basement Plan



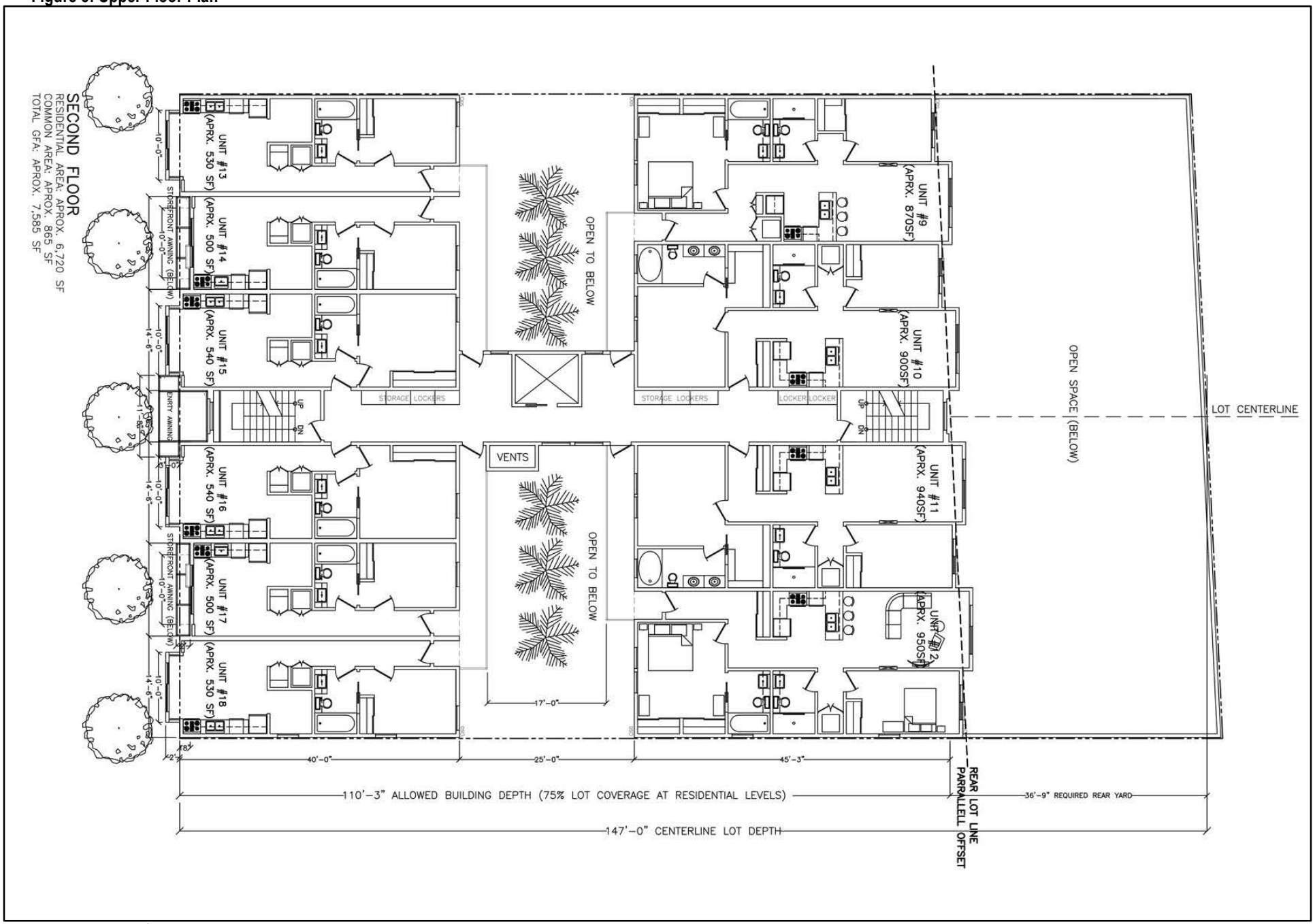
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 4: Ground Floor



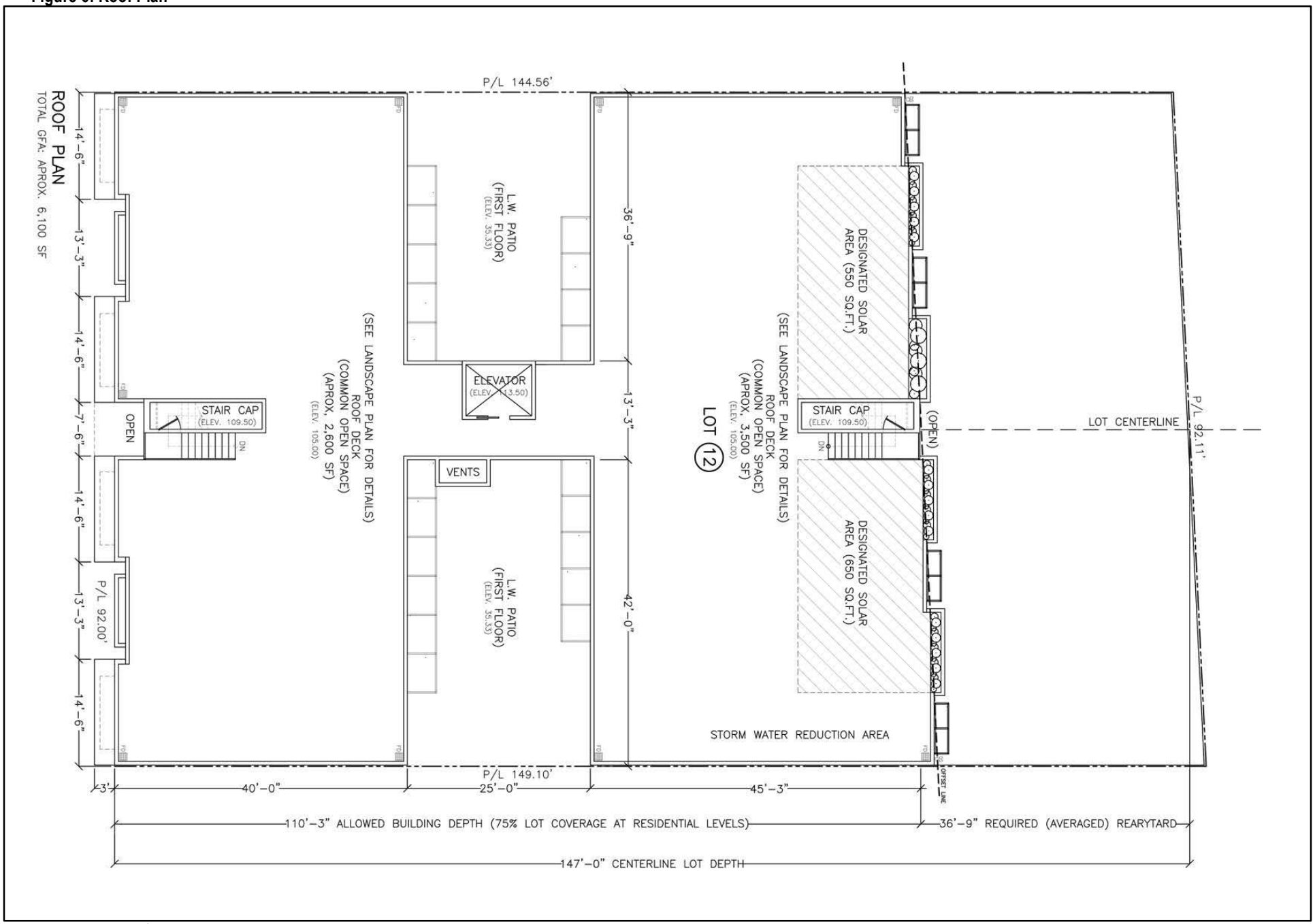
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 5: Upper Floor Plan



Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 6: Roof Plan

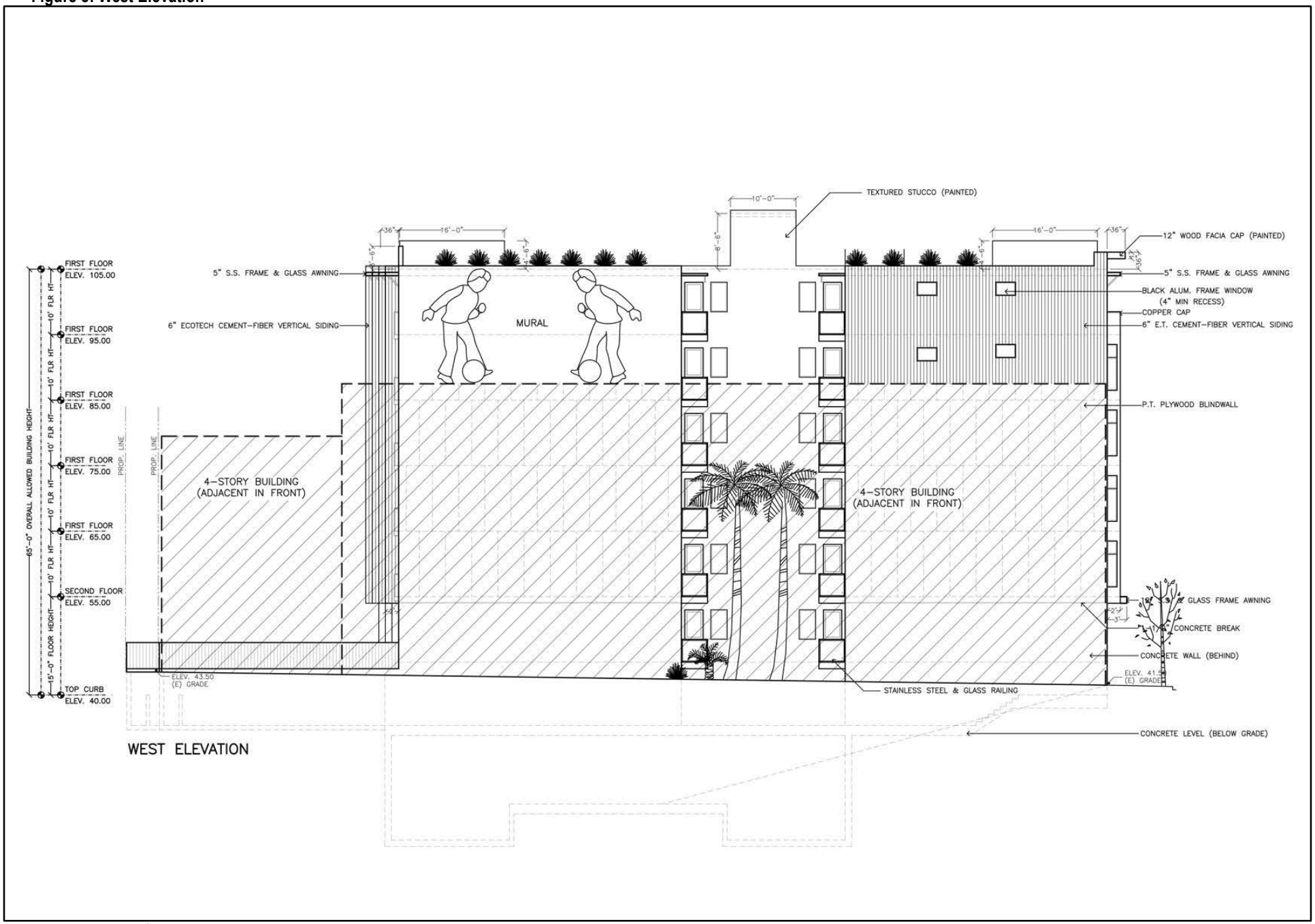


Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 7: South Elevation (Cesar Chavez Street)

Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 8: West Elevation



Comments: Not to Scale
Source: Zone Design Development, January 2018

PROJECT APPROVALS

The proposed 3314 Cesar Chavez Street project would require the following approvals:

Actions by the Planning Commission

- Approval of conditional use authorization from the Planning Commission is required per Planning Code section 121.1 for the new construction on a lot that is larger than 10,000 square feet.

Actions by other City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of building permits from the San Francisco Department of Building Inspection for demolition and new construction.
- Approval of designated color curbs for on-street commercial and passenger loading from the San Francisco Municipal Transportation Agency.

The approval of the conditional use authorization would be the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).[2] The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified

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

significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include demolition of the existing light industrial building and construction of six-story mixed-use building with 58 residential units and 1,300 square feet of ground-floor retail. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

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

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see "CEQA Section 21099" heading below).
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through January 14, 2018.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).

- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

a) The project is in a transit priority area;

b) The project is on an infill site; and

c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.[3] Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

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

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

[3] San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 3314 Cesar Chavez Street*, August 28, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014-003160ENV.

[4] This document is available online at: https://www.opr.ca.gov/s_sb743.php.

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. Development of the proposed project would result in the net loss of approximately 13,800 square feet of PDR building space. The project site was zoned NCD (Neighborhood Commercial District) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site to Mission Street NCT (Neighborhood Commercial Transit) was not included as part of the long-term PDR land supply loss that was considered a significant cumulative impact in the Eastern Neighborhoods PEIR. Moreover, the project site does not appear to be part of a larger PDR cluster and existing non-PDR uses (residential and commercial) are the predominant land use in the project vicinity. Therefore, the conversion of the existing PDR use to a mixed-use residential use would not contribute to the significant and unavoidable cumulative land use impact identified in the Eastern Neighborhoods PEIR.

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

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the Mission NCT District and is consistent with applicable zoning, height and bulk limits, land us plans, policies, and regulations.[5,6]

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

[5] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 3314 Cesar Chavez Street*, April 5, 2016.

[6] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 3314 Cesar Chavez Street*, June 29, 2016.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects on neighborhood character through

gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionally live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as "blight" or "urban decay" have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts "shall not be considered a significant effect" per CEQA Guidelines 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

Implementation of the proposed project would result in 58 new residential units with approximately 1,300 square feet of retail use which would increase the number of residents and employees within the Mission Area Plan area.[7] These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project's contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

[7] Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, four total employees are assumed for 1,300 square feet of retail space.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Historic Architectural Resources

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

The existing building on the project site was previously evaluated in the South Mission Historic Resource Survey and was assigned a California Historic Resource Status Code (CHRSC) of "6Z," which designates this property as "ineligible for the National Register of Historic Places, the California Register of Historic Places, or Local Designation through survey evaluation."[8] As such, the project site is not considered a historic resource pursuant CEQA. Additionally, the project site is not located in a historic district or immediately adjacent to a historic resource. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

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

[8] The South of Market Area Historic Resource Survey is available online at: http://www.sf-planning.org/index.aspx?page=2530, accessed January 24, 2017.

The proposed project at 3314 Cesar Chavez Street would involve excavation of approximately 25 feet below ground surface, resulting in 6,000 cubic yards of soil disturbance in an area where no previous archaeological studies have been prepared. The proposed project would be subject to Mitigation Measure J-2 (Project Mitigation Measure 1). In accordance with Mitigation Measure J-2, a preliminary archeological review (PAR) was conducted by Planning Department staff archeologists, which determined that the proposed project has the potential to adversely affect CEQA-significant archeological resources.[9] The PAR determined that the potential of the project to adversely affect archeological resources may be avoided by implementation of archeological testing. In accordance with Project Mitigation Measure 1, the project sponsor would be required to prepare an archeological testing program to more definitively identify the potential for California register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The project sponsor has agreed to implement the requirements of the Planning Department's third standard archeological mitigation measure (archeological testing), as Project Mitigation Measure 1 (full text provided in the "Mitigation Measures" section below).

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
4. TRANSPORTATION AND CIRCULATION—Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒

[9] Sally Morgan, San Francisco Planning Department, *Preliminary Archeological Review, 3314 Cesar Chavez Street, San Francisco, CA* November 9, 2017.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
e) Result in inadequate emergency access?	☐	☐	☐	☒
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?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Eastern Neighborhoods Rezoning and Area Plans.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, these impacts were found to be significant and unavoidable.

As discussed above under "SB 743", in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

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

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Initial Study Checklist topic 4c is not applicable.

This section relies substantially on a transportation memorandum that was prepared for the proposed project in accordance with the San Francisco Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*.[10]

Vehicle Miles Traveled (VMT) Analysis

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

[10] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.[11,12]

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

For residential development, the existing regional average daily VMT per capita is 17.2.[13] For retail development, regional average daily retail VMT per employee is 14.9.[14] Average daily VMT for these land

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

[12] San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

[13] Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 130.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 130	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 130
Households (Residential)	17.2	14.6	7.0	16.1	13.7	6.2
Employment (Retail)	14.9	12.6	9.5	14.6	12.4	9.6

As shown in Table 1, the proposed project's residential and retail uses would be located in a TAZ where existing VMT for residential and retail uses are more than 15 percent below regional averages.[15] The existing average daily VMT per capita is 7.0, which is 59 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 6.2, which is 61 percent below the future 2040 regional average daily VMT per capita of 16.1. The existing average daily VMT per retail employee is 9.5, which is 36 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per retail employee is 9.6, which is 34 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.

Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential and retail uses would not result in substantial additional VMT. Therefore, the proposed project would not result in a significant impact related to VMT. The project site also meets the Proximity to Transit Stations screening criterion, which also indicates that the proposed project's residential and retail uses would not cause substantial additional VMT.[16]

Induced Automobile Travel Analysis

A proposed project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. The OPR's Proposed Transportation Impact Guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant, and a detailed VMT analysis is not required.

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

[15] San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 3314 Cesar Chavez Street*, August 28, 2017.

[16] Ibid.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The two existing curb cuts with widths of 17 and 15 feet would be removed and standard sidewalk and curb dimensions restored. The proposed project would create a new 10-foot-wide curb cut for access to the basement level garage. Additionally, five Class 2 bicycle spaces would be located on the sidewalk in front of the project site. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.[17]

Travel Demand

The project sponsor proposes the demolition of the existing building and construction of a six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street vehicular parking spaces located at the basement level accessed from Cesar Chavez Street. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

Trip generation of the proposed project was calculated using a trip-based analysis and information in the *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department as detailed in the transportation memorandum.[18] The proposed project would generate an estimated 700 person trips (inbound and outbound) on a weekday daily basis, consisting of 260 person trips by auto (188 vehicle trips accounting for vehicle occupancy data for this Census Tract), 252 transit trips, 97 walk trips and 91 trips by other modes.[19] During the p.m. peak hour, the proposed project would generate an estimated 104 person trips, consisting of 33 person trips by auto (26 vehicle trips accounting for vehicle occupancy data), 41 transit trips, 13 walk trips and 15 trips by other modes.

The proposed project would generate up to 1.22 freight and service vehicle trips per day, which would result in a demand of 0.05 loading spaces during the average hour and 0.07 loading spaces during the peak hour of loading activities. Similarly, the retail use would generate up to 0.31 freight and service vehicle trips per day, which would result in a demand for 0.01 loading spaces during the average hour and 0.02 loading spaces during the peak hour of loading activities.[20] Combined, the two land uses would generate 1.54 freight and service vehicle trips per day, with a demand of 0.07 and 0.09 loading spaces in the average and peak hour of loading activities, respectively.

Traffic Hazards

On weekdays, the proposed project is expected to generate approximately 188 daily vehicle trips, including 26 trips during the p.m. peak hour. Access to the proposed parking garage would be via a 10-foot-wide (single lane) ramp and a new 10-foot-wide curb cut on Cesar Chavez Street. Of the 26 p.m. peak hour vehicle trips, 16 would be inbound trips, which would result in approximately one vehicle entering

[17] Ibid

[18] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.

[19] Trip credit was not given for the trips generated by the existing use on the project site.

[20] Given that the retail tenant has not yet been identified, this calculation was based on a composite retail loading demand rate. It should be noted the freight loading needs associated with retail uses varies by retail use type.

the garage every three to four minutes. Ten vehicle trips would be outbound trips, which would result in approximately one vehicle exiting the garage every six minutes. Based on the low volume of inbound and outbound trips during the p.m. peak hour, there would be a low likelihood of coinciding inbound and outbound trips. In the event of coinciding inbound and outbound trips, any vehicles queuing within the public right-of-way would wait along the north side of westbound Cesar Chavez Street, either within available on-street parking spaces adjacent to the project driveway, the proposed on-street loading zone (if approved), or within the northern westbound travel lane on Cesar Chavez Street. However, in the event of coinciding inbound and outbound vehicle trips, the inbound trips would be prioritized based on sensor technology at the entrance of the project garage driveway and resulting queues would be more likely to occur inside the project garage. As a result, no queuing is anticipated to occur adjacent to the proposed project's driveway along Cesar Chavez Street.

Potential conflicts between vehicles and transit, bicyclists, and pedestrians would be avoided due to the proposed project's active management controls for the one lane driveway, as well as clear site lines at the project driveway. Additionally, the proposed curb cut would only be 10 feet wide, which would reduce vehicle speeds entering and exiting the project's driveway and garage ramp, and thus, reduce potential conflicts between vehicles and transit, bicyclists, and pedestrians at the proposed project's driveway. Therefore, driveway and garage operations would result in a less-than-significant impact on traffic hazards.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).[21] The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.[22] In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension

[21] Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

[22] http://tsp.sfplanning.org

along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14R, 27, 36, 49, and 67. The nearest Muni bus stops are approximately 215 feet to the east and 550 feet to the west along Cesar Chavez Street. Additionally, the nearest Bay Area Rapid Transit (BART) regional rail station is located approximately 0.4 miles north at 24th and Mission streets. The proposed project would be expected to generate 252 daily transit trips, including 41 during the p.m. peak hour. Given the location of the project site, the 41 p.m. peak hour transit trips would likely be spread over multiple routes, with the majority of trips occurring in the non-peak direction during the p.m. peak hour and would not be anticipated to cause a substantial increase in transit demand for any particular route that could not be accommodated by existing capacity. Additionally, because there is no transit-only lane located along westbound Cesar Chavez Street adjacent to the proposed driveway, and because the number of vehicle trips generated by the project and the number of p.m. peak hour trips accessing the project driveway are both minimal, the project would not result in any impacts to transit delay.

Vehicles entering or exiting the proposed project's garage would use the driveway on Cesar Chavez Street. These vehicle trips would not conflict with the operation of Muni routes along Cesar Chavez Street, as the 16 inbound vehicle trips during the p.m. peak hour would not result in substantial queuing along Cesar Chavez Street adjacent to the proposed driveway entrance. However, even if one or two vehicles were queued in the northernmost westbound mixed-flow travel lane, westbound Cesar Chavez consists of two travel lanes, providing the option for buses to move around any potential vehicle stoppages in the northernmost travel lane. Further, the potential for conflicts between private vehicles and transit along Cesar Chavez Street would be reduced due to the clear site lines to and from the project driveway, and the slow speeds encouraged by the 10-foot width of the proposed driveway curb cut.

As a result, the proposed project would not cause a substantial increase in transit delays or operating costs such that significant adverse impacts in transit service levels could result. Given that the proposed project would not substantially affect the capacity utilization on local or regional transit lines, and would

not substantially affect the operations of the adjacent and nearby bus transit routes, the impacts of the proposed project to transit would be less than significant.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 27 and 49. The proposed project would not contribute considerably to these conditions as its minor contribution of 41 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2040 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Pedestrians

Pedestrian trips generated by the proposed project would include walking trips to and from transit stops, and nearby businesses and commercial uses. Overall, the proposed project would add up to 54 pedestrian trips to the surrounding streets (this includes 41 transit trips and 13 walk trips) during the weekday p.m. peak hour. The proposed project would maintain the existing 10-foot sidewalk width along the project frontage on Cesar Chavez Street. No overcrowding was observed along the sidewalk or at local transit stops in the study area.[23] As a result, the 54 new p.m. peak-hour pedestrian person trips generated by the proposed project would be accommodated within the existing sidewalks and would not result in any substantial overcrowding along sidewalks or at nearby transit stops. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would be incremental and would not create potential conflicts for pedestrians or otherwise substantially interfere with pedestrian accessibility to the site and adjoining areas.

The proposed project would remove two existing curb cuts on Cesar Chavez Street with widths of 17 and 15 feet, and would install a new, narrower curb cut with a width of 10 feet. The new curb cut would act as a traffic calming device, reducing the speeds of vehicles entering or exiting the driveway. As a result, the design and operations of the new driveway at this potential conflict point would not result in a hazard for pedestrians. The proposed project would not increase overcrowding on public sidewalks, interfere with local pedestrian circulation, or create hazardous conditions for pedestrians. As such, impacts to pedestrians would be less-than-significant

Bicycles

In the vicinity of the project site, there is a bicycle route that runs along Cesar Chavez Street and there are also bicycle routes on Folsom Street between 24th and Cesar Chavez streets. The bicycle route along Cesar Chavez Street was observed to have relatively low bicycle volumes during the p.m. peak hour.[24] The proposed project would also place five Class II bicycle parking spaces along the existing sidewalk on Cesar Chavez Street adjacent to the project site.

[23] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.
[24] Ibid

The proposed project would generate approximately 91 daily "other"[25] person trips of which 15 trips would occur during the p.m. peak hour. The proposed project would not introduce any design features that would reduce or impede access to these existing bicycle routes near the project site. Thus, the proposed project would maintain bicycle accessibility to the project site.

The proposed project would result in up to 26 new p.m. peak hour vehicle trips that would cross the bicycle lane on Cesar Chavez Street while accessing the project driveway. However, potential conflicts between vehicles and bicyclists would be reduced or avoided due to the proposed project's active driveway controls, clear lines of site at the project driveway, and slow vehicle speeds encouraged by the 10-foot-wide driveway and curb cut. Although the proposed project would increase the number of vehicles in the vicinity of the project site, this increase would not create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas. Therefore, the proposed project would have a less-than-significant impact on bicycle travel within the study area.

Commercial Loading

The proposed project would generate up to two daily freight and service vehicle trips, which corresponds to a demand of up to one loading space during both the average and peak loading hours. The proposed project would not provide an off-street loading space to meet this demand and no existing on-street loading spaces are located within a convenient distance of the project site.[26] Therefore, it is possible that commercial vehicle drivers would stop in the vehicular or bicycle travel lane along Cesar Chavez Street (i.e. double-parking) or in available on-street vehicular parking space to make deliveries. While stopping in the vehicular travel lane or bicycle lane may be inconvenient for private vehicles and bicyclists, this would not be a traffic hazard given the infrequency of occurrence, and the adequate sightlines to/from the project's driveway and delivery reception area (i.e. front door). Similarly, given the infrequency of this event potentially occurring, and the number of travel lanes available for transit vehicles, no delays affecting transit would occur. Therefore, commercial loading impacts would be less-than-significant.

To reduce this less-than-significant impact associated with unmet demand for freight loading space, the project sponsor has agreed to implement **Improvement Measure I-TR-1: Application to SFMTA Color Curb Program for Curbside Commercial (Yellow Curb) Loading Space.** This improvement measure would require the retail tenant (once known) to apply to the SFMTA Color Curb Program to convert existing on-street parking along the project site's Cesar Chavez Street frontage to a 40-foot commercial loading space.[27,28] The application would be reviewed by SFMTA staff, who would apply loading demand thresholds based on the type of retail use being proposed. If SFMTA determines that the commercial loading demand for the retail use warrants a yellow curb, the application would be approved, the yellow curb would be installed, and the proposed project's loading demand would be met by a convenient on-street commercial loading supply. If the SFMTA determines that the commercial loading demand does not warrant a new yellow curb the application would be denied.

[25] For a conservative analysis, all of the "other" trips generated are assumed to be bicycle trips.

[26] Under Planning Code section 152.1, residential land uses of less than 100,000 square feet and retail land uses of less than 10,000 square feet are not required to provide any off-street freight loading spaces.

[27] SFMTA Color Curb Program: https://www.sfmta.com/getting-around/parking/curb-colors

[28] This preliminary recommendation is based on personal communication between Planning Department staff and Paul Kniha, SFMTA Color Curb Program, July 2017.

Passenger Loading

Given the 58 proposed residential units associated with the project, the demand for passenger loading spaces may be up to one vehicle per hour in both the average and peak hour of loading activities.[29] If no curbside passenger loading is provided, it is possible that motorists driving private vehicles would stop in a mixed-flow travel lane along Cesar Chavez Street or in available on-street vehicle parking spaces for pick-up/drop-off activities. While stopping in the mixed-flow travel lane may be temporarily inconvenient for other people driving private vehicles, this would not create a traffic hazard given the adequate sightlines east and west on Cesar Chavez Street, the infrequency of passenger loading activities, and the duration of those events (e.g., less than one minute). Given the infrequency of passenger loading events occurring, and their limited duration, any unmet demand for passenger loading spaces would not create potentially hazardous conditions affecting bicycles, transit vehicles or pedestrians. Therefore, passenger loading impacts would be less-than-significant.

To reduce this less-than-significant impact, the project sponsor has agreed to implement **Improvement Measure I-TR-2: Application to SFMTA Color Curb Program for Curbside Passenger Loading (White Curb) Space**, which specifies that the project sponsor would apply to the SFMTA Color Curb program to create a new passenger loading space along the project site's Cesar Chavez Street frontage. If SFMTA determines that the passenger loading demand warrants a white curb, the application would be approved, the white curb would be installed, and the proposed project's passenger loading demand would be met. If the SFMTA determines that the passenger loading demand does not warrant a new white curb the application would be denied.

Construction

Construction is anticipated to occur over approximately 18 months. Detailed plans for construction activities have not yet been finalized, but throughout the construction period, there would be construction-related trucks entering and exiting the site. The impact of construction truck traffic would be a temporary reduction to the capacities of the local streets due to the size, slower acceleration, and larger turning radii of trucks, which may temporarily affect traffic and transit operations and increase potential traffic, pedestrian, and bicycle conflicts near the project site. The 5 to 10 daily construction workers would be encouraged to use public transit. Workers driving personal vehicles to the site would likely park on the street.

Construction staging and work areas would generally be confined to within the project site footprint, but periodically may require sidewalk and curbside parking lane closure along Cesar Chavez Street. In this case, pedestrians would be re-routed around the closed sidewalk using the closed parking lane as a temporary walking path, protected by barrier. Any temporary sidewalk, parking, or traffic lane closures would be coordinated with City agencies in order to minimize the impacts on traffic. In general, lane and sidewalk closures or diversions are subject to review and approval by the City's Transportation Advisory Staff Committee ("TASC"), which consists of representatives from the Fire Department, Police Department, SFMTA Traffic Engineering Division, and Public Works. In addition, the contractor is required to follow "Regulations for Working in San Francisco Streets" (the Blue Book), including required

[29] Given the project's size, off-street passenger loading is not required under the Planning Code. As such the proposed project does not include any off-street passenger loading spaces.

permits for working in or modifying the public right-of-way.[30] The project sponsor and/or contractor would be required to meet with the TASC to present their construction management plan which would determine feasible measures to reduce traffic congestion, including transit disruption and pedestrian circulation impacts during construction of individual development projects. Therefore, the proposed project's construction impacts related to transportation were determined to be less-than-significant.

Conclusion

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

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment,

[30] The *SFMTA Blue Book, 7th Edition,* is available online through SFMTA (https://www.sfmta.com/services/streets-sidewalks/construction-regulations).

cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.[31] These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed building would be supported by a stiffened mat foundation on improved soil. Since construction of the proposed building would not require impact pile driving, Mitigation Measure F-1 is not applicable. Since heavy equipment would be required during construction, Mitigation Measures F-2 is applicable. Project Mitigation Measure 2 would reduce construction noise by requiring the sponsor to develop and implement a set of noise attenuation measures under the supervision of a qualified acoustical consultant. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-2 as Project Mitigation Measure 2 (full text provided in the "Mitigation Measures" section below).

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of PW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of

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

approximately 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure F-2, which would reduce construction noise impacts to a less-than-significant level.

Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project involves the construction of a six-story, mixed-use building with 58 dwelling units and 1,300 square feet of ground-floor retail use. Since the proposed project would not be expected to generate excessive noise levels, Mitigation Measure F-5 is not applicable.

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

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses[32] as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.[33]

Construction Dust Control

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

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

[33] The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the Bay Area Air Quality Management District's (BAAQMD) quantitative thresholds for individual projects."[34] The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria[35] for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. The proposed mixed-use development involves the construction of 58 dwelling units and 1,300 square feet of retail use, which would meet the Air Quality Guidelines criteria air pollutant screening levels for operation and construction.[36,37] Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative $PM_{2.5}$ concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air

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

[35] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

[36] Bay Area Air Quality Management District, 2017 CEQA Air Quality Guidelines. Table 3-1. Criteria air pollutant screening sizes for an Apartment, Low-Rise Building is 451 dwelling units for operational and 240 dwelling units for construction. Criteria air pollutant screening sizes for a Regional Shopping Center is 99,000 square feet for operational and 277,000 square feet for construction.

Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

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

Siting New Sources

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

Conclusion

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO_2E[38] per service population,[39] respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG

[38] CO_2E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

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

emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*[40] presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,[41] exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,[42] Executive Order S-3-05[43], and Assembly Bill 32 (also known as the Global Warming Solutions Act).[44,45] In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,[46] B-30-15,[47,48] and Senate Bill (SB) 32.[49,50] Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the project site by introducing residential uses (58 dwelling units) and including 1,300 square feet of commercial space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use,

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40 San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

41 ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

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

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

44 California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

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

46 Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million $MTCO_2E$); by 2020, reduce emissions to 1990 levels (approximately 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

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

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

49 Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

50 Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

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

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

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

The proposed project would be required to comply with the applicable energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation Ordinance, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.[51]

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy[52] and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).[53] Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.[54]

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

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[51] Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

[52] Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

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

[54] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 3314 Cesar Chavez Street, March 8, 2017.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒

Wind

Based upon experience of the planning department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to generate significant wind impacts. Although the proposed 65-foot-tall (74-foot-tall including the elevator penthouse) six-story building would be two to three stories (approximately 20 to 30 feet) taller than the three- to four-story buildings located in the project vicinity, the proposed project would not alter wind in a manner that substantially affects public areas because the building would not exceed 80 feet in height. Therefore, the proposed building would not cause or contribute to a ground-level exceedance of the wind hazard criterion of the Planning Code in the project vicinity. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR

Shadow

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

The proposed project would construct a 65-foot-tall building (74-foot-tall with elevator penthouse); therefore, the planning department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.[55] The preliminary shadow fan showed that the proposed building would not cast new shadow on any parks in the area, and therefore, would not generate any shadow impacts.

[55] San Francisco Planning Department, *Shadow Fan Analysis, 3314 Cesar Chavez Street*, August 28, 2017.

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

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information

and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and the In Chan Kaajal Park (formerly 17th and Folsom Street Park), have opened in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

As the proposed project would not degrade recreational facilities and is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

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

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

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

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

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, the project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development

envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than

comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation that included two test borings was prepared for the proposed project.[56] The borings encountered very hard yellow brown sandy clay underlain by stiff gray brown sandy clay to a maximum depth explored of 17 feet below grade. Groundwater was encountered during site investigation at nine feet below grade. The project site is not located in an area of liquefaction. The geotechnical investigation concluded that the proposed structure could be supported upon a stiffed mat foundation founded on the underlying re-compacted material.

The Seismic Hazards Mapping Act (seismic hazard act, located in Public Resources Code 2690 *et seq*), enacted in 1990, protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. The California Geological Survey designates the project site as within an area that may be prone to earthquake-induced ground failure during a major earthquake due to liquefaction hazard. Because of this, site design and construction must comply with the seismic hazard act, its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. In addition to the seismic hazard act, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the *California Building Code* (state building code, California Code of Regulations, Title 24). The *San Francisco Building Code* has adopted the state building code with certain local amendments. The regulations implementing the seismic hazard act include criteria for approval of projects within seismic hazard zones that require a project be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation measures[57] have been proposed and incorporated into the project, as applicable.

The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, Section 1804.1, Excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and

[56] P. Whitehead and Associates Consulting Engineers, *Geotechnical Report, 3314 Cesar Chavez Street, San Francisco, California,* March 23, 2015.

[57] In the context of the seismic hazard act, "mitigation" refers to measures that reduce earthquake hazards, rather than the Mitigation Measures that were identified in the programmatic EIR, which are required by the California Environmental Quality Act (CEQA) to reduce or avoid environmental impacts of a proposed project.

excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1809 (shallow foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐

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

The amount of impervious surface coverage on the project site would not increase with implementation of the proposed project as the project site is currently covered with the existing building and the adjacent asphalt parking area. The proposed project would not change this coverage and would not substantially increase runoff from the site. In accordance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to Low Impact Design approaches, such as landscape solutions designed to capture stormwater runoff, and stormwater management systems would be required to comply with the Stormwater Design Guidelines. As a result, the proposed project would not result in a significant impact on water quality from increased stormwater runoff.

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Under Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1, identified as Project Mitigation Measure 3,

would apply to the proposed project. Project Mitigation Measure 3 would require the project sponsor to ensure that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of demolition.

Soil and Groundwater Contamination

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

The project site is located in a Maher area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.[58] The proposed project would require excavation to a depth of approximately 25 feet below ground surface and the removal of 6,000 cubic yards of soil. Therefore, the project sponsor is required to retain the services of a qualified professional to prepare a phase I ESA that meets the requirements of Health Code section 22.A.6.

The phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor submitted a Maher application and a phase I ESA to DPH.[59,60] Based on the phase I ESA, the project site was used as a leather warehouse in 1886 and by 1900 it was used as a brewery. From 1950 to 2005, the property was a telephone facility primarily used as a garage. In 2005, the project site was used for office space and equipment storage for a construction company, which is the current use. The phase I ESA concluded that the project site may have been impacted by hydrocarbons from a former leaking underground storage tank (LUST). The LUST was located at the gasoline station that is located immediately east of the project site at 3300 Cesar Chavez Street. While the LUST received a case closure from DPH, it is possible that the soil and groundwater beneath the project site, particularly near the common boundary, has been impacted. The phase I ESA recommends the collection of soil and groundwater samples to assess the potential presence of petroleum

[58] San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf. Accessed August 29, 2017.

[59] PIERS Environmental Services, Inc., *Phase I Environmental Site Assessment, 3314 Cesar Chavez Street, San Francisco, CA*, September 2014.

[60] Czarina Tabora, SFDPH, email to Don Lewis, 3314 Cesar Chavez Street, August 28, 2017.

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

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

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

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

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

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

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

As the proposed project is located in the Eastern Neighborhoods Rezoning and Area Plans area, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Testing (Eastern Neighborhoods Mitigation Measure J-2)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified

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

Consultation with Descendant Communities: On discovery of an archeological site[61] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative[62] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/construction activities and equipment until the deposit is evaluated. 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, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinternment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

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

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

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)

The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 3 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)

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

IMPROVEMENT MEASURES

Project Improvement Measure I-TR-1 – Application to SFMTA Color Curb Program for Commercial Curbside Loading Spaces

To reduce the potential for unmet commercial loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to require the retail tenant (once known) to apply to the SFMTA Color Curb Program to potentially convert two existing on-street parking spaces along the project site's frontage on Cesar Chavez Street to a 40-foot-long commercial loading space.[63]

Project Improvement Measure I-TR-2 – Application to SFMTA Color Curb Program for Curbside Passenger Loading (White Curb) Space

To reduce the potential for unmet passenger loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to apply to the SFMTA Color Curb Program to potentially convert one existing on-street parking space along the project site's frontage on Cesar Chavez Street to a 20-foot-long passenger loading space.

[63] This recommendation is based on personal communication between Planning Department staff and Paul Kniha, SFMTA Color Curb Program, July 2017.

SAN FRANCISCO
PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

1650 Mission St.
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Information:
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Case No.:	**2014-003160ENV**
Project Address:	**3314 Cesar Chavez Street**
Zoning:	Mission Street Neighborhood Commercial Transit District 65-X Height and Bulk District Calle 24 Special Use District
Block/Lot:	6571/012
Lot Size:	13,529 square feet
Plan Area:	Eastern Neighborhoods Area Plan (Mission)
Project Sponsor:	Drake Gardner, Zone Design Development, (415) 377-6694
Staff Contact:	Don Lewis, (415) 575-9168, don.lewis@sfgov.org

PROJECT DESCRIPTION

The project site is located on the north side of Cesar Chavez between South Van Ness Avenue and Capp Street in the Mission neighborhood. The project site is occupied by a 17-foot-tall, one-story light industrial building (constructed in 1950) approximately 13,800 square feet in size with 12 off-street vehicle parking spaces. The project site is currently used as an office and equipment storage for an owner-occupied construction company ("Alpha Bay Builders"). The project sponsor proposes the demolition of the existing light industrial building, and construction of a 65-foot-tall (74-foot-tall including elevator penthouse), six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street parking spaces located at the basement level accessed from Cesar Chavez Street. The proposed mix of units would include one-bedroom and two-bedroom units. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

The project would include an approximately 700-square-foot mural on the west elevation of the proposed building at the fifth and sixth floors. The project would remove the two existing street trees in front of the project site and would plant five new street trees. The project would include a total of 10,600 square feet of common open space, comprised of a 2,600-square-foot rear yard at the ground floor, two inner courtyards at the ground floor totaling 1,900 square feet, and a 6,100-square-foot roof deck. In addition, the project would provide a total of 640 square feet of private open space, comprised of four 160-square-foot private patios at the ground floor.

The two existing curb cuts with widths of 17 and 15 feet would be removed and standard sidewalk and curb dimensions restored. The proposed project would create a new 10-foot-wide curb cut for access to the basement level garage. Because the width of the driveway would only accommodate one vehicle traveling in the inbound or outbound direction at a given time, the driveway and garage ramp would include specific management controls for two-way traffic. Sensors would be installed at the gated driveway ramp and at the driveway entrance/exit lane (at the intersection of Cesar Chavez Street) to detect inbound or outbound vehicles within the driveway and ramp area. Upon exiting the parking garage, vehicles traveling up the garage ramp and approaching the gate would activate an electronic sign

or signal at the driveway entrance to notify any inbound drivers, pedestrians, or bicyclists along westbound Cesar Chavez Street of exiting vehicles. A separate sensor at the parking garage driveway entrance would trigger an electronic sign or signal to notify any outbound vehicles within the parking garage of approaching inbound vehicles. In the event of inbound vehicles accessing the project driveway and garage ramp, outbound vehicles would be required to wait at the bottom of the ramp and allow the inbound vehicle to enter the garage and clear the ramp before proceeding. In addition to the electronic signal notifying outbound vehicles of approaching inbound vehicle use of the garage ramp, the proposed project would include signage directing outbound vehicles to yield to inbound vehicles within the garage ramp.

Traffic calming and safety treatments would be installed within the parking driveway area, and signage would be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any pedestrians walking along the sidewalk on Cesar Chavez Street (e.g., "Caution: Pedestrian Crossing,", "Watch for Pedestrians," "Exit Slowly," "STOP," etc.). Diagonal mirrors would be installed to ensure that drivers exiting the parking garage and pedestrians on the sidewalk along the project frontage could see each other. The project would include rumble strips or similar traffic calming devices to maintain slow speeds for vehicles within the parking garage ramp.

The project sponsor would apply to the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program for the conversion of three parking spaces (60 feet total length) along the project frontage on Cesar Chavez Street, with two spaces (40 feet) dedicated to commercial loading use, and one space (20 feet) for passenger loading use.[1] In order to manage deliveries within this proposed commercial loading zone, building management would coordinate with delivery companies to institute safe loading procedures that do not conflict with the adjacent westbound class II bicycle lane on Cesar Chavez Street, including but not limited to conditions for loading companies not to double park in the bicycle lane.

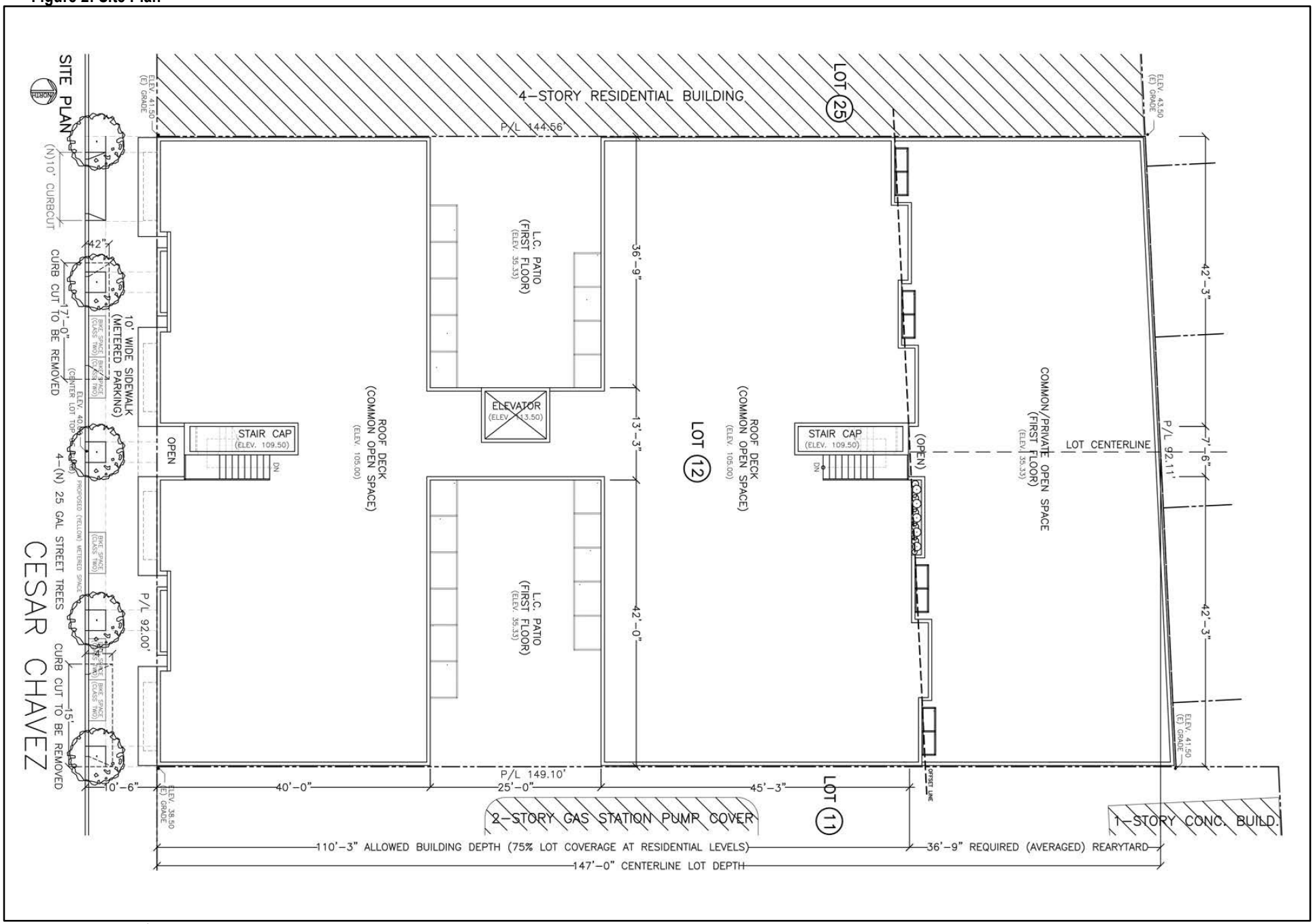
During the approximately 18-month construction period, the proposed project would require up to approximately 25 feet of excavation below ground surface for the proposed basement level and car stackers, resulting in approximately 6,000 cubic yards of soil removal. The proposed building would be supported by a mat foundation on improved soil; impact piling driving is not proposed or required.

[1] The SFMTA Color Curb Program: https://www.sfmta.com/getting-around/parking/curb-colors

FIGURE 1: PROJECT LOCATION

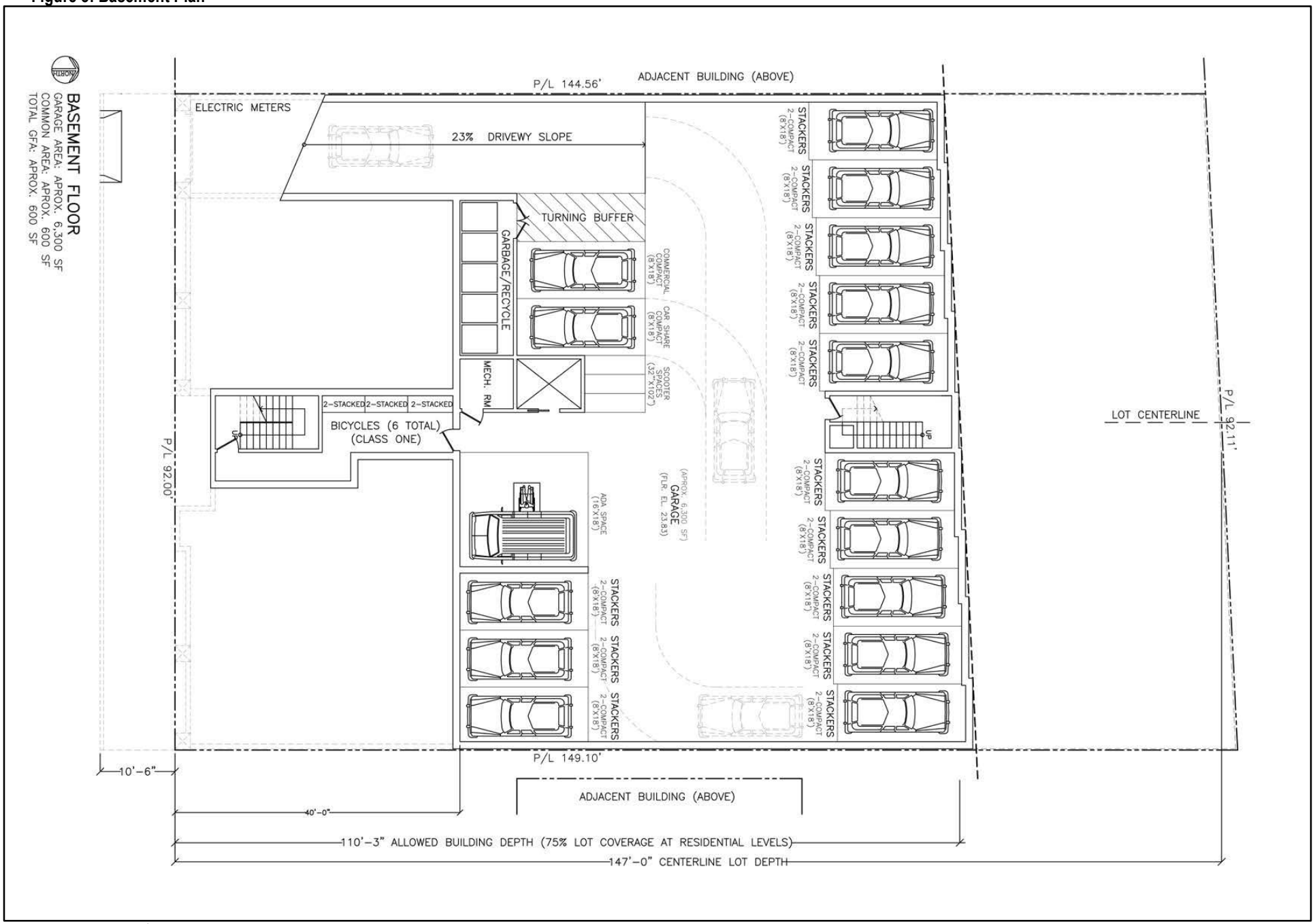
Printed: 1/18/2018

Figure 2: Site Plan



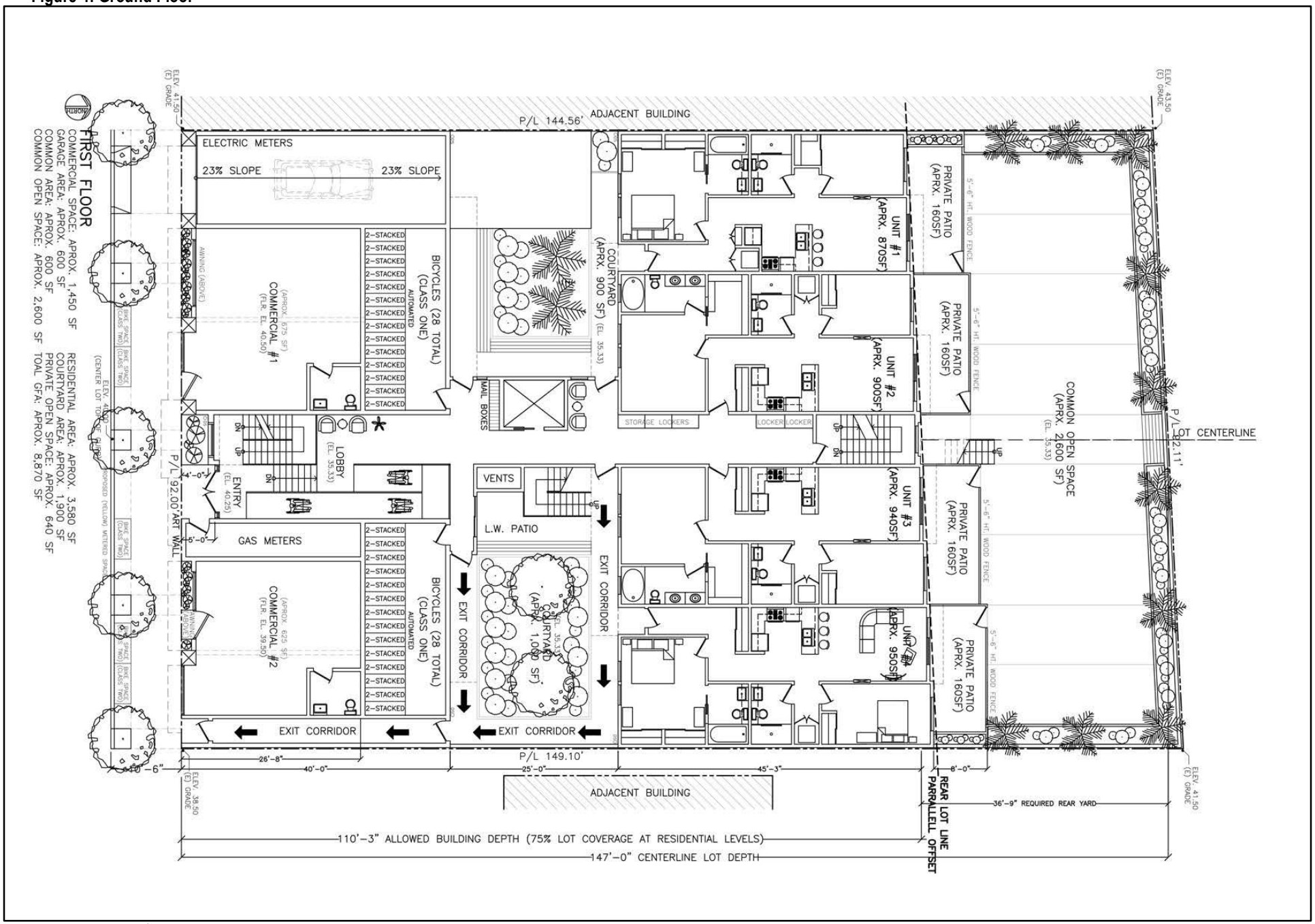
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 3: Basement Plan



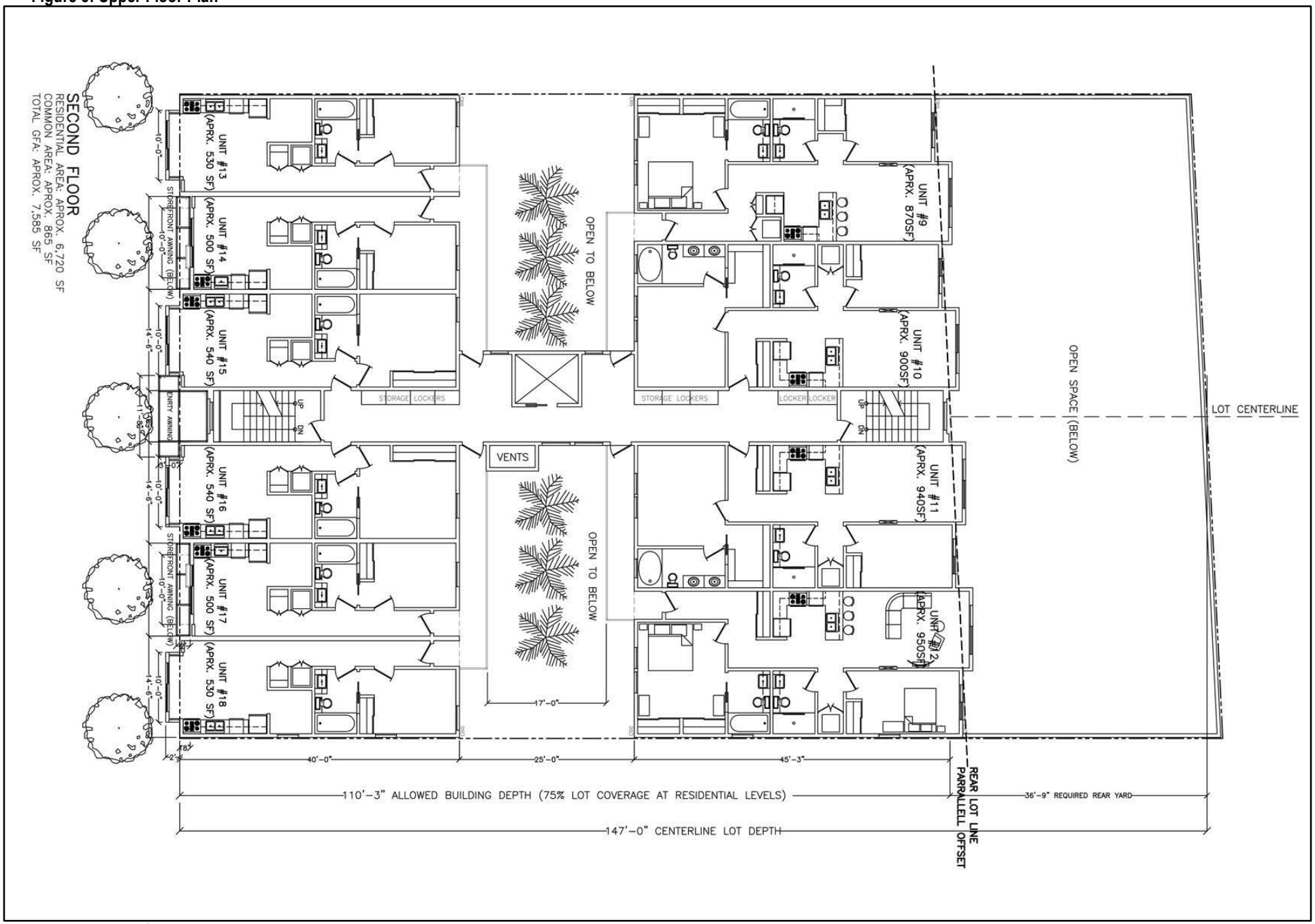
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 4: Ground Floor



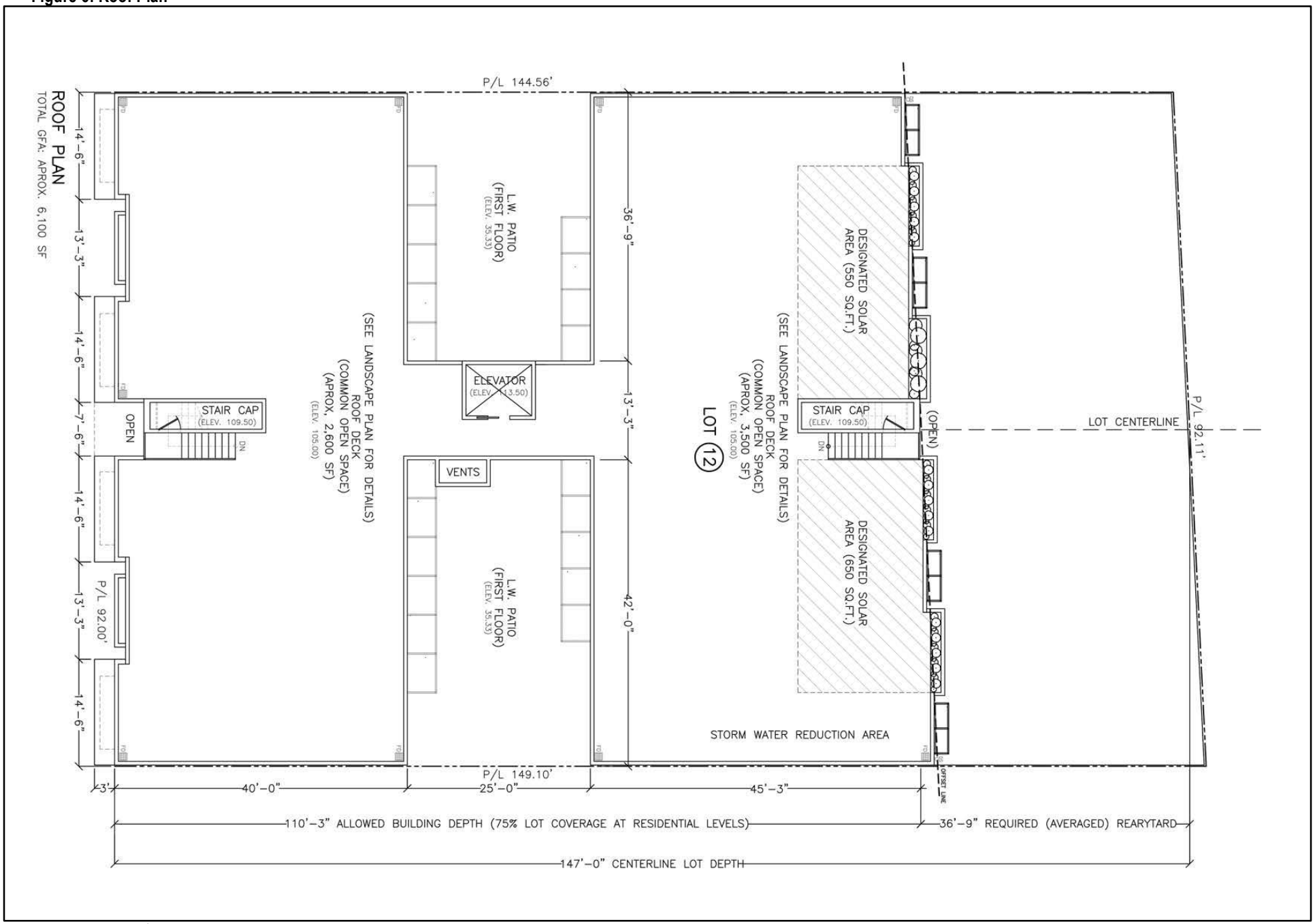
Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 5: Upper Floor Plan



Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 6: Roof Plan

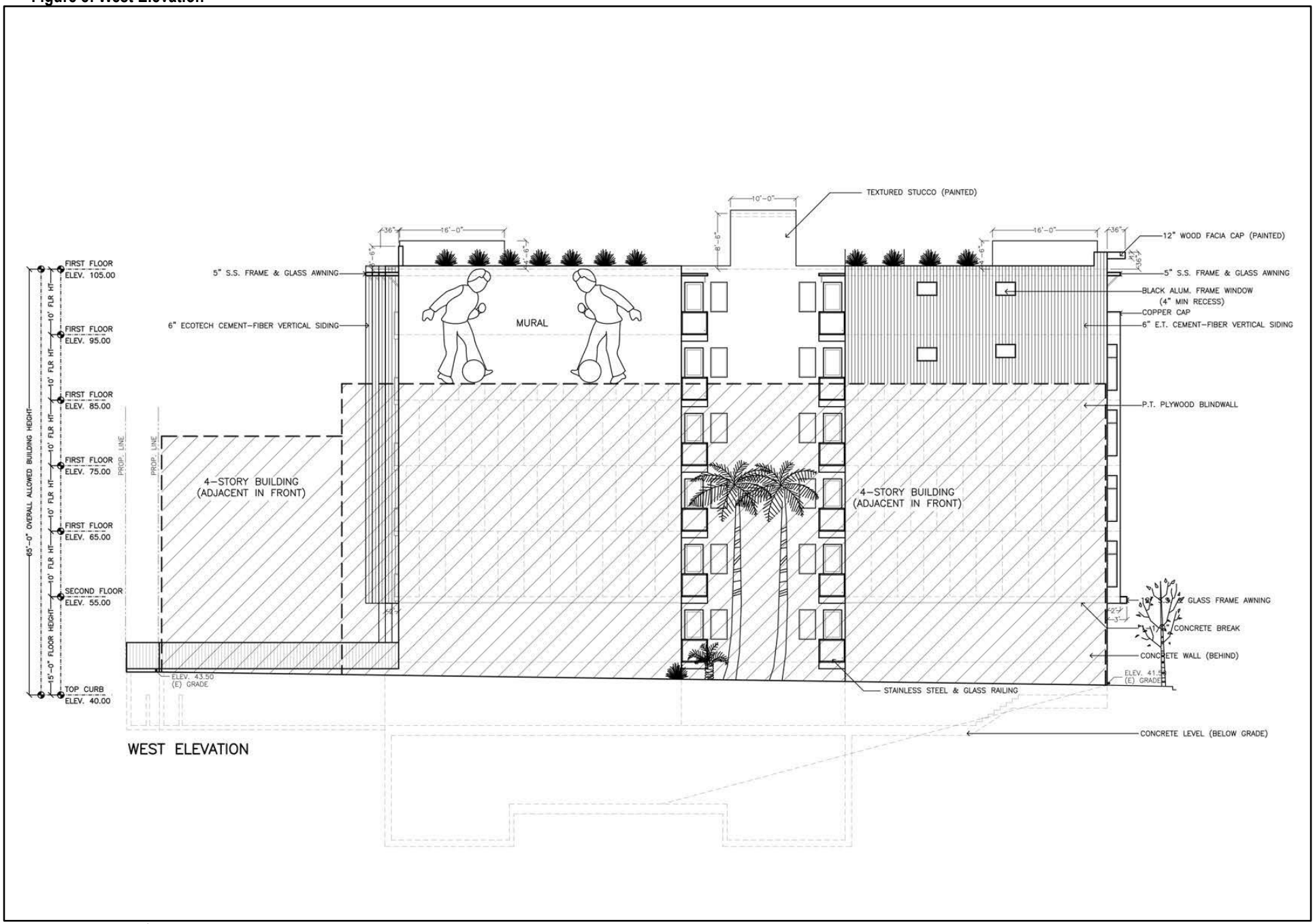


Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 7: South Elevation (Cesar Chavez Street)

Comments: Not to Scale
Source: Zone Design Development, January 2018

Figure 8: West Elevation



Comments: Not to Scale
Source: Zone Design Development, January 2018

PROJECT APPROVALS

The proposed 3314 Cesar Chavez Street project would require the following approvals:

Actions by the Planning Commission

- Approval of conditional use authorization from the Planning Commission is required per Planning Code section 121.1 for the new construction on a lot that is larger than 10,000 square feet.

Actions by other City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of building permits from the San Francisco Department of Building Inspection for demolition and new construction.
- Approval of designated color curbs for on-street commercial and passenger loading from the San Francisco Municipal Transportation Agency.

The approval of the conditional use authorization would be the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).[2] The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified

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

significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include demolition of the existing light industrial building and construction of six-story mixed-use building with 58 residential units and 1,300 square feet of ground-floor retail. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

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

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see "CEQA Section 21099" heading below).
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through January 14, 2018.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).

- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

a) The project is in a transit priority area;

b) The project is on an infill site; and

c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.[3] Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

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

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

[3] San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 3314 Cesar Chavez Street*, August 28, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014-003160ENV.

[4] This document is available online at: https://www.opr.ca.gov/s_sb743.php.

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. Development of the proposed project would result in the net loss of approximately 13,800 square feet of PDR building space. The project site was zoned NCD (Neighborhood Commercial District) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site to Mission Street NCT (Neighborhood Commercial Transit) was not included as part of the long-term PDR land supply loss that was considered a significant cumulative impact in the Eastern Neighborhoods PEIR. Moreover, the project site does not appear to be part of a larger PDR cluster and existing non-PDR uses (residential and commercial) are the predominant land use in the project vicinity. Therefore, the conversion of the existing PDR use to a mixed-use residential use would not contribute to the significant and unavoidable cumulative land use impact identified in the Eastern Neighborhoods PEIR.

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

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the Mission NCT District and is consistent with applicable zoning, height and bulk limits, land us plans, policies, and regulations.[5,6]

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

[5] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 3314 Cesar Chavez Street*, April 5, 2016.

[6] San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 3314 Cesar Chavez Street*, June 29, 2016.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects on neighborhood character through

gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionally live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as "blight" or "urban decay" have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts "shall not be considered a significant effect" per CEQA Guidelines 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

Implementation of the proposed project would result in 58 new residential units with approximately 1,300 square feet of retail use which would increase the number of residents and employees within the Mission Area Plan area.[7] These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project's contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

[7] Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, four total employees are assumed for 1,300 square feet of retail space.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Historic Architectural Resources

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

The existing building on the project site was previously evaluated in the South Mission Historic Resource Survey and was assigned a California Historic Resource Status Code (CHRSC) of "6Z," which designates this property as "ineligible for the National Register of Historic Places, the California Register of Historic Places, or Local Designation through survey evaluation."[8] As such, the project site is not considered a historic resource pursuant CEQA. Additionally, the project site is not located in a historic district or immediately adjacent to a historic resource. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

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

[8] The South of Market Area Historic Resource Survey is available online at: http://www.sf-planning.org/index.aspx?page=2530, accessed January 24, 2017.

The proposed project at 3314 Cesar Chavez Street would involve excavation of approximately 25 feet below ground surface, resulting in 6,000 cubic yards of soil disturbance in an area where no previous archaeological studies have been prepared. The proposed project would be subject to Mitigation Measure J-2 (Project Mitigation Measure 1). In accordance with Mitigation Measure J-2, a preliminary archeological review (PAR) was conducted by Planning Department staff archeologists, which determined that the proposed project has the potential to adversely affect CEQA-significant archeological resources.[9] The PAR determined that the potential of the project to adversely affect archeological resources may be avoided by implementation of archeological testing. In accordance with Project Mitigation Measure 1, the project sponsor would be required to prepare an archeological testing program to more definitively identify the potential for California register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The project sponsor has agreed to implement the requirements of the Planning Department's third standard archeological mitigation measure (archeological testing), as Project Mitigation Measure 1 (full text provided in the "Mitigation Measures" section below).

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
4. TRANSPORTATION AND CIRCULATION—Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒

[9] Sally Morgan, San Francisco Planning Department, *Preliminary Archeological Review, 3314 Cesar Chavez Street, San Francisco, CA* November 9, 2017.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
e) Result in inadequate emergency access?	☐	☐	☐	☒
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?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Eastern Neighborhoods Rezoning and Area Plans.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, these impacts were found to be significant and unavoidable.

As discussed above under "SB 743", in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

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

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Initial Study Checklist topic 4c is not applicable.

This section relies substantially on a transportation memorandum that was prepared for the proposed project in accordance with the San Francisco Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*.[10]

Vehicle Miles Traveled (VMT) Analysis

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

[10] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.[11,12]

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

For residential development, the existing regional average daily VMT per capita is 17.2.[13] For retail development, regional average daily retail VMT per employee is 14.9.[14] Average daily VMT for these land

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

[12] San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

[13] Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 130.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 130	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 130
Households (Residential)	17.2	14.6	7.0	16.1	13.7	6.2
Employment (Retail)	14.9	12.6	9.5	14.6	12.4	9.6

As shown in Table 1, the proposed project's residential and retail uses would be located in a TAZ where existing VMT for residential and retail uses are more than 15 percent below regional averages.[15] The existing average daily VMT per capita is 7.0, which is 59 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 6.2, which is 61 percent below the future 2040 regional average daily VMT per capita of 16.1. The existing average daily VMT per retail employee is 9.5, which is 36 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per retail employee is 9.6, which is 34 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.

Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential and retail uses would not result in substantial additional VMT. Therefore, the proposed project would not result in a significant impact related to VMT. The project site also meets the Proximity to Transit Stations screening criterion, which also indicates that the proposed project's residential and retail uses would not cause substantial additional VMT.[16]

Induced Automobile Travel Analysis

A proposed project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. The OPR's Proposed Transportation Impact Guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant, and a detailed VMT analysis is not required.

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

[15] San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 3314 Cesar Chavez Street*, August 28, 2017.

[16] Ibid.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The two existing curb cuts with widths of 17 and 15 feet would be removed and standard sidewalk and curb dimensions restored. The proposed project would create a new 10-foot-wide curb cut for access to the basement level garage. Additionally, five Class 2 bicycle spaces would be located on the sidewalk in front of the project site. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.[17]

Travel Demand

The project sponsor proposes the demolition of the existing building and construction of a six-story, mixed-use building approximately 57,715 square feet in size. The proposed building would include 58 dwelling units, 1,300 square feet of ground-floor commercial use, and 28 off-street vehicular parking spaces located at the basement level accessed from Cesar Chavez Street. The project would include a total 62 Class I bicycle spaces (56 at the ground floor and six at the basement level) and five Class II bicycle spaces would be located on the sidewalk in front of the project site.

Trip generation of the proposed project was calculated using a trip-based analysis and information in the *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department as detailed in the transportation memorandum.[18] The proposed project would generate an estimated 700 person trips (inbound and outbound) on a weekday daily basis, consisting of 260 person trips by auto (188 vehicle trips accounting for vehicle occupancy data for this Census Tract), 252 transit trips, 97 walk trips and 91 trips by other modes.[19] During the p.m. peak hour, the proposed project would generate an estimated 104 person trips, consisting of 33 person trips by auto (26 vehicle trips accounting for vehicle occupancy data), 41 transit trips, 13 walk trips and 15 trips by other modes.

The proposed project would generate up to 1.22 freight and service vehicle trips per day, which would result in a demand of 0.05 loading spaces during the average hour and 0.07 loading spaces during the peak hour of loading activities. Similarly, the retail use would generate up to 0.31 freight and service vehicle trips per day, which would result in a demand for 0.01 loading spaces during the average hour and 0.02 loading spaces during the peak hour of loading activities.[20] Combined, the two land uses would generate 1.54 freight and service vehicle trips per day, with a demand of 0.07 and 0.09 loading spaces in the average and peak hour of loading activities, respectively.

Traffic Hazards

On weekdays, the proposed project is expected to generate approximately 188 daily vehicle trips, including 26 trips during the p.m. peak hour. Access to the proposed parking garage would be via a 10-foot-wide (single lane) ramp and a new 10-foot-wide curb cut on Cesar Chavez Street. Of the 26 p.m. peak hour vehicle trips, 16 would be inbound trips, which would result in approximately one vehicle entering

[17] Ibid

[18] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.

[19] Trip credit was not given for the trips generated by the existing use on the project site.

[20] Given that the retail tenant has not yet been identified, this calculation was based on a composite retail loading demand rate. It should be noted the freight loading needs associated with retail uses varies by retail use type.

the garage every three to four minutes. Ten vehicle trips would be outbound trips, which would result in approximately one vehicle exiting the garage every six minutes. Based on the low volume of inbound and outbound trips during the p.m. peak hour, there would be a low likelihood of coinciding inbound and outbound trips. In the event of coinciding inbound and outbound trips, any vehicles queuing within the public right-of-way would wait along the north side of westbound Cesar Chavez Street, either within available on-street parking spaces adjacent to the project driveway, the proposed on-street loading zone (if approved), or within the northern westbound travel lane on Cesar Chavez Street. However, in the event of coinciding inbound and outbound vehicle trips, the inbound trips would be prioritized based on sensor technology at the entrance of the project garage driveway and resulting queues would be more likely to occur inside the project garage. As a result, no queuing is anticipated to occur adjacent to the proposed project's driveway along Cesar Chavez Street.

Potential conflicts between vehicles and transit, bicyclists, and pedestrians would be avoided due to the proposed project's active management controls for the one lane driveway, as well as clear site lines at the project driveway. Additionally, the proposed curb cut would only be 10 feet wide, which would reduce vehicle speeds entering and exiting the project's driveway and garage ramp, and thus, reduce potential conflicts between vehicles and transit, bicyclists, and pedestrians at the proposed project's driveway. Therefore, driveway and garage operations would result in a less-than-significant impact on traffic hazards.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).[21] The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.[22] In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension

[21] Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

[22] http://tsp.sfplanning.org

along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14R, 27, 36, 49, and 67. The nearest Muni bus stops are approximately 215 feet to the east and 550 feet to the west along Cesar Chavez Street. Additionally, the nearest Bay Area Rapid Transit (BART) regional rail station is located approximately 0.4 miles north at 24th and Mission streets. The proposed project would be expected to generate 252 daily transit trips, including 41 during the p.m. peak hour. Given the location of the project site, the 41 p.m. peak hour transit trips would likely be spread over multiple routes, with the majority of trips occurring in the non-peak direction during the p.m. peak hour and would not be anticipated to cause a substantial increase in transit demand for any particular route that could not be accommodated by existing capacity. Additionally, because there is no transit-only lane located along westbound Cesar Chavez Street adjacent to the proposed driveway, and because the number of vehicle trips generated by the project and the number of p.m. peak hour trips accessing the project driveway are both minimal, the project would not result in any impacts to transit delay.

Vehicles entering or exiting the proposed project's garage would use the driveway on Cesar Chavez Street. These vehicle trips would not conflict with the operation of Muni routes along Cesar Chavez Street, as the 16 inbound vehicle trips during the p.m. peak hour would not result in substantial queuing along Cesar Chavez Street adjacent to the proposed driveway entrance. However, even if one or two vehicles were queued in the northernmost westbound mixed-flow travel lane, westbound Cesar Chavez consists of two travel lanes, providing the option for buses to move around any potential vehicle stoppages in the northernmost travel lane. Further, the potential for conflicts between private vehicles and transit along Cesar Chavez Street would be reduced due to the clear site lines to and from the project driveway, and the slow speeds encouraged by the 10-foot width of the proposed driveway curb cut.

As a result, the proposed project would not cause a substantial increase in transit delays or operating costs such that significant adverse impacts in transit service levels could result. Given that the proposed project would not substantially affect the capacity utilization on local or regional transit lines, and would

not substantially affect the operations of the adjacent and nearby bus transit routes, the impacts of the proposed project to transit would be less than significant.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 27 and 49. The proposed project would not contribute considerably to these conditions as its minor contribution of 41 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2040 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Pedestrians

Pedestrian trips generated by the proposed project would include walking trips to and from transit stops, and nearby businesses and commercial uses. Overall, the proposed project would add up to 54 pedestrian trips to the surrounding streets (this includes 41 transit trips and 13 walk trips) during the weekday p.m. peak hour. The proposed project would maintain the existing 10-foot sidewalk width along the project frontage on Cesar Chavez Street. No overcrowding was observed along the sidewalk or at local transit stops in the study area.[23] As a result, the 54 new p.m. peak-hour pedestrian person trips generated by the proposed project would be accommodated within the existing sidewalks and would not result in any substantial overcrowding along sidewalks or at nearby transit stops. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would be incremental and would not create potential conflicts for pedestrians or otherwise substantially interfere with pedestrian accessibility to the site and adjoining areas.

The proposed project would remove two existing curb cuts on Cesar Chavez Street with widths of 17 and 15 feet, and would install a new, narrower curb cut with a width of 10 feet. The new curb cut would act as a traffic calming device, reducing the speeds of vehicles entering or exiting the driveway. As a result, the design and operations of the new driveway at this potential conflict point would not result in a hazard for pedestrians. The proposed project would not increase overcrowding on public sidewalks, interfere with local pedestrian circulation, or create hazardous conditions for pedestrians. As such, impacts to pedestrians would be less-than-significant

Bicycles

In the vicinity of the project site, there is a bicycle route that runs along Cesar Chavez Street and there are also bicycle routes on Folsom Street between 24th and Cesar Chavez streets. The bicycle route along Cesar Chavez Street was observed to have relatively low bicycle volumes during the p.m. peak hour.[24] The proposed project would also place five Class II bicycle parking spaces along the existing sidewalk on Cesar Chavez Street adjacent to the project site.

[23] CHS Consulting, *3314 Cesar Chavez Mixed-Use Residential Project, Final Transportation Memorandum,* January 2018.
[24] Ibid

The proposed project would generate approximately 91 daily "other"[25] person trips of which 15 trips would occur during the p.m. peak hour. The proposed project would not introduce any design features that would reduce or impede access to these existing bicycle routes near the project site. Thus, the proposed project would maintain bicycle accessibility to the project site.

The proposed project would result in up to 26 new p.m. peak hour vehicle trips that would cross the bicycle lane on Cesar Chavez Street while accessing the project driveway. However, potential conflicts between vehicles and bicyclists would be reduced or avoided due to the proposed project's active driveway controls, clear lines of site at the project driveway, and slow vehicle speeds encouraged by the 10-foot-wide driveway and curb cut. Although the proposed project would increase the number of vehicles in the vicinity of the project site, this increase would not create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas. Therefore, the proposed project would have a less-than-significant impact on bicycle travel within the study area.

Commercial Loading

The proposed project would generate up to two daily freight and service vehicle trips, which corresponds to a demand of up to one loading space during both the average and peak loading hours. The proposed project would not provide an off-street loading space to meet this demand and no existing on-street loading spaces are located within a convenient distance of the project site.[26] Therefore, it is possible that commercial vehicle drivers would stop in the vehicular or bicycle travel lane along Cesar Chavez Street (i.e. double-parking) or in available on-street vehicular parking space to make deliveries. While stopping in the vehicular travel lane or bicycle lane may be inconvenient for private vehicles and bicyclists, this would not be a traffic hazard given the infrequency of occurrence, and the adequate sightlines to/from the project's driveway and delivery reception area (i.e. front door). Similarly, given the infrequency of this event potentially occurring, and the number of travel lanes available for transit vehicles, no delays affecting transit would occur. Therefore, commercial loading impacts would be less-than-significant.

To reduce this less-than-significant impact associated with unmet demand for freight loading space, the project sponsor has agreed to implement **Improvement Measure I-TR-1: Application to SFMTA Color Curb Program for Curbside Commercial (Yellow Curb) Loading Space.** This improvement measure would require the retail tenant (once known) to apply to the SFMTA Color Curb Program to convert existing on-street parking along the project site's Cesar Chavez Street frontage to a 40-foot commercial loading space.[27,28] The application would be reviewed by SFMTA staff, who would apply loading demand thresholds based on the type of retail use being proposed. If SFMTA determines that the commercial loading demand for the retail use warrants a yellow curb, the application would be approved, the yellow curb would be installed, and the proposed project's loading demand would be met by a convenient on-street commercial loading supply. If the SFMTA determines that the commercial loading demand does not warrant a new yellow curb the application would be denied.

[25] For a conservative analysis, all of the "other" trips generated are assumed to be bicycle trips.

[26] Under Planning Code section 152.1, residential land uses of less than 100,000 square feet and retail land uses of less than 10,000 square feet are not required to provide any off-street freight loading spaces.

[27] SFMTA Color Curb Program: https://www.sfmta.com/getting-around/parking/curb-colors

[28] This preliminary recommendation is based on personal communication between Planning Department staff and Paul Kniha, SFMTA Color Curb Program, July 2017.

Passenger Loading

Given the 58 proposed residential units associated with the project, the demand for passenger loading spaces may be up to one vehicle per hour in both the average and peak hour of loading activities.[29] If no curbside passenger loading is provided, it is possible that motorists driving private vehicles would stop in a mixed-flow travel lane along Cesar Chavez Street or in available on-street vehicle parking spaces for pick-up/drop-off activities. While stopping in the mixed-flow travel lane may be temporarily inconvenient for other people driving private vehicles, this would not create a traffic hazard given the adequate sightlines east and west on Cesar Chavez Street, the infrequency of passenger loading activities, and the duration of those events (e.g., less than one minute). Given the infrequency of passenger loading events occurring, and their limited duration, any unmet demand for passenger loading spaces would not create potentially hazardous conditions affecting bicycles, transit vehicles or pedestrians. Therefore, passenger loading impacts would be less-than-significant.

To reduce this less-than-significant impact, the project sponsor has agreed to implement **Improvement Measure I-TR-2: Application to SFMTA Color Curb Program for Curbside Passenger Loading (White Curb) Space**, which specifies that the project sponsor would apply to the SFMTA Color Curb program to create a new passenger loading space along the project site's Cesar Chavez Street frontage. If SFMTA determines that the passenger loading demand warrants a white curb, the application would be approved, the white curb would be installed, and the proposed project's passenger loading demand would be met. If the SFMTA determines that the passenger loading demand does not warrant a new white curb the application would be denied.

Construction

Construction is anticipated to occur over approximately 18 months. Detailed plans for construction activities have not yet been finalized, but throughout the construction period, there would be construction-related trucks entering and exiting the site. The impact of construction truck traffic would be a temporary reduction to the capacities of the local streets due to the size, slower acceleration, and larger turning radii of trucks, which may temporarily affect traffic and transit operations and increase potential traffic, pedestrian, and bicycle conflicts near the project site. The 5 to 10 daily construction workers would be encouraged to use public transit. Workers driving personal vehicles to the site would likely park on the street.

Construction staging and work areas would generally be confined to within the project site footprint, but periodically may require sidewalk and curbside parking lane closure along Cesar Chavez Street. In this case, pedestrians would be re-routed around the closed sidewalk using the closed parking lane as a temporary walking path, protected by barrier. Any temporary sidewalk, parking, or traffic lane closures would be coordinated with City agencies in order to minimize the impacts on traffic. In general, lane and sidewalk closures or diversions are subject to review and approval by the City's Transportation Advisory Staff Committee ("TASC"), which consists of representatives from the Fire Department, Police Department, SFMTA Traffic Engineering Division, and Public Works. In addition, the contractor is required to follow "Regulations for Working in San Francisco Streets" (the Blue Book), including required

[29] Given the project's size, off-street passenger loading is not required under the Planning Code. As such the proposed project does not include any off-street passenger loading spaces.

permits for working in or modifying the public right-of-way.[30] The project sponsor and/or contractor would be required to meet with the TASC to present their construction management plan which would determine feasible measures to reduce traffic congestion, including transit disruption and pedestrian circulation impacts during construction of individual development projects. Therefore, the proposed project's construction impacts related to transportation were determined to be less-than-significant.

Conclusion

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

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment,

[30] The *SFMTA Blue Book, 7th Edition,* is available online through SFMTA (https://www.sfmta.com/services/streets-sidewalks/construction-regulations).

cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.[31] These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed building would be supported by a stiffened mat foundation on improved soil. Since construction of the proposed building would not require impact pile driving, Mitigation Measure F-1 is not applicable. Since heavy equipment would be required during construction, Mitigation Measures F-2 is applicable. Project Mitigation Measure 2 would reduce construction noise by requiring the sponsor to develop and implement a set of noise attenuation measures under the supervision of a qualified acoustical consultant. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-2 as Project Mitigation Measure 2 (full text provided in the "Mitigation Measures" section below).

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of PW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of

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

approximately 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure F-2, which would reduce construction noise impacts to a less-than-significant level.

Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project involves the construction of a six-story, mixed-use building with 58 dwelling units and 1,300 square feet of ground-floor retail use. Since the proposed project would not be expected to generate excessive noise levels, Mitigation Measure F-5 is not applicable.

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

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses[32] as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.[33]

Construction Dust Control

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

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

[33] The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the Bay Area Air Quality Management District's (BAAQMD) quantitative thresholds for individual projects."[34] The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria[35] for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. The proposed mixed-use development involves the construction of 58 dwelling units and 1,300 square feet of retail use, which would meet the Air Quality Guidelines criteria air pollutant screening levels for operation and construction.[36,37] Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative $PM_{2.5}$ concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air

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

[35] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

[36] Bay Area Air Quality Management District, 2017 CEQA Air Quality Guidelines. Table 3-1. Criteria air pollutant screening sizes for an Apartment, Low-Rise Building is 451 dwelling units for operational and 240 dwelling units for construction. Criteria air pollutant screening sizes for a Regional Shopping Center is 99,000 square feet for operational and 277,000 square feet for construction.

Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

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

Siting New Sources

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

Conclusion

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO_2E[38] per service population,[39] respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG

[38] CO_2E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

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

emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*[40] presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,[41] exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,[42] Executive Order S-3-05[43], and Assembly Bill 32 (also known as the Global Warming Solutions Act).[44,45] In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,[46] B-30-15,[47,48] and Senate Bill (SB) 32.[49,50] Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the project site by introducing residential uses (58 dwelling units) and including 1,300 square feet of commercial space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use,

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40 San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

41 ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

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

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

44 California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

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

46 Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million $MTCO_2E$); by 2020, reduce emissions to 1990 levels (approximately 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

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

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

49 Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

50 Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

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

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

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

The proposed project would be required to comply with the applicable energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation Ordinance, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.[51]

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy[52] and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).[53] Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.[54]

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

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[51] Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

[52] Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

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

[54] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 3314 Cesar Chavez Street, March 8, 2017.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒

Wind

Based upon experience of the planning department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to generate significant wind impacts. Although the proposed 65-foot-tall (74-foot-tall including the elevator penthouse) six-story building would be two to three stories (approximately 20 to 30 feet) taller than the three- to four-story buildings located in the project vicinity, the proposed project would not alter wind in a manner that substantially affects public areas because the building would not exceed 80 feet in height. Therefore, the proposed building would not cause or contribute to a ground-level exceedance of the wind hazard criterion of the Planning Code in the project vicinity. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR

Shadow

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

The proposed project would construct a 65-foot-tall building (74-foot-tall with elevator penthouse); therefore, the planning department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.[55] The preliminary shadow fan showed that the proposed building would not cast new shadow on any parks in the area, and therefore, would not generate any shadow impacts.

[55] San Francisco Planning Department, *Shadow Fan Analysis, 3314 Cesar Chavez Street*, August 28, 2017.

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

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information

and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and the In Chan Kaajal Park (formerly 17th and Folsom Street Park), have opened in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

As the proposed project would not degrade recreational facilities and is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

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

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

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

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

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, the project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development

envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than

comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation that included two test borings was prepared for the proposed project.[56] The borings encountered very hard yellow brown sandy clay underlain by stiff gray brown sandy clay to a maximum depth explored of 17 feet below grade. Groundwater was encountered during site investigation at nine feet below grade. The project site is not located in an area of liquefaction. The geotechnical investigation concluded that the proposed structure could be supported upon a stiffed mat foundation founded on the underlying re-compacted material.

The Seismic Hazards Mapping Act (seismic hazard act, located in Public Resources Code 2690 *et seq*), enacted in 1990, protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. The California Geological Survey designates the project site as within an area that may be prone to earthquake-induced ground failure during a major earthquake due to liquefaction hazard. Because of this, site design and construction must comply with the seismic hazard act, its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. In addition to the seismic hazard act, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the *California Building Code* (state building code, California Code of Regulations, Title 24). The *San Francisco Building Code* has adopted the state building code with certain local amendments. The regulations implementing the seismic hazard act include criteria for approval of projects within seismic hazard zones that require a project be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation measures[57] have been proposed and incorporated into the project, as applicable.

The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, Section 1804.1, Excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and

[56] P. Whitehead and Associates Consulting Engineers, *Geotechnical Report, 3314 Cesar Chavez Street, San Francisco, California,* March 23, 2015.

[57] In the context of the seismic hazard act, "mitigation" refers to measures that reduce earthquake hazards, rather than the Mitigation Measures that were identified in the programmatic EIR, which are required by the California Environmental Quality Act (CEQA) to reduce or avoid environmental impacts of a proposed project.

excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1809 (shallow foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

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

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐

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

The amount of impervious surface coverage on the project site would not increase with implementation of the proposed project as the project site is currently covered with the existing building and the adjacent asphalt parking area. The proposed project would not change this coverage and would not substantially increase runoff from the site. In accordance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to Low Impact Design approaches, such as landscape solutions designed to capture stormwater runoff, and stormwater management systems would be required to comply with the Stormwater Design Guidelines. As a result, the proposed project would not result in a significant impact on water quality from increased stormwater runoff.

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Under Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1, identified as Project Mitigation Measure 3,

would apply to the proposed project. Project Mitigation Measure 3 would require the project sponsor to ensure that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of demolition.

Soil and Groundwater Contamination

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

The project site is located in a Maher area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.[58] The proposed project would require excavation to a depth of approximately 25 feet below ground surface and the removal of 6,000 cubic yards of soil. Therefore, the project sponsor is required to retain the services of a qualified professional to prepare a phase I ESA that meets the requirements of Health Code section 22.A.6.

The phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor submitted a Maher application and a phase I ESA to DPH.[59,60] Based on the phase I ESA, the project site was used as a leather warehouse in 1886 and by 1900 it was used as a brewery. From 1950 to 2005, the property was a telephone facility primarily used as a garage. In 2005, the project site was used for office space and equipment storage for a construction company, which is the current use. The phase I ESA concluded that the project site may have been impacted by hydrocarbons from a former leaking underground storage tank (LUST). The LUST was located at the gasoline station that is located immediately east of the project site at 3300 Cesar Chavez Street. While the LUST received a case closure from DPH, it is possible that the soil and groundwater beneath the project site, particularly near the common boundary, has been impacted. The phase I ESA recommends the collection of soil and groundwater samples to assess the potential presence of petroleum

[58] San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf. Accessed August 29, 2017.

[59] PIERS Environmental Services, Inc., *Phase I Environmental Site Assessment, 3314 Cesar Chavez Street, San Francisco, CA*, September 2014.

[60] Czarina Tabora, SFDPH, email to Don Lewis, 3314 Cesar Chavez Street, August 28, 2017.

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

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

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

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

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

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

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

As the proposed project is located in the Eastern Neighborhoods Rezoning and Area Plans area, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Testing (Eastern Neighborhoods Mitigation Measure J-2)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified

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

Consultation with Descendant Communities: On discovery of an archeological site[61] associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative[62] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/construction activities and equipment until the deposit is evaluated. 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, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinternment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

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

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

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)

The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 3 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)

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

IMPROVEMENT MEASURES

Project Improvement Measure I-TR-1 – Application to SFMTA Color Curb Program for Commercial Curbside Loading Spaces

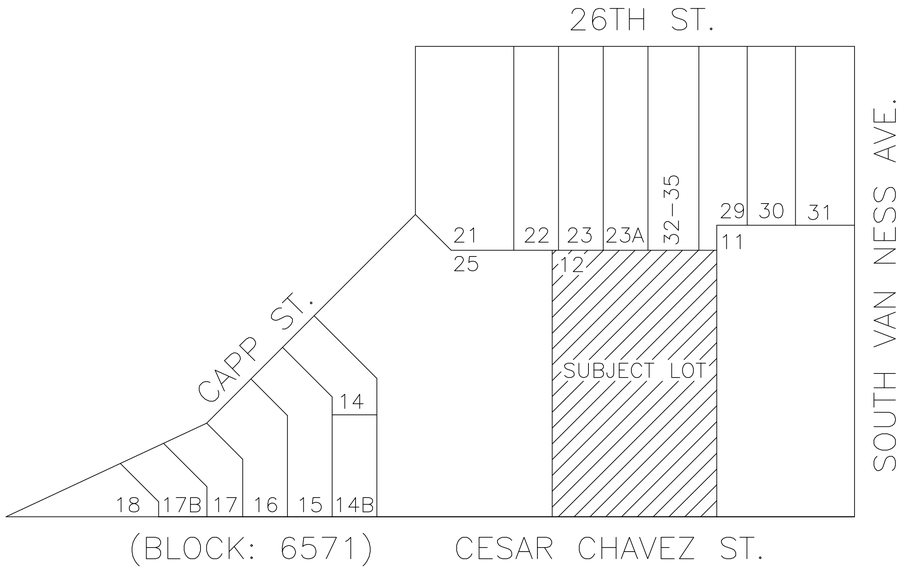
To reduce the potential for unmet commercial loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to require the retail tenant (once known) to apply to the SFMTA Color Curb Program to potentially convert two existing on-street parking spaces along the project site's frontage on Cesar Chavez Street to a 40-foot-long commercial loading space.[63]

Project Improvement Measure I-TR-2 – Application to SFMTA Color Curb Program for Curbside Passenger Loading (White Curb) Space

To reduce the potential for unmet passenger loading demand at the project site, it shall be the responsibility of the project sponsor/property owner to apply to the SFMTA Color Curb Program to potentially convert one existing on-street parking space along the project site's frontage on Cesar Chavez Street to a 20-foot-long passenger loading space.

[63] This recommendation is based on personal communication between Planning Department staff and Paul Kniha, SFMTA Color Curb Program, July 2017.

VACINITY MAP



3314 CESAR CHAVEZ STREET

SF, CA
94110

BUILDING INFORMATION

		UNIT COUNT	EXISTING	ALLOWABLE	PROPOSED
CONSRUCTION TYPE			DEMO		TYPE-3A/S1
OCCUPANCY GROUP				R-2/U	R-2/U
BUILDING HEIGHT			VACANT	65-X	65-X
BUILDING AREA (DBI CALCS.) PER/FLOOR (IN SQ. FT.)	1ST FLR	4@2/BED	0	MAX	6,220 SF
	1ST FL(B)	4@2/BED	0	MAX	4,180 SF
	2ND FLR	4@2/BED, 6@1/BED+	0	MAX	7,585 SF
	3RD FLR	4@2/BED, 6@1/BED+	0	MAX	7,605 SF
	4TH FLR	4@2/BED, 6@1/BED+	0	MAX	7,605 SF
	5TH FLR	4@2/BED, 6@1/BED+	0	MAX	7,605 SF
	6TH FLR	4@2/BED, 6@1/BED+	0	MAX	7,565 SF
	TOTAL	28@2/BED 30@1/BED	0	MAX	48,365 SF
COMMERCIAL SPACE (2-UNITS)			2,500 SF	MAX	1,300 SF
NUMBER OF STORIES			0	6	6
NUMBER OF BASEMENTS (6,900 SF)			0	1	1
NUMBER OF UNITS			0	MAX	58
FIRE SPRINKLERS			NONE	YES	YES
SEISMIC UPGRADE			NONE	YES	YES

ABBREVIATIONS

ADJ	ADJUSTABLE
ALUM	ALUMINUM
ARCH	ARCHITECTURE
ASPH	ASPHALT
BD	BOARD
BDLG	BUILDING
BLK	BLOCK
BLKG	BLOCKING
BM	BEAM
B.O.	BOTTOM OF
BU	BUILT-UP
CLG	CEILING
CLR	CLEAR
CNTL	CONTROL
CONC	CONCRETE
CONT	CONTINUOUS
CTR	CENTER
DBL	DOUBLE
DF	DOUGLAS FIR
DIM	DIMENSION
DN	DOWN
DP	DOUBLE POLE
DS	DOWNSPOUT
DWG	DRAWING
(E)	EXISTING
E	EAST
EA	EACH
ELEC	ELECTRICAL
ELEV	ELEVATION
EQ	EQUAL
EXP	EXPOSED
EXT	EXTERIOR
FDN	FOUNDATION
FF	FINISH FLOOR
FIN	FINISH
FL	FLOOR
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOS	FACE OF STUD
FOP	FACE OF PLYWOOD
FURN	FURNACE
GA	GAUGE
GALV	GALVANIZED
GND	GROUND
GYP BD	GYPSUM BOARD
HB	HOSE BIB
HC	HOLLOW CORE
HDR	HEADER
HR STL	HOT-ROLLED STEEL
HVAC	HEATING, VENTILATING, AND AIR CONDITIONING
HW	HOT WATER HEATER
ICPV	INTEGRAL COLOR PLASTER VENEER
INSUL	INSULATION
INT	INTERIOR
LAM	LAMINATE
LT	LIGHT
MANUF	MANUFACTURER
MAX	MAXIMUM
MC	MEDICINE CHEST
MECH	MECHANICAL
MEMB	MEMBRANE
MIN	MINIMUM
MTL	METAL
(N)	NEW
NIC	NOT IN CONTRACT
NO OR #	NUMBER
O/	OVER
OC	ON CENTER
OD	OUTER DIAMETER
OFCI	OWNER FURNISHED, CONTRACTOR INSTALLED
OFOI	OWNER FURNISHED, OWNER INSTALLED
OPNG	OPENING
PL	PLATE
PLYWD	PLYWOOD
PT	PRESSURE TREATED
R	RADIUS
RA	RETURN AIR
RDWD	REDWOOD
REF	REFERENCE
REG	REGISTER
REQ	REQUIRED
RET	RETURN
RM	ROOM
S	SOUTH
SA	SUPPLY AIR
SAD	SEE ARCHITECTURAL DRAWING
SED	SEE ELECTRICAL DRAWING
SF	SUBFLOOR
SHT	SHEET
SHTG	SHEATHING
SKD	SEE KITCHEN DRAWING
SLD	SEE LIGHTING DRAWING
SMD	SEE MECHANICAL DRAWING
SP	SINGLE POLE
SPD	SEE PLUMBING DRAWING
SQ	SQUARE
SS	SINGLE SHELF
SSD	SEE STRUCTURAL DRAWING
STD	STANDARD
T&G	TONGUE AND GROOVE
TO	TOP OF
TOFF	TOP OF FINISH FLR
TOP	TOP OF PLATE
TOS	TOP OF SLAB
TOW	TOP OF WALL
TP	TOILET PAPER HOLDER
TR	TOWEL RACK
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED
VERT	VERTICAL
VIF	VERIFY IN FIELD
W	WEST
W/	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD
WIND	WINDOW
WP	WATERPROOF

PROJECT DIRECTORY

BUILDING DESIGN: ZONE DESIGN DEVELOPMENT
DRAKE GARDNER
10 CARLILE DRIVE, SU.1
NOVATO, CA. 94945
415.377.6694

CONSULTING ENG.: SANTOS&URRUTIA
STRUCTURAL ENGINEERS
2451 HARRISON STREET
S.F., CA. 94110
415.642.7722

PROJECT INFORMATION

ZONING: MISSION STREET NCT
LOT SIZE: 92'X147' (AVERAGE)=13,524 SQ. FT.
UNITS ALLOWED BASED UPON EASTERN NEIGHBORHOOD ZONING

58 UNITS PROPOSED (14.5% AFFORDABLE=8 UNITS)
(REQUIRED TWO-BED UNITS: 4/PER FLR.X7=28/48%)

TOTAL GROSS FLOOR AREA: APROX. 57,715 SF
NEW RESIDENTIAL AREA: 48,365 SQ.FT.
NEW CIRCULATION AREAS: 4,165 SQ.FT.
NEW GARAGE SPACE: 6,300 SF (28 UNBUNDLED PARKING SPACES)(1 CAR SHARE)
COMMON OPEN SPACE: 8,700 SQ. FT.(<58 UNITS=150 SF/PER UNIT)
PRIVATE OPEN SPACE: 640 SQ. FT.
OCCUPANCY TYPE: R2/U (OCC. LOAD 1/PER 200SQFT=36 PER/FLRX5=180)
65' ALLOWED HT. LIMIT: 65'-0" AS DESIGNED

2 COMM. SPACES: TOTAL 1,300SF (UNDETERMINED CODE COMPLYING USE)

EXIST. BUILDING USE: CONSTRUCTION CO. OFFICES AND EQUIPMENT STORAGE (OWNER OCCUPIED)

14 SF TRANSPORTATION DEMAND MANAGEMENT POINTS REQ: 14 POINTS ACHEIVED

SCOPE OF WORK:

1) DEMOLISH EXISTING BUILDING
2) EXCAVATE EXISTING LOT
3) BUILD NEW BUILDING (6-STORIES OVER BASEMENT GARAGE)
4) REMOVE AND REPLACE SIDEWALK, CURB, & GUTTER
5) INSTALL NEW LANDSCAPE

MUNICIPAL CODES

SF MUNICIPAL PLANNING CODE
2013 CALIFORNIA BUILDING, MECHANICAL, PLUMBING, ELEC., ENERGY AND FIRE CODES, SF AMENDMENTS AND LOCAL EQUIV.

SHEET INDEX

SPECIFICATIONS

NOTES:

1) CONSTRUCTION COST OF THIS PERMIT DOES NOT INCLUDE SPRINKLER AND FIRE ALARM SYSTEM.
2) SHORING, UNDERPINNING, SPRINKLER, AND FIRE ALARM SYSTEM UNDER SEPERATE PERMIT.
3) STATE INDUSTRIAL SAFTY PERMIT IS REQUIRED.
4) PUBLIC STAIRWAY VENTILATION PER SEC 1203.4 SFBC.
5) 2HR. STAIRWAY ENCLOSURE FOR 4 STORY BUILDING WITH 11/2 HR. DOORS W/CLOSERS.
6) PROVIDE SMOKE DETECTORS PER SFBC '2013
7) PROVIDE MINIMUM 1 HR. CORRIDOR TYPICAL.
8) PROVIDE METAL STRAPS TO WALLS FOR WATER HEATER ON 18 IN. HT. PLATFORM.
9) PROVIDE VENTILATION PER SFBC SEC. 406.1.3 FOR GARAGE.
10) PROVIDE ONE HOUR CONSTRUCTION WITH SOUND INSULATION BETWEEN UNITS AND PUBLIC AREA.
11) PROVIDE FLUORESCENT LIGHTING AT BATHROOMS AND KITCHENS.
12) PROVIDE TEMPERED GLASS 18" AND ABOVE FLOOR PER SEC. 2406.4.
13) ROOF DRAIN AND OVERFLOW DRAIN AT ROOF AND DECK CONNECT TO CITY SEWER. ROOFING MATERIALS SHALL BE CLASS A OR B WITH 1.4IN. TO 1FT. SLOPE TYPICAL.
14) EXIT WALL PROTECTION PER SEC 704.5 SFBC '2013
15) EXIT PATH SHALL COMPLY WITH ADMINISTRATION BULLETIN AB-20.
16) STAIRS (EXTERIOR/INTERIOR) SHALL COMPLY WITH CHAPTER 10 CBC.
17) PROVIDE SEPARATION JOINT BETWEEN BUILDING AND PROPERTY LINE PER CHAPTER 16.
18) COMPLY TO SECURITY REQUIREMENTS PER SEC. 1005A S.F. BUILDING CODE.
19) SITE PERMIT APPROVED FOR THIS PROJECT.
20) TRASHROOM TO COMPLY WITH SFBC '2013
21) PRIVIDE EMERGENCY LIGHTING PER CODE.
22) PROVIDE STAIR I.D. WITH SIGN PER SEC. 1003.3.13
23) PROVIDE 3/4HR FIX. WIND. W/SPRIKLER AT PROP. LINE PER SEC. 503.5 S.F.B.C.
25) PROVIDE 1HR CONSTRUCTION W/ SOUND INSUL. BETWEEN UNITS AND PUBLIC AREA.
26) PROVIDE FLOOR DRAINS PER SFBC '2013
27) TYPE1 CONSTRUCTION TO BE OF NON-COMBUSTIBLE MATERIALS
28) ALL FIREPLACES TO BE "UL" LISTED.
29) PROVIDE 3/4HR RATED PROTECTION FOR OPENINGS (DOORS&WINDOWS) WITHIN 10FT. OF STAIR OPENINGS.
30) PROVIDE EXIT SIGNS PER SEC. 1013.
31) AUTO. OPENERS TO BE PROVIDED AT H.C ACCESSIBLE ENTRY DRS. WHERE STRIKER DEMENSIONS CAN NOT BE MET.
32) LOCKS AND LATCHES AT COMMERCIAL SPACE MAIN EXIT TO COMPLY WITH SEC. 1008.1.8.3 SFBC '2013
33) TABLE 508.3.3 STATES THAT A 1-HR SEPARATION IS REQUIRED FOR A2 AND R3 OCC.
1-HR MIN. SEPARATION W/1-HR SUPPORT AND NFPA 13 SPRINK PER SEC. 9033.1.1 SFBC '2010

NOTE: TYPE 3A/S1 FULLY SPRINKLERED
FIREPRO. SYSTEM ON SEPARATE PERMIT.

NOTE: AT ALL RATED WINDOW & DR. ASSEMBLIES ADJACENT TO REAR STAIR EGRESS MUST HAVE QUICK RESPONSE HEADS WITHIN 18" OF OPENINGS & 6 FT. ON CENTER.

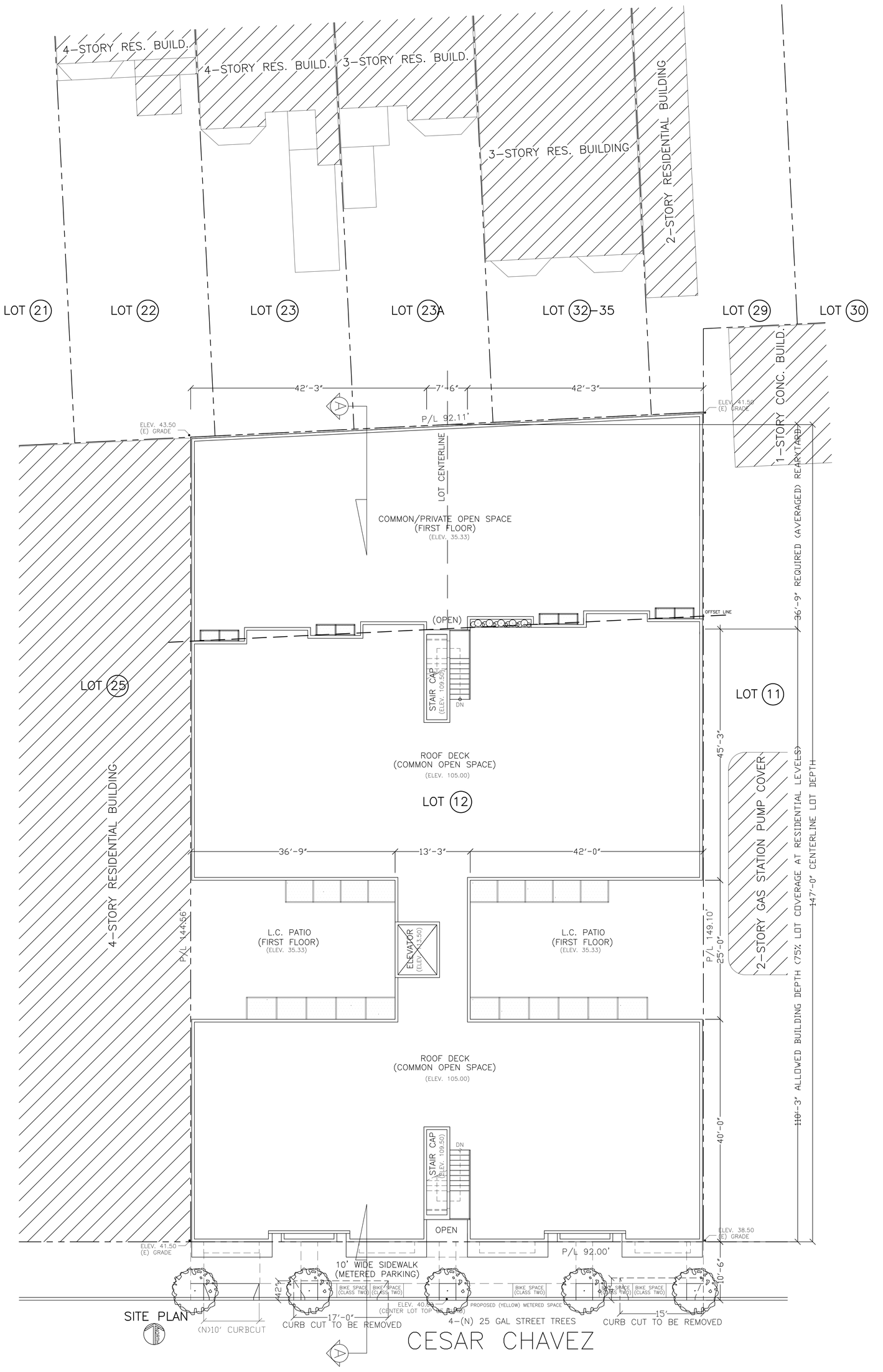
REVISIONS

DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
02.20.17	
07.14.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: NONE
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A0.0



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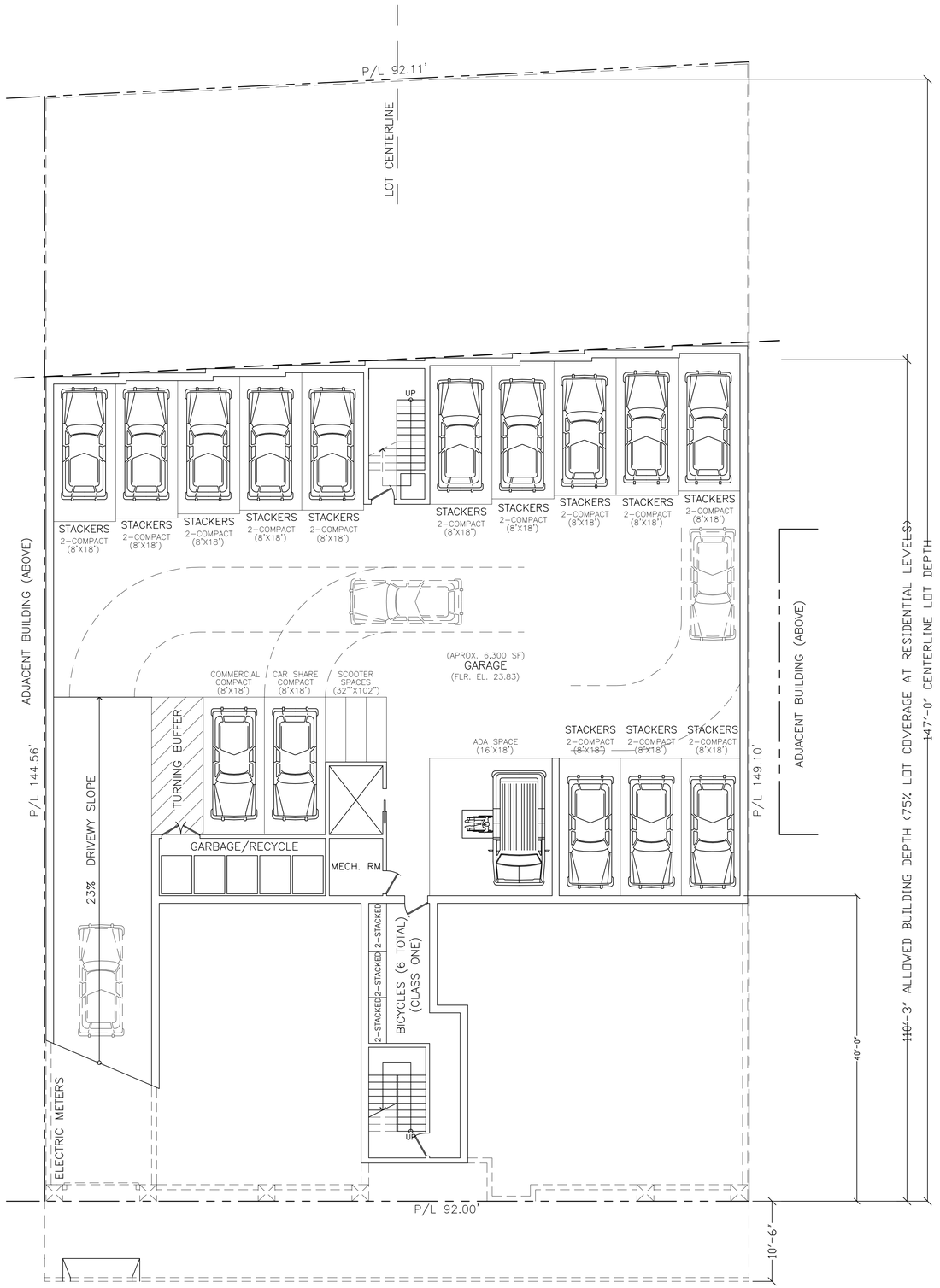
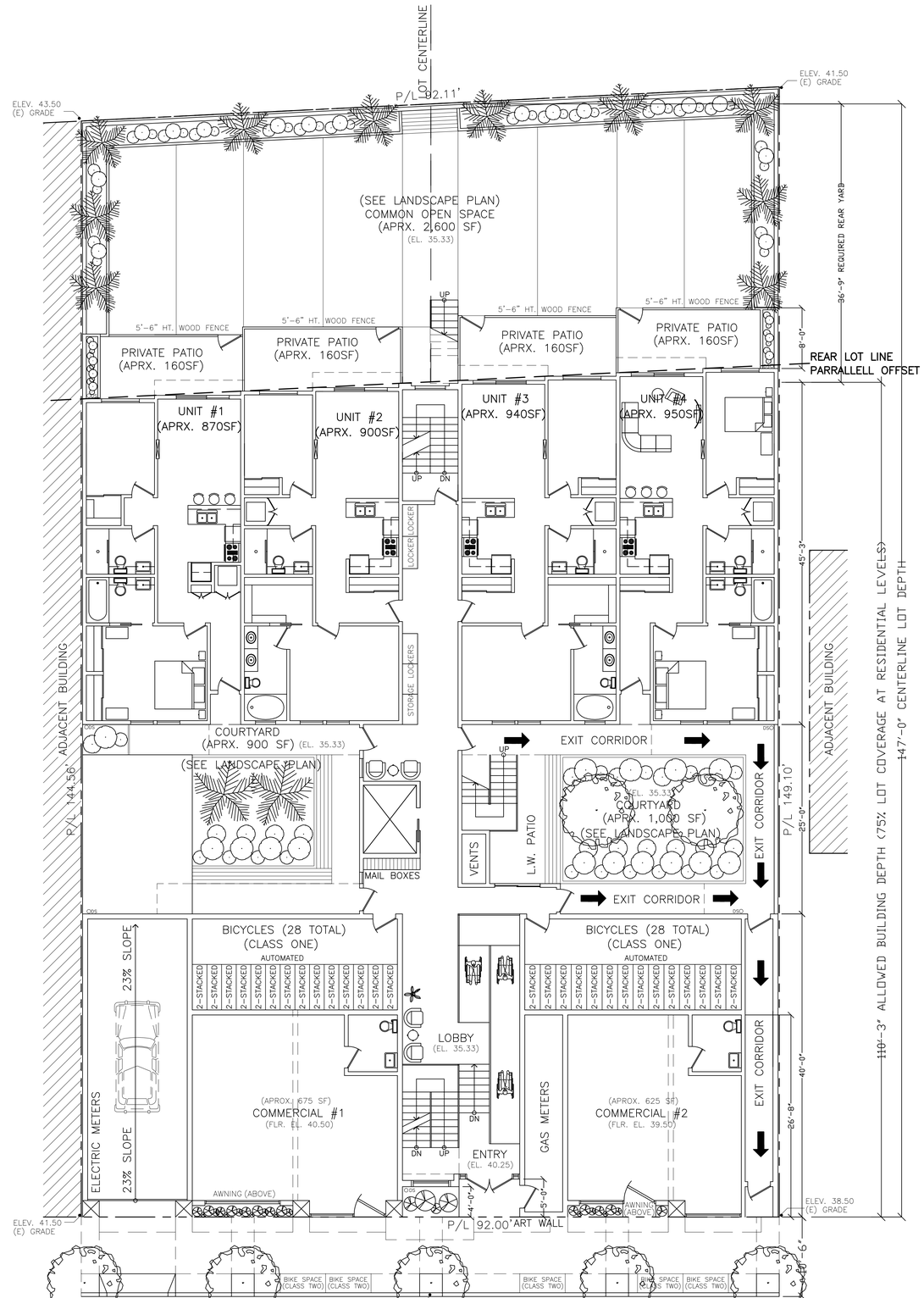


BASEMENT FLOOR

GARAGE AREA: APROX. 6,300 SF
COMMON AREA: APROX. 600 SF
TOTAL GFA: APROX. 600 SF



FIRST FLOOR

COMMERCIAL SPACE: APROX. 1,450 SF
GARAGE AREA: APROX. 600 SF
COMMON AREA: APROX. 600 SF
COMMON OPEN SPACE: APROX. 2,600 SF

RESIDENTIAL AREA: APROX. 3,580 SF
COURTYARD AREA: APROX. 1,900 SF
PRIVATE OPEN SPACE: APROX. 640 SF
TOAL GFA: APROX. 8,870 SF

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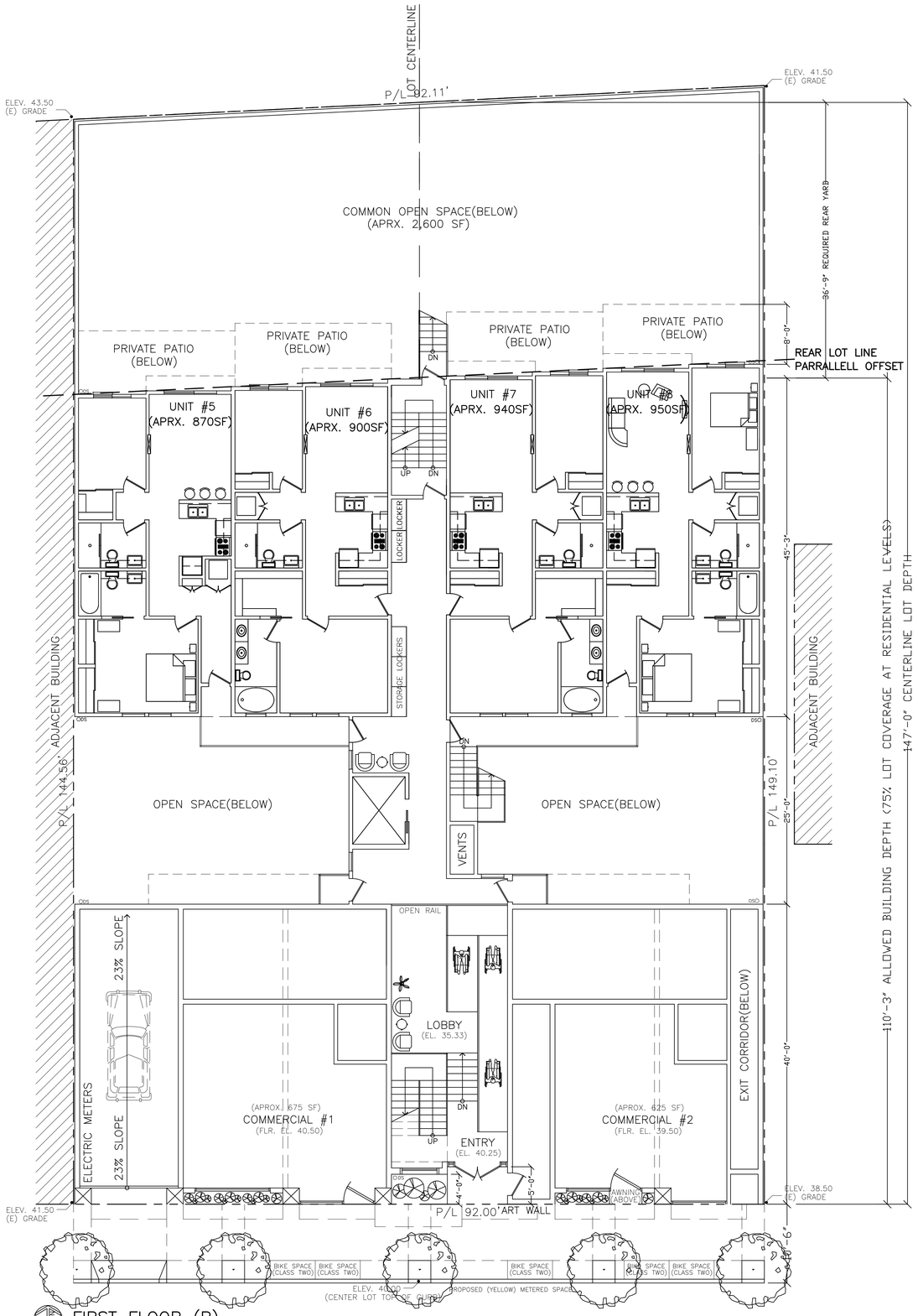
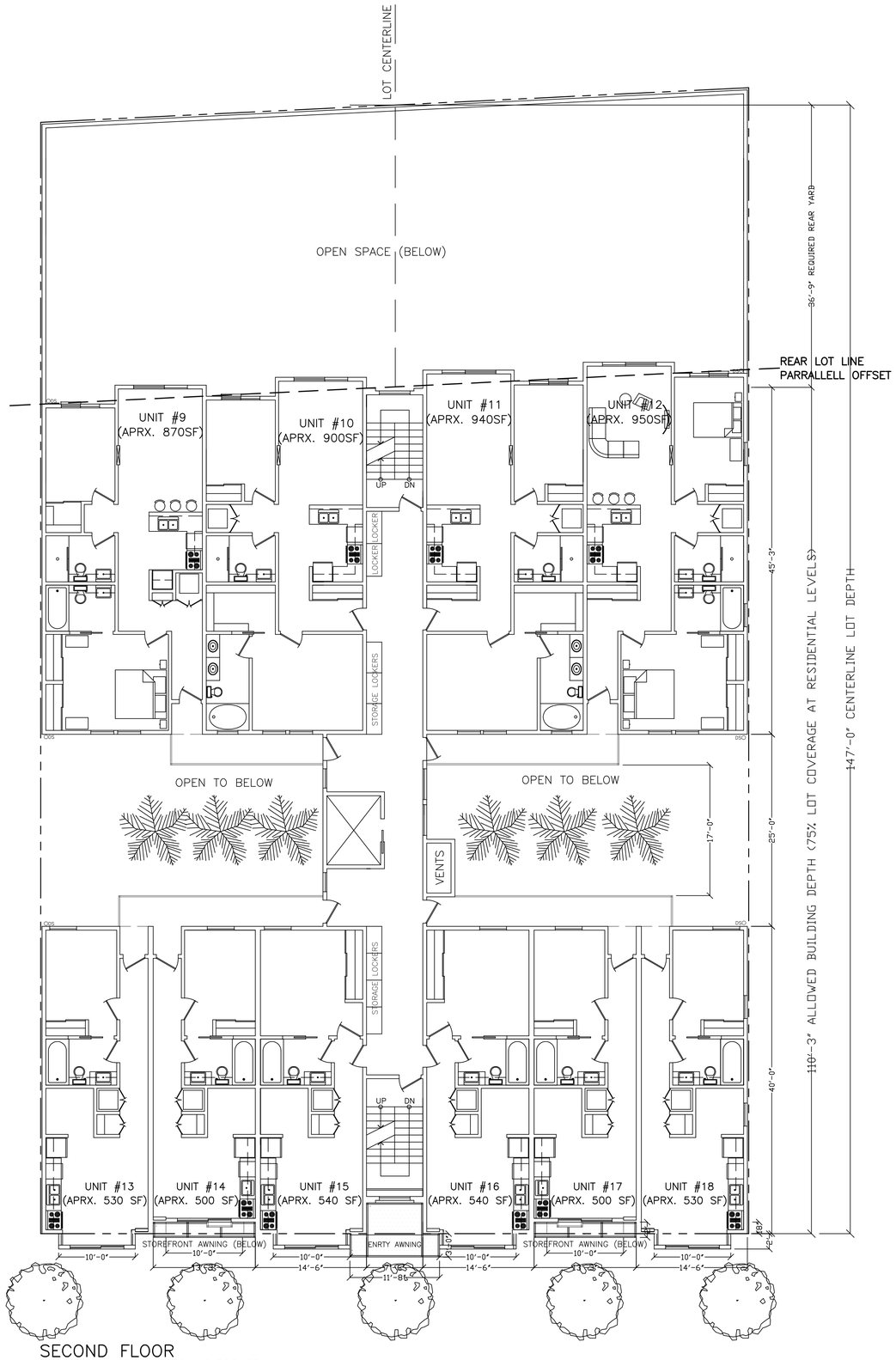
SHEET NO.: A2.0



FIRST FLOOR (B)

RESIDENTIAL AREA: APROX. 3,580 SF
COMMON AREA: APROX. 600 SF
TOTAL GFA: APROX. 4,180 SF



SECOND FLOOR

RESIDENTIAL AREA: APROX. 6,720 SF
COMMON AREA: APROX. 865 SF
TOTAL GFA: APROX. 7,585 SF

REVISIONS	
DATE	SYM.
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08.15.16	
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09.28.17	

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NOVATO, CA. 94945 415.377.6694 (C)

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SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

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JOB NO.:	S. CHIU
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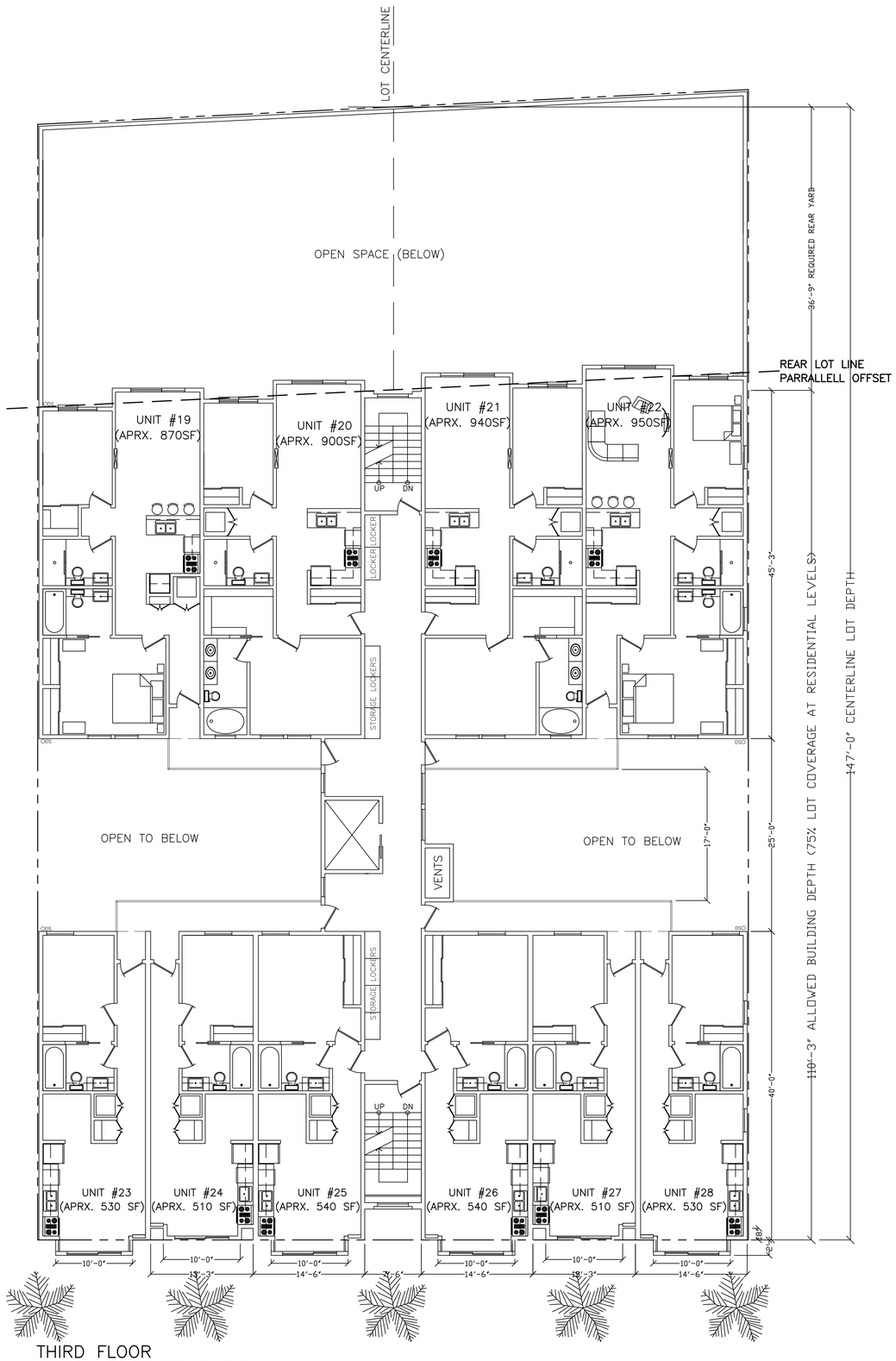
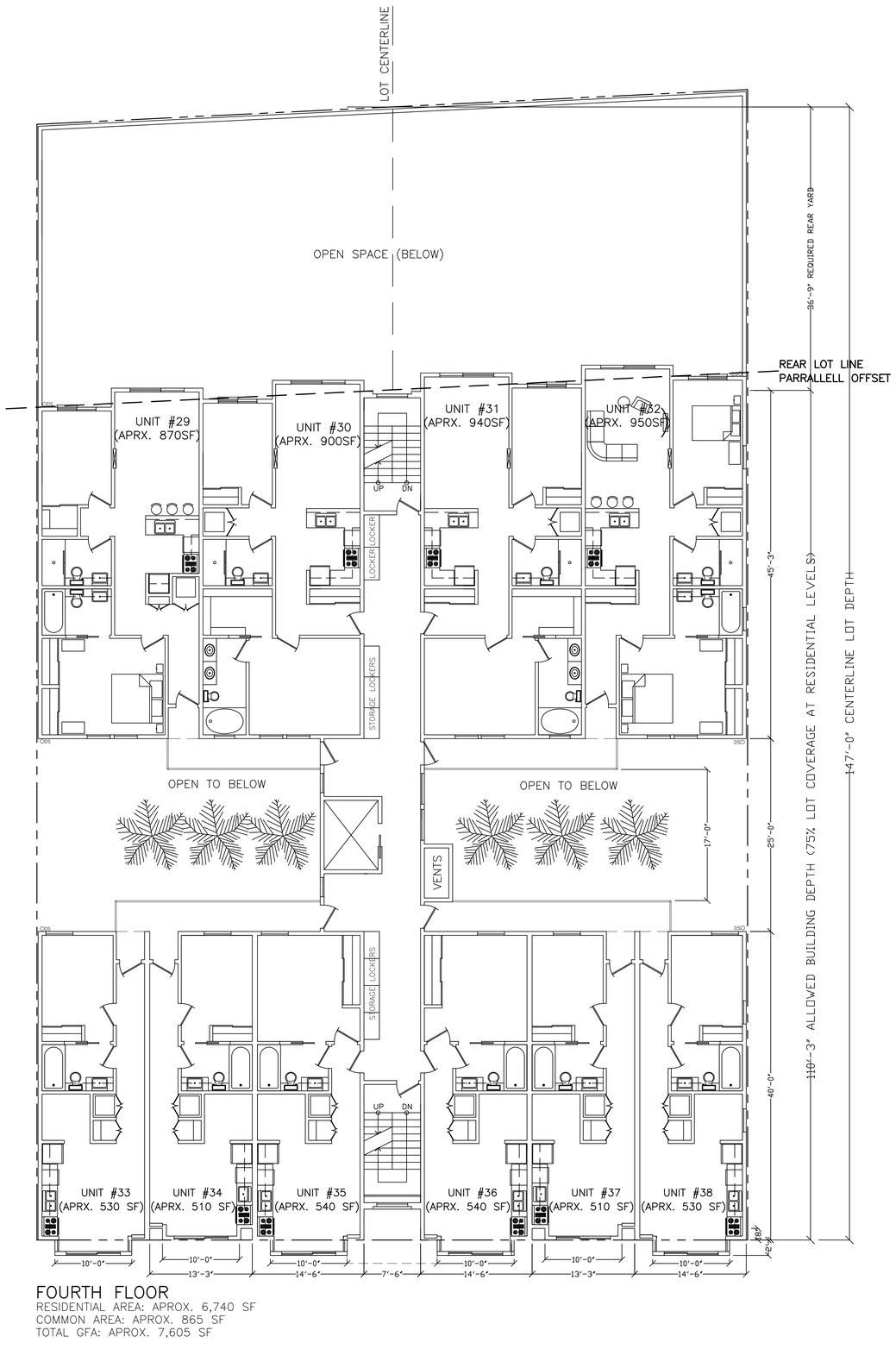


THIRD FLOOR

RESIDENTIAL AREA: APROX. 6,740 SF
COMMON AREA: APROX. 865 SF
TOTAL GFA: APROX. 7,605 SF



FOURTH FLOOR

RESIDENTIAL AREA: APROX. 6,740 SF
COMMON AREA: APROX. 865 SF
TOTAL GFA: APROX. 7,605 SF

REVISIONS	
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09.28.17	

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DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE:	12.22.14
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JOB NO.:	S. CHIU
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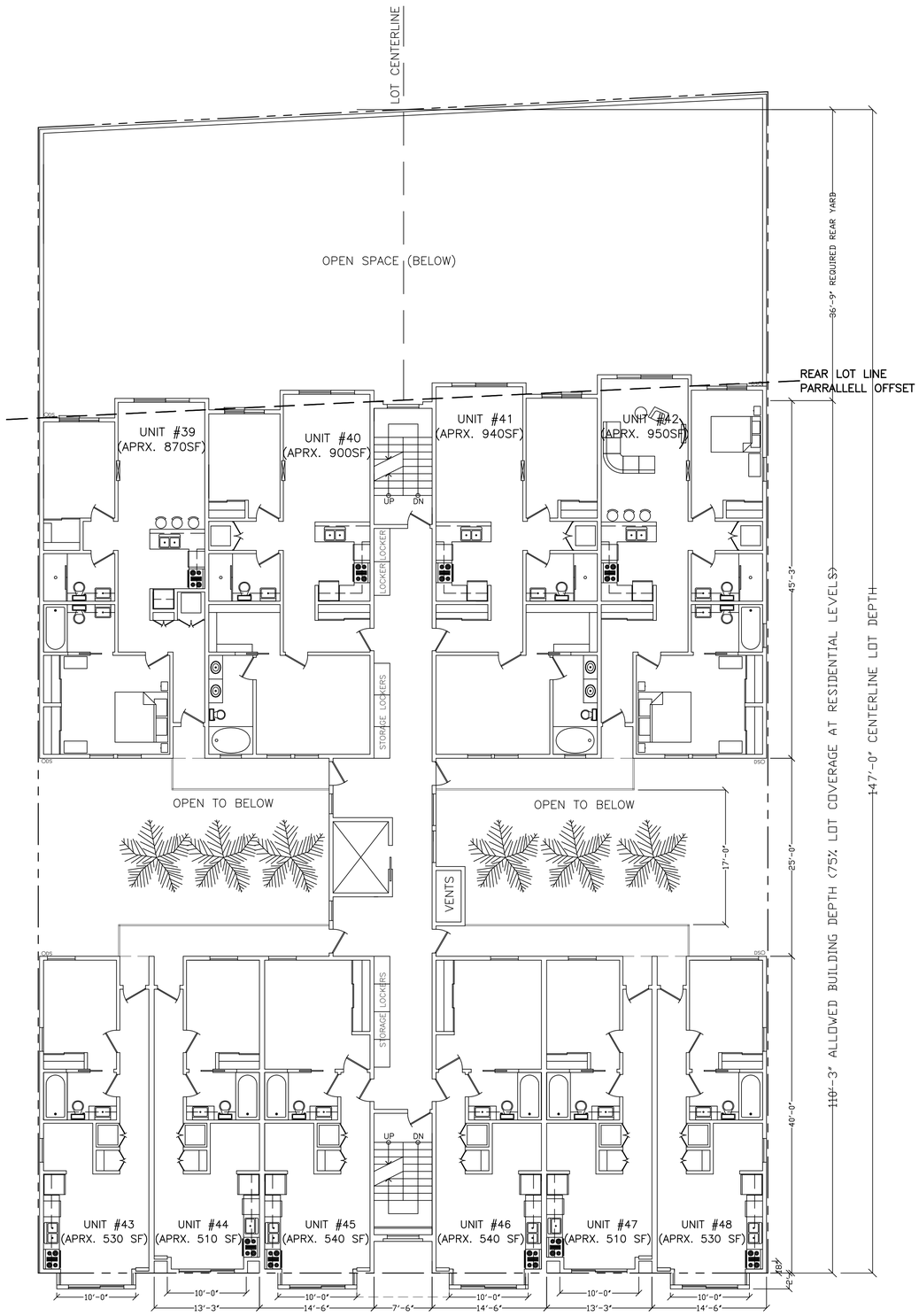
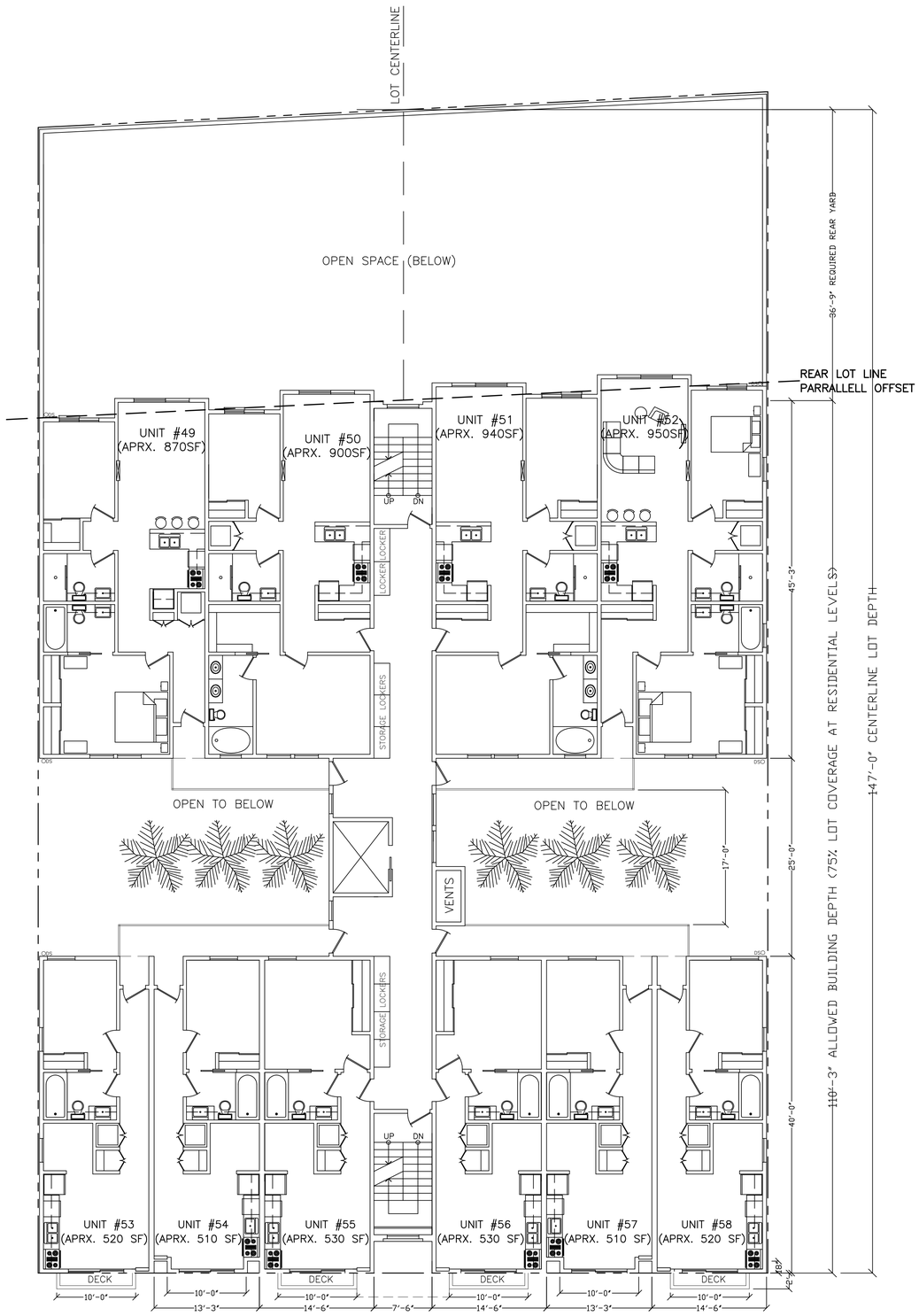


FIFTH FLOOR

RESIDENTIAL AREA: APROX. 6,740 SF
COMMON AREA: APROX. 865 SF
TOTAL GFA: APROX. 7,605 SF



SIXTH FLOOR

RESIDENTIAL AREA: APROX. 6,700 SF
COMMON AREA: APROX. 865 SF
TOTAL GFA: APROX. 7,565 SF

REVISIONS	
DATE	SYM.
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02.20.17	
07.14.17	
09.28.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE:	12.22.14
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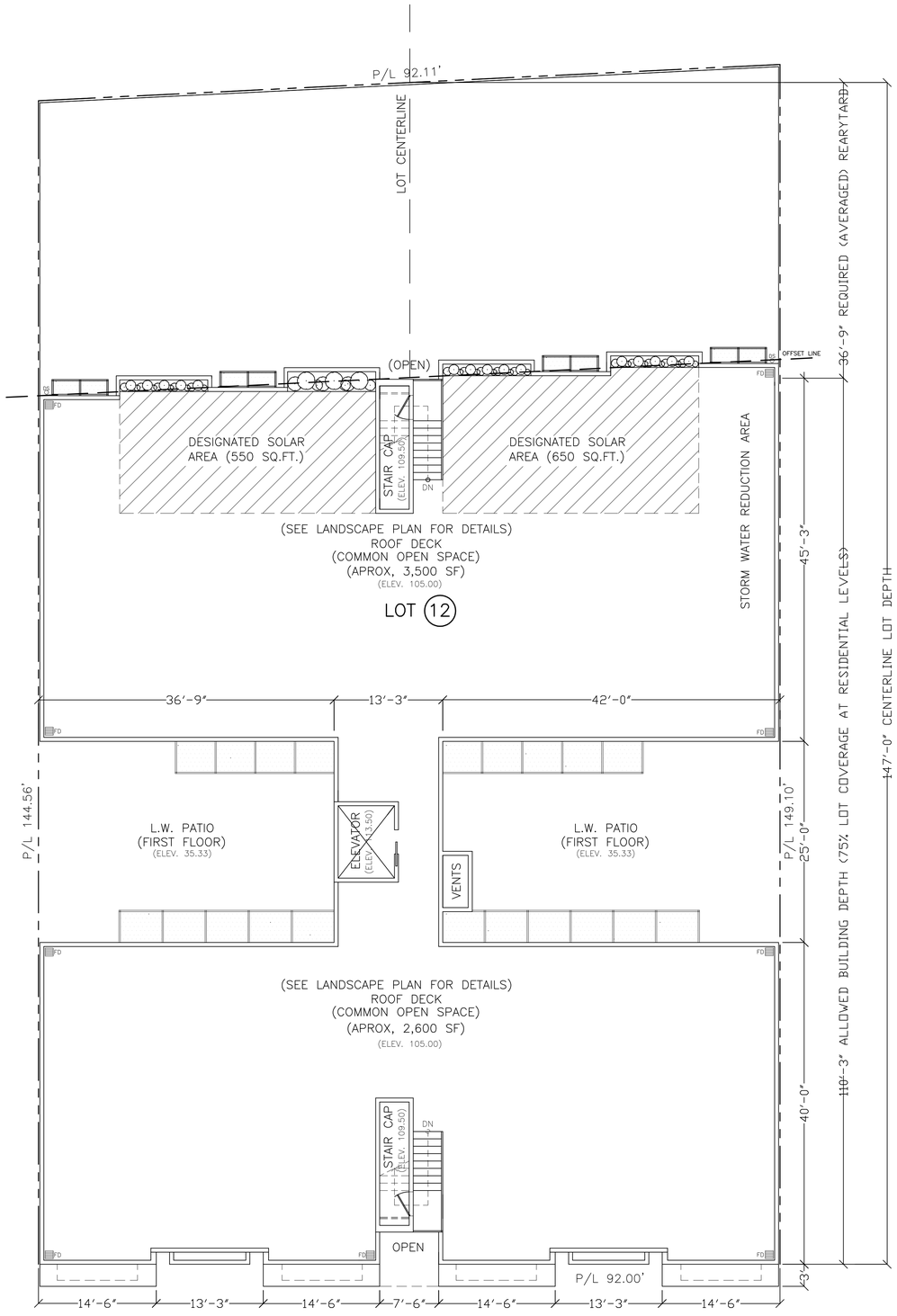
SHEET NO.:	A5.0



ROOF PLAN

TOTAL GFA: APROX. 6,100 SF

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
02.20.17	
07.14.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: 1/8"=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A6.0

SOUTH ELEVATION
(EXTERIOR MATERIALS THE SAME AT ALL ELEVATIONS UNLESS OTHERWISE SPECIFIED)

TYP. WINDOW DETAIL
SCALE: 1/2"=1'-0'
NOTE: ALL WINDOWS TO BE TINTED FOR BIRD FLIGHT PROTECTION

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
07.14.17	

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NOVATO, CA. 94945 415.377.6694 (C)

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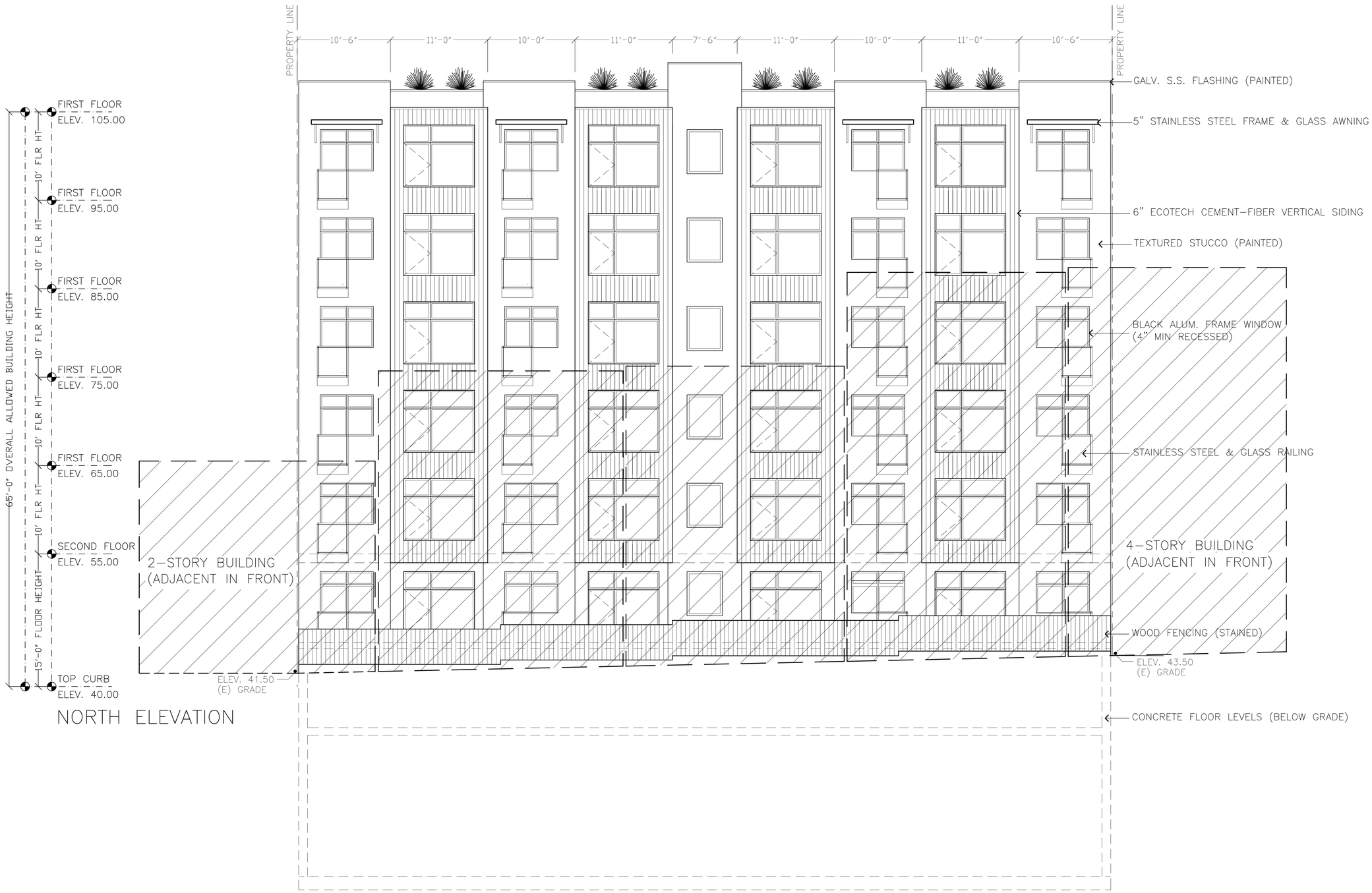
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: 3/16"=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A7.0



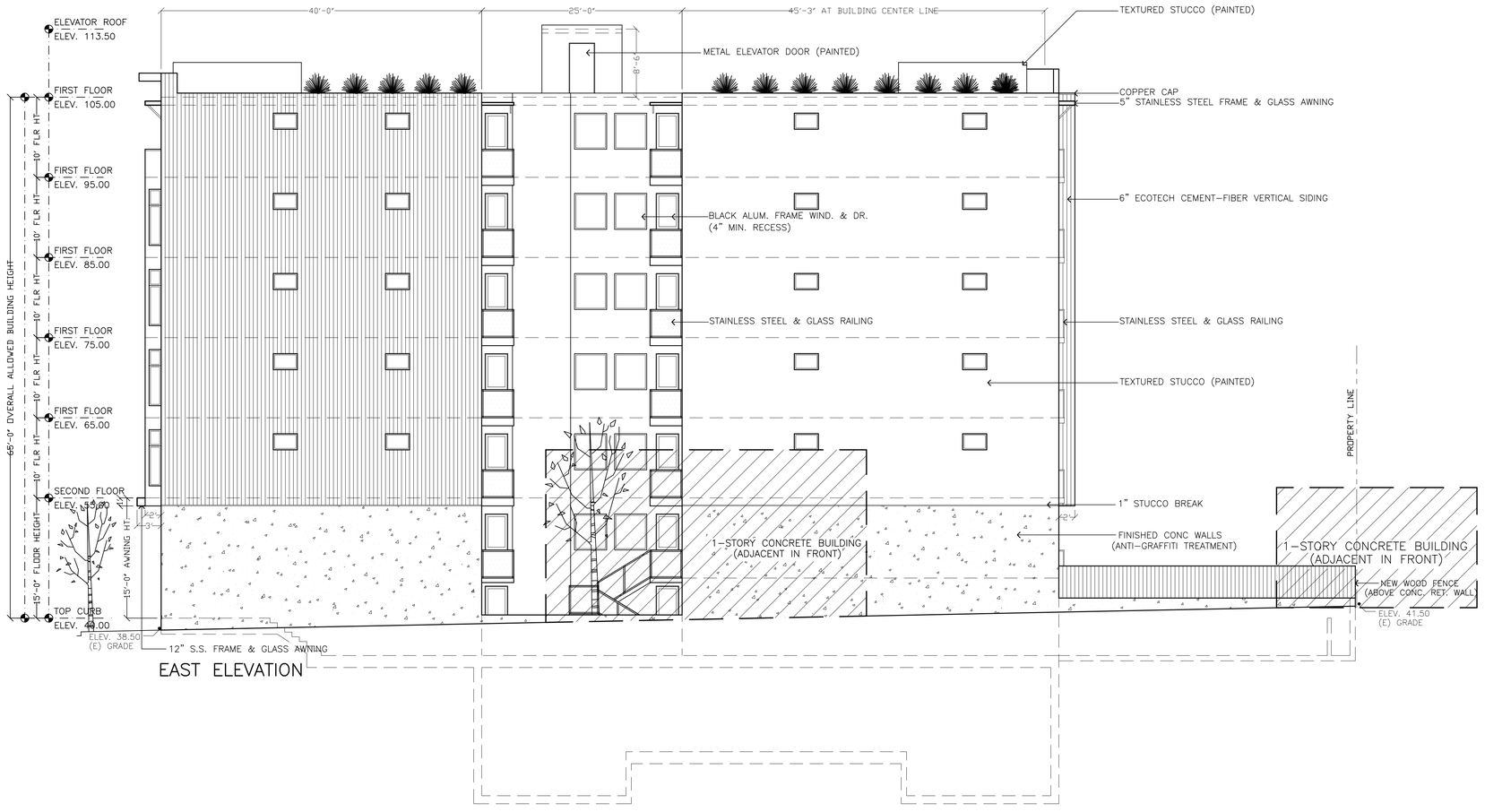
NORTH ELEVATION

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
07.14.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: 3/16"=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A8.0



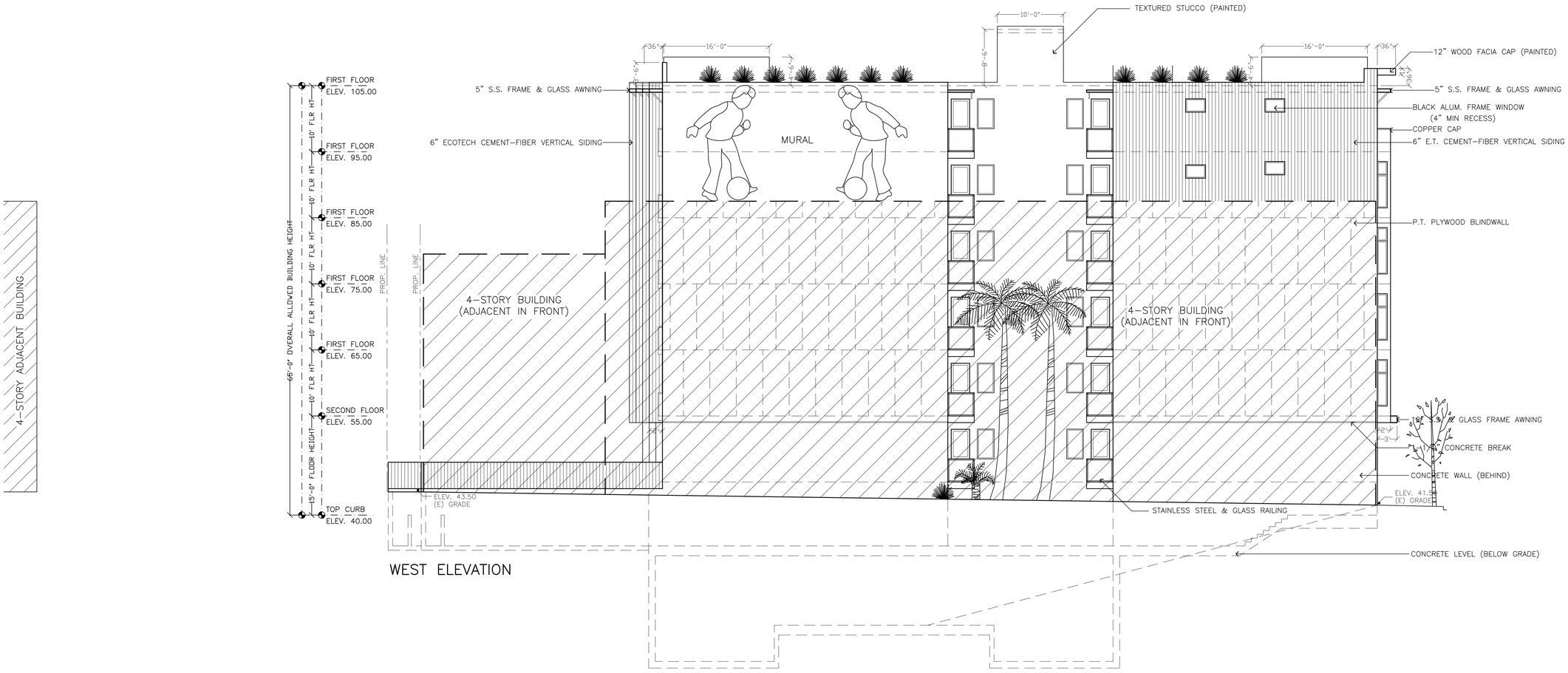
EAST ELEVATION

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
02.20.17	
07.14.17	
09.28.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT:
58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: 1/8"=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A9.0



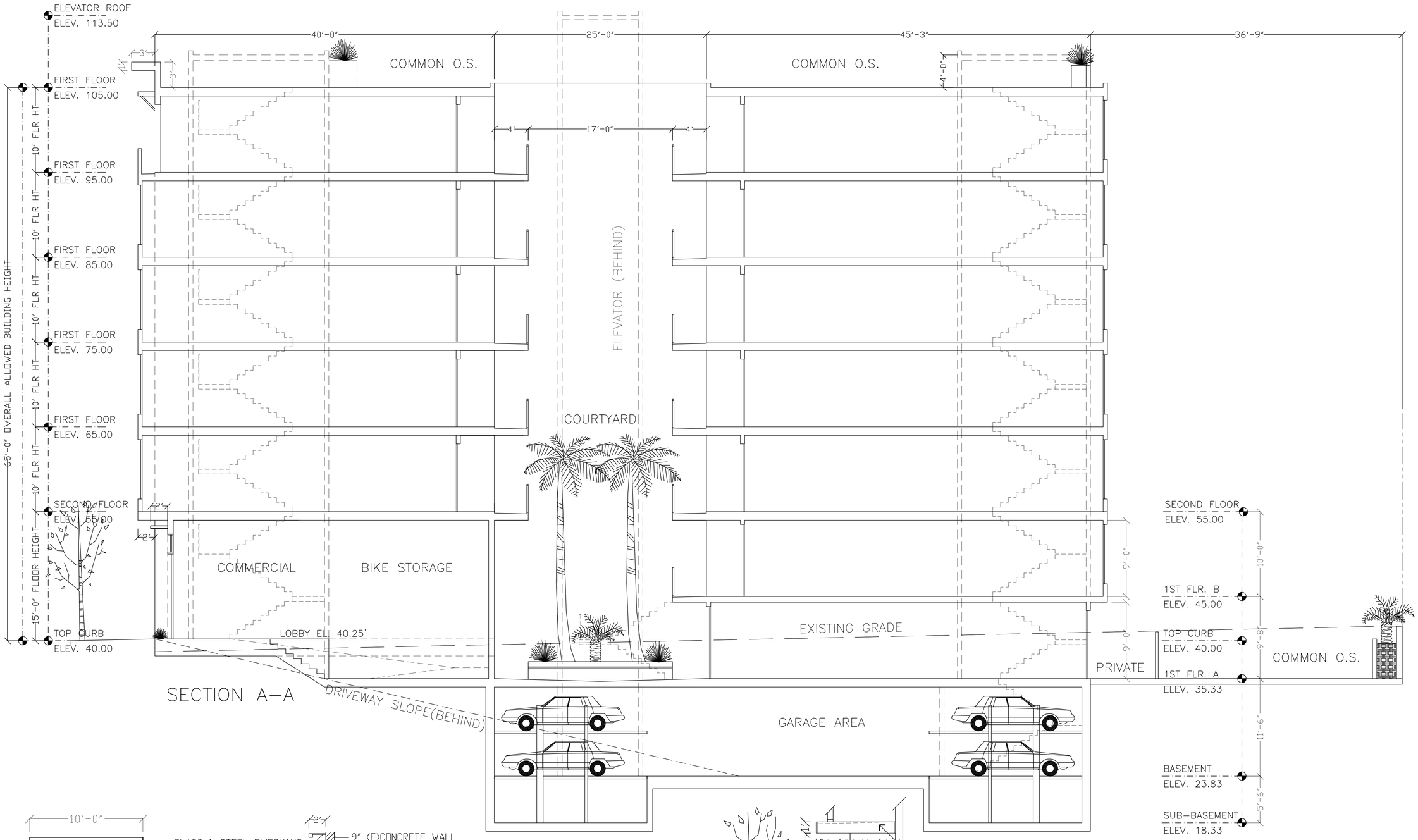
WEST ELEVATION

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
02.20.17	
07.14.17	
09.28.17	

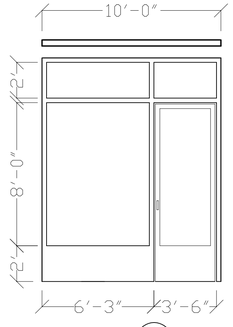
DESIGN BY: ZONE DESIGN DEVELOPEMENT
DRAKE GARDNER
10 CARLILE DR.
NOVATO, CA. 94945 415.377.6694 (C)

PROJECT: 58 RESIDENTIAL UNITS/3 COMMERCIAL UNITS
3314 CESAR CHAVEZ STREET
SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

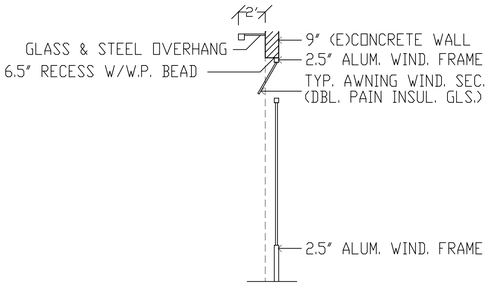
DATE: 12.22.14
SCALE: 1/8""=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A10

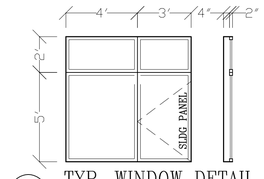


SECTION A–A

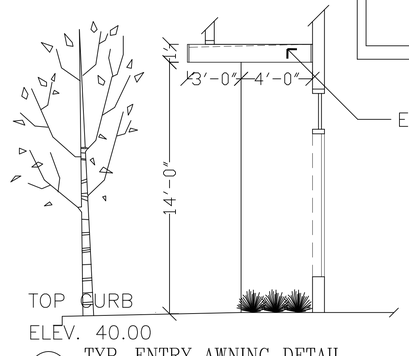


① STANDARD (N) STOREFRONT DETAIL

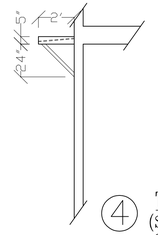




② TYP. WINDOW DETAIL
SCALE: 1/4"=1'-0"
NOTE: ALL WINDOWS TO BE TINTED FOR BIRD FLIGHT PROTECTION



③ TYP. ENTRY AWNING DETAIL
(STAINLESS STEEL AND GLASS)
SCALE: 1/4"=1'-0"



④ TYP. WINDOW AWNING DETAIL
(STAINLESS STEEL AND GLASS)
SCALE: 1/4"=1'-0"

REVISIONS	
DATE	SYM.
12.10.15	
04.25.16	
07.20.16	
08.15.16	
02.20.17	
04.20.17	
07.12.17	

DESIGN BY: ZONE DESIGN DEVELOPEMENT
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SAN FRANCISCO, CA.
BLOCK: 6571 LOT: 012
3314 CESAR CHAVEZ, LLC (OWNERS) 415.264.3699

DATE: 12.22.14
SCALE: 3/16""=1'-0"
DESIGNER: D.G.
JOB NO.: S. CHIU
SHEET NO.: A11

South East

3314 CESAR CHAVEZ STREET

East

A. GALV. S.S. FLASHING (PAINTED)
B. 12" WOOD FACIA CAP (PAINTED)
C. 5" S.S. FRAME & GLASS AWNING
D. 6" ECOTECH CEMENT-FIBER VERTICAL SIDING
E. COPPER CAP
F. TEXTURED STUCCO (PAINTED)
G. 4" MINIMUM RECESSED WINDOW
H. BLACK ALUM. FRAME WINDOW
I. TEXTURED STUCCO
J. S.S. & GLASS AWNING
K. 1 1/2" CONCRETE BREAK
L. 4" S.S. FRAME & GLASS AWNING
N. 18" RECESSED MINIMUM
O. HEAVY FRAME ALUMINUM STOREFRONT WINDOWS
P. METAL EXIT DOOR (PAINTED)
Q. 12" S.S. FRAME & GLASS AWNING
R. S.S. VENTED MESH SECTIONAL DOOR (RECESSED 20")
S. FLOW THROUGH PLANTER
T. BICYCLE RACK
U. FINISHED CONC. WALLS (ANTI-GRAFFITI TREATMENT)

(ALL FINISHES ARE THE SAME AT ALL ELEVATIONS UNLESS OTHERWISE INDICATED)

SOUTH ELEVATION

EAST ELEVATION

NORTH ELEVATION

WEST ELEVATION