San Francisco Planning

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EXECUTIVE SUMMARY CONDITIONAL USE SHADOW FINDINGS

HEARING DATE: DECEMBER 3, 2020

Record No.:	2018-008259CUASHD
Project Address:	2030 POLK STREET (aka 1580 PACIFIC AVENUE)
Zoning:	Polk Street Neighborhood Commercial District (NCD) Zoning District 65-A Height and Bulk District
Block/Lot:	0573 / 011
Project Sponsor:	Jon Heimdahl, JS Sullivan Development 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Property Owner:	JS Pacific Street Partners LLC 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Staff Contact:	Andrew Perry – (628) 652-7430 Andrew.Perry@sfgov.org
Recommendation:	Approval with Conditions

Project Description

The Project would demolish the existing one-story commercial building and construct a six-story, 65-foot-tall, mixed-use residential building with 53 dwelling units (approximately 60,000 square feet) and approximately 7,264 square feet of ground floor retail. The Project would include 27 off-street accesible vehicle parking spaces for the residential use, 4 for the commercial use, and 1 car-share space, as well as 54 Class 1 and 6 Class 2 bicycle parking spaces. The project provides approximately 5,500 square feet of total open space, including an approximately 3,000 square feet rooftop deck. The Project includes a dwell ing unit mix consisting of 1 studio unit, 27 one-bedroom units, 21 two-bedroom units, and 4 three-bedroom units. A Legacy Business, d.b.a. “The Jug Shop”, currently operates at the project site; the Project intends to create a replacement storefront to be occupied by The Jug Shop.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 121.1, 121.2 and 303 to allow for the development of a lot larger than 2,500 square feet within the Polk Street Neighborhood Commercial District, as well as for the creation of three non-residential use sizes larger than 2,000 square feet within the Polk Street Neighborhood Commercial District.

Additionally, the Commission must make findings related to requested waivers from development standards for Rear Yard pursuant to Planning Code Section 134, and for Bulk pursuant to Planning Code Section 270, pursuant to the State Density Bonus Law.

Issues and Other Considerations

- **Public Comment & Outreach.** The Project Sponsor held a pre-application meeting in November 2018 prior to formal submittal of the Project to the Department. As the Project design became finalized, the Project Sponsor also met with several community organizations including: Lower Polk Neighbors, Russian Hill Neighbors, the Van Ness Corridor Neighborhoods Coalition, and Discover Polk CBD. All four organizations listed above have submitted letters of support for the Project. Additionally, the Department has received four communications with concerns about the project. These concerns include: impacts from noise, dust and street access during construction; impacts to traffic, parking and livability from the additional residential density; the overall height of the proposed structure; and the resulting loss of views from a newly purchased residential unit across the street. One commenter expressed a desire to see the Project Site be used as a public park instead.
- **Legacy Business.** A legacy business, d.b.a. "The Jug Shop", currently operates at the Project Site. The Project Sponsor intends to create a replacement storefront for this business as part of the Project. A Condition of Approval has been added to the draft motion to reflect this and that the Project would need to return to the Planning Commission for removal of a Legacy Business if the subject business does not relocate into the resulting Project once completed.
- **State Density Bonus Law and Waivers.** The Polk Street NCD regulates density based on lot area and for the subject property, a density of up to 1 unit per 400 square feet of lot area may be achieved, or up to 43 units as the base density. The Project is providing on-site affordable housing for 5 units (or 12% of the base project) at the low income level (51%-80% AMI) and is therefore entitled to a 23% density bonus, or 10 additional units for a total of 53. The Project proposes the full 53 units with the density bonus. Under the State Density Bonus Law, the Project is requesting waivers from Rear Yard and Bulk, and is not requesting any concessions or incentives.
- **Inclusionary Affordable Housing.** The Project proposes to comply with the Inclusionary Affordable Housing requirements of Section 415 through the combination of on-site units and payment of the Affordable Housing Fee. In total, nine (9) units will be provided as BMRs on-site, with five (5) units at the low-income tier (80% AMI), and two (2) units each at the moderate- and middle-income tiers (105% and 130% AMI, respectively.) The nine proposed BMR units will consist of 5 one-bedrooms, 3 two-bedrooms, and 1 three-bedroom unit, consistent with the dwelling unit mix in the Project. As the nine on-site units only satisfy approximately 75% of the 53-unit Project's 22% on-site inclusionary affordable housing requirement, the Project will meet the remainder of the obligation, including on the ten density bonus units, through payment of the affordable housing fee, an estimated $1,039,986 based on the submitted Project.

Environmental Review

On October 21, 2020, a Preliminary Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review. The Preliminary IS/MND was available for public comment until November 10, 2020. No comments were received on the Preliminary IS/MND.

On November 18, 2020 the Department reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Department found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission (hereinafter "Commission"), and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Department prepared a Mitigation Monitoring and Reporting program (MMRP), which was made available to the public and the Commission for review, consideration and action.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the the Objectives and Policies of the General Plan. The Project will provide 53 new dwelling units, including 9 affordable units, and with almost half of the units in the project (47%) containing two or more bedrooms, suitable for larger households. The Project creates new ground floor retail spaces along Polk Street, better activating the Polk Street and Pacific Avenue frontages. Importantly, one of these commercial spaces is intended to be occupied by The Jug Shop, a legacy business that currently operates at the Project Site. These spaces will add to the commercial opportunities in the neighborhood and reinforce Polk Street as a neighborhood commercial corridor. The Project provides vehicle parking for half of the units (27 spaces), with the location of the garage off of Pacific Avenue designed to reduce pedestrian and bicycle conflicts on the more active Polk Street frontage. Lastly, while the Project requires a waiver from Bulk under the State Density Bonus Program, the Project has been well designed, incorporating upper level setbacks along Polk Street and Pacific Avenue, bay windows and other modulation in the façade to reduce the apparent mass of the structure and ensure that the Project is contextual within the surrounding Polk Street and Pacific Avenue contexts. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)
Draft Motion – Shadow Findings
Exhibit B – Plans and Renderings
Exhibit C – Final Mitigated Negative Declaration, including MMRP
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Project Sponsor Brief
Exhibit G – Individually-Requested State Density Bonus Application
Exhibit H – Inclusionary Affordable Housing Affidavit
Exhibit I – Anti-Discriminatory Housing Affidavit
Exhibit J – First Source Hiring Affidavit

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PLANNING COMMISSION DRAFT MOTION

HEARING DATE: DECEMBER 3, 2020

Record No.:	**2018-008259CUA**
Project Address:	**2030 POLK STREET (aka 1580 PACIFIC AVENUE)**
Zoning:	Polk Street Neighborhood Commercial (NCD) Zoning District 65-A Height and Bulk District
Block/Lot:	0573 / 011
Project Sponsor:	Jon Heimdahl, JS Sullivan Development 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Property Owner:	JS Pacific Street Partners LLC 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Staff Contact:	Andrew Perry – (628) 652-7430 Andrew.Perry@sfgov.org

ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.1, 121.2 AND 303, TO ALLOW DEVELOPMENT OF A LOT GREATER THAN 2,500 SQUARE FEET, AND TO ALLOW FOR THE CONSTRUCTION OF INDIVIDUAL NON-RESIDENTIAL USE SIZES GREATER THAN 2,000 SQUARE FEET, TO APPROVE AN INDIVIDUALLY-REQUESTED STATE DENSITY BONUS PROJECT PURSUANT TO PLANNING CODE SECTION 206.6, AND TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE PROJECT WOULD USE THE STATE DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTIONS 65915-65918) TO INVOKE WAIVERS FROM THE DEVELOPMENT STANDARDS FOR REAR YARD (SECTION 134) AND BULK (SECTION 270). THE PROJECT WOULD DEMOLISH THE EXISTING COMMERCIAL BUILDING AND PARKING LOT AND CONSTRUCT A SIX-STORY, 65-FOOT-TALL MIXED-USE BUILDING WITH 53 DWELLING UNITS (1 STUDIO UNIT, 27 ONE-BEDROOM UNITS, 21 TWO-BEDROOM UNITS, AND 4 THREE-BEDROOM UNITS), APPROXIMATELY 7,264 SQUARE FEET OF GROUND FLOOR RETAIL, APPROXIMATELY 5,500 SQUARE FEET OF USABLE OPEN SPACE FOR THE RESIDENTIAL USE, 32 OFF-STREET VEHICLE PARKING SPACES (27 FOR RESIDENTIAL USE, 4 FOR COMMERCIAL USE, AND 1 CAR SHARE SPACE), AND 54 CLASS 1 AND 6 CLASS 2 BICYCLE PARKING SPACES. THE PROJECT IS LOCATED AT 2030 POLK STREET (AKA 1580 PACIFIC AVENUE), LOT 011 IN ASSESSOR'S BLOCK 0573, WITHIN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND THE 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 30, 2018, Jessica Jauw of JS Sullivan Development filed Application No. 2018-008259PRJ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization and Individually-Requested State Density Bonus Project to construct a new six-story, 65-foot-tall, mixed-use building with 50 dwelling units and approximately 6,500 square feet of ground floor commercial space at 2030 Polk Street (aka 1580 Pacific Avenue), Block 0573 Lot 011 (hereinafter "Project Site"). On January 25, 2019, the submitted Application were deemed complete by the Department. On July 23, 2019, Jon Heimdahl of JS Sullivan (hereinafter "Project Sponsor") filed a revised Application for a Conditional Use Authorization and Individually-Requested State Density Bonus Project to construct a new six-story, 65-foot-tall, mixed-use building with 53 dwelling units and approximately 7,264 square feet of ground floor commercial space (hereinafter "Project").

The Project Sponsor seeks to proceed under the State Density Bonus Law, Government Code Section 65915 et seq (the "State Law"). Under the State Law, a housing development that includes affordable housing is entitled to additional density, concessions and incentives, and waivers from development standards that might otherwise preclude the construction of the project. In accordance with the Planning Department's policies regarding projects seeking to proceed under the State Law, the Project Sponsor has provided the Department with a 43-unit "Base Project" that would include housing that is affordable to very-low-, low-, and moderate-income households. Because the Project Sponsor is providing 9 units of housing affordable to very-low-, low-, and moderate-income households, the Project is eligible for a density bonus of 23%, seeking two waivers from the following development standards: 1) Rear Yard (Section 134) and 2) Bulk (Section 270).

On October 21, 2020, a Preliminary Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review. The Preliminary IS/MND was available for public comment until November 10, 2020. No comments were received on the Preliminary IS/MND.

On November 18, 2020 the Department reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Department found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission (hereinafter "Commission"), and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Department prepared a Mitigation Monitoring and Reporting program (MMRP), which was made available to the public and the Commission for review, consideration and action.

On November 19, 2020 the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meetings and recommended that the Planning Commission find that the shadows cast by the Project would not be adverse to the use of Helen Wills Park.

On December 3, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization and Shadow Analysis Application Nos. 2018-008259CUASHD.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-008259CUA is located at 49 South Van Ness Avenue, Suite 1400, 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 applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2018-008259CUA, 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. **Project Description.** The Project includes demolition of the existing commercial building and associated surface parking lot and construction of a six-story, 65-foot-tall mixed-use building with 53 dwelling units totaling approximately 60,000 square feet of residential use and approximately 7,264 square feet of ground floor retail space. The Project includes a dwelling unit mix consisting of 1 studio unit, 27 one-bedroom units, 21 two-bedroom units, and 4 three-bedroom units. The project would provide approximately 5,500 square feet of total residential usable open space through the second-floor modified rear yard setback, a rooftop deck, and a few private balconies at the sixth floor. A garage accessed from Pacific Avenue would contain 32 off-street vehicle parking spaces – 27 accessory to the residential use, 4 to the commercial use, and 1 car share space. The project also provides 54 Class 1 bicycle parking spaces in a bike room accessed from the residential lobby and 6 Class 2 bicycle parking spaces along the project's frontage.

3. **Site Description and Present Use.** The Project is located on one lot at the northeastern corner of the intersection of Polk Street and Pacific Avenue, Lot 011 in Assessor's Block 0573. The Project Site contains approximately 128 feet of frontage along Polk Street, 136 feet of frontage along Pacific Avenue, and is rectangular in shape with a lot area of approximately 17,376 square feet. The Project Site is currently occupied by a one-story commercial building and associated parking lot. The building has three commercial storefronts, two facing the parking lot and Pacific Avenue as well as a basement-level space fronting Polk Street. One of the commercial spaces is currently occupied by a Legacy Business, d.b.a. "The Jug Shop", a family-owned, independent shop specializing in wine, beer, and spirits.

4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Polk Street Neighborhood Commercial Zoning District (NCD) and is within a block of the Van Ness Avenue Area Plan. The surrounding vicinity is mixed-use in nature with residential uses often located above ground-floor commercial. Ground-floor commercial spaces in the surrounding blocks are generally occupied by personal service, eating and drinking establishments, as well as a range of neighborhood-serving uses

such as an optometrist and frame store. Additionally, some ground floor spaces are occupied by design professional offices. Lastly, the adjacent property along Pacific Avenue is an auto repair garage. In general, Polk Street is more oriented to commercial uses, while Pacific Avenue is more oriented toward residential uses, though both are decidedly mixed-use.

The development pattern in the immediate area of the Project Site is varied with buildings ranging from one- and two-story commercial structures on both Polk Street and Pacific Avenue, to 5- and 6-story buildings, including two 5-story buildings on the southeastern and southwestern corners of the intersection where the Project is located.

5. **Public Outreach and Comments.** The Project Sponsor held a pre-application meeting in November 2018 prior to formal submittal of the Project to the Department. As the Project design became finalized, the Project Sponsor also met with several community organizations including: Lower Polk Neighbors, Russian Hill Neighbors, the Van Ness Corridor Neighborhoods Coalition, and Discover Polk CBD. All four organizations listed above have submitted letters of support for the Project. Additionally, the Department has received four communications with concerns about the project. These concerns include: impacts from noise, dust and street access during construction; impacts to traffic, parking and livability from the additional residential density; the overall height of the proposed structure; and the resulting loss of views from a newly purchased residential unit across the street. One commenter expressed a desire to see the Project Site be used as a public park instead.

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

   A. Use and Density. Planning Code Section 723 permits residential uses within the Polk Street Neighborhood Commercial District (NCD) at a density of one dwelling unit per 400 square feet of lot area, or the density permitted in the nearest residential district. Planning Code Section 723 principally permits general retail sales and service uses at the ground floor.

   The Project may achieve a density up to one dwelling per 400 square feet of lot area, or 43 units for the subject property with approximately 17,376 square feet of lot area. The Project Site is not close enough to either an RM-4 or RC-4 District to be able to use the one per 200 square feet of lot area density provisions of those Districts. The Project proposes a total of 53 dwelling units. The additional density would be achieved through the State Density Bonus Program, an increase of 23 percent over the otherwise permitted density. The Project also proposes three ground-floor storefronts to be occupied by Retail Sales and Service uses.

   B. Development of Large Lots in NC Districts. Planning Code Section 121.1 requires Conditional Use Authorization for the development of a lot larger than 2,500 square feet within the Polk Street NCD.

   The Project requests Conditional Use Authorization for the development of the approximately 17,376-square foot lot; see additional findings in Section 8, below.

   C. Non-Residential Use Size. Planning Code Section 121.2 states that non-residential uses within the Polk Street Neighborhood Commercial District require Conditional Use Authorization if they are between 2,000 and 4,000 square feet in size.

The Project proposes three non-residential spaces, each of which exceed 2,000 square feet and are proposed at approximately 2,145 sf, 2,232 sf, and 2,887 sf. Two of these spaces have proposed mezzanines in the double-height area of the ground floor at the northern end of the project's Polk Street frontage, which help account for the additional space. The other is created through combining two potential storefronts at the building's corner, where the Project Sponsor intends to have "The Jug Shop" return as a tenant and continue operation as a Legacy Business. The Project requests Conditional Use Authorization for all three spaces; see additional findings in Section 9, below.

D. Basic Floor Area Ratio. Planning Code Section 124 allows a Floor Area Ratio (FAR) of up to 2.5 to 1 within the Polk Street NCD. The Project Site has an area of approximately 17,376 square feet; therefore, the allowable FAR would permit a building of up to 43,440 square feet of Gross Floor Area.

Pursuant to Planning Code Section 124(b), FAR limits do not apply to residential uses. The commercial uses within the Project have an FAR of approximately 0.42, within the limit allowed by Code.

E. Rear Yard. Planning Code Section 134 requires a rear yard equal to 25 percent of the lot depth, to be provided starting at the lowest floor level containing a dwelling unit. The Project Site has a lot depth of approximately 128' measured north to south, or approximately 136' measured east to west; therefore, a rear yard of approximately 32 feet, or 34 feet is required depending where the rear yard would be located.

The Project does not propose a standard rear yard setback that would extend across the full length of an internal rear property line. Instead, the Project proposes a modified setback and courtyard, located at the interior northeast corner of the property. A Code-compliant rear yard would contain approximately 4,352 square feet; the proposed modified setback and rear court contains approximately 4,224 square feet. Additionally, the project provides the modified rear yard setback at the second-floor level, which is generally the level where residential uses begin in the project; however, two units along Pacific Avenue are designed to have connection to the street at the ground floor.

Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to use the State Density Bonus Law and proposes a waiver for the reduction of site development standards for rear yard, which are defined in Planning Code 134.

F. Usable Open Space. Planning Code Section 723 requires 60 square feet of private open space per unit, or 80 square feet of common open space per dwelling unit.

The Project includes a few areas of private usable open space at the second floor in the form of private patios for four units. Additionally, two units at the sixth floor will have two private balconies each that meet minimum size requirements for private usable open space, and in total will provide the units with 88 square feet of private open space. For the remaining 47 units, common usable open space would be required in the amount of 3,760 square feet. The remaining open space requirement is met through a common patio and surrounding planted area on the second floor, as well as a rooftop deck measuring approximately 3,000 square feet. Two additional units at the sixth floor will also have private balconies; however, with only a single balcony, these are not of sufficient size to meet the requirement..

G. Streetscape and Pedestrian Improvements. Planning Code Section 138.1 requires projects with more than 150 feet of frontage and proposing new construction of 10 more dwelling units to provide streetscape improvements consistent with the Better Streets Plan.

The Project shall comply with this requirement and will include improvements such as new street trees and Class 2 bicycle racks, as well as curbline and intersection modifications with a bulbout into the Polk Street right-of-way. The precise location, spacing and type of street trees and other streetscape improvements will be further refined throughout the building permit review process.

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

The Project Site is a corner lot with frontages along Polk Street and Pacific Avenue; all units facing directly onto these streets meet exposure requirements, accounting for 30 of the 53 total units. The other area that units face onto is at the rear of the building, where the Project is providing a modified rear yard setback that measures approximately 70 feet by 62 feet. Given its size, this area is able to qualify for exposure for the remaining 23 units. Pursuant to Planning Code Section 140(a)(2), units at the second floor, which would be the least exposed, would need to face onto an area measuring at least 40 feet by 40 feet at the sixth floor above; the modified rear yard exceeds this requirement. Therefore, all units in the proposed project comply with dwelling unit exposure requirements.

I. Street Frontage in Neighborhood Commercial Districts. Planning Code Section 145.1 requires that within Neighborhood Commercial Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Spaces such as lobbies are considered active uses only if they do not exceed 25% of the building's frontage at the ground level, or 40 feet, whichever is greater. Section 145.1(c)(2) of the Planning Code requires that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to and facing a street shall be devoted to parking and loading ingress or egress. Section 145.1(c)(4) of the Planning Code requires that ground floor non-residential uses in NC Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade. Section 145.1(c)(5) requires the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Section 145.1(c)(6) of the Planning Code requires that within Downtown Commercial Districts, frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The Project includes approximately 7,264 gross square feet of ground floor retail sales and service uses located primarily along the Polk Street frontage, with one space wrapping the corner around Pacific Avenue. While the depth of each retail space varies in depth, all spaces are at least 25 feet deep along their respective frontages. Residential uses are provided above the ground floor and are considered active, as well as two walk-up dwelling units along Pacific Avenue, which meet active use requirements. The primary residential entry is accessed from Polk Street. The project proposes a single garage entry off Pacific Avenue, of 10 feet in width. As such, the proposed ground floor meets the Code's active use requirements. The various retail entries along Polk Street have been designed to be approximately level with the adjacent sidewalk, such that each space has a slightly different floor-to-ceiling height due to the lateral sloping topography of the site along both frontages. As a result, the retail spaces along the northern end of Polk Street are almost double-height, well in excess of the 14' floor-to-floor requirement at ground level, while even the spaces closer to Pacific Avenue have been designed with a height of 15'-10". Along both frontages, the ground floor active uses are fenestrated with transparent storefronts and entries for more than 60% of that portion of the façade.

J. Off-Street Parking. Planning Code Section 151.1 establishes off-street parking requirements for uses within the Polk Street NCD. Pursuant to this Section, accessory parking is not required for any use; however, may be provided up to a ratio of 0.5 spaces per dwelling unit, and up to 1.5 spaces for every 500 square feet of occupied floor area of retail uses.

The Project proposes to provide accessory residential parking at the maximum, 0.5 ratio permitted under Code for a total of 27 accessory residential parking spaces. Additionally, the Project will provide four spaces for use with the retail sales and service businesses; in part, provision of these spaces was done to assist The Jug Shop legacy business, as some large orders may not be feasible to transport via walking, biking, or transit.

K. Off-Street Freight Loading. Planning Code Section 152 establishes a schedule of required off-street freight loading spaces for all uses in districts other than C-3 or South of Market. Residential uses with less than 100,000 square feet of occupied floor area and retail sales and service uses with less than 10,000 square feet of occupied floor area require no off-street freight loading spaces.

The Project contains less than 100,000 square feet of residential use and less than 10,000 square feet of occupied retail floor area. No off-street freight loading spaces are required, and none are proposed.

L. Bicycle Parking. Planning Code Section 155.2 establishes bicycle parking requirements for new developments, based on uses. For buildings with up to 100 dwelling units, one Class 1 space is required per unit. Additionally, one Class 1 space is required for every 7,500 square feet of occupied retail floor area. Class 2 bicycle parking spaces are required at a rate of one space for every 20 dwelling units, and also one space for every 2,500 square feet of occupied retail floor area.

The Project includes 53 dwelling units and approximately 7,264 square feet of retail floor area; therefore 54 Class 1 spaces (53 for the residential use and 1 for the retail uses) and 6 Class 2 spaces (3 for the residential use and 3 for the retail uses) are required. The Project proposes to comply, providing a bicycle room adjacent to the residential lobby with capacity for 54 bicycles and by installing at least 3 Class 2 bicycle racks (equivalent to 6 spaces) on the adjacent sidewalks.

M. Car Share. Planning Code Section 166 requires one car share parking space for residential projects with between 50 and 200 dwelling units. The required car share parking space may be provided on the building site or on another off-street site within 800 feet of the building site.

The Project proposes 53 dwelling units with a garage for off-street vehicle parking and therefore requires one car share parking space. One car share space will be provided in the garage accessed from Pacific Avenue.

N. Transportation Demand Management (TDM) Plan. Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a complete Development Application after January 1, 2018. Therefore, the Project is subject to 100% of the point target established in the TDM Program Standards, resulting in a required target of 14 points. As currently proposed, the Project will achieve its required 14 points through the following TDM measures:

- Unbundled Parking
- Parking Supply
- Bicycle Parking
- Bicycle Repair Station
- Car-share Parking
- Delivery Supportive Amenities
- Tailored Transportation Marketing Services
- On-Site Affordable Housing

O. Dwelling Unit Mix. Planning Code Section 207.6 requires that for projects within the Polk Street NCD that propose new construction of 5 or more units, no less than 40% of the total number of proposed dwelling units shall contain at least two bedrooms, or that no less than 30% of the total number of proposed dwelling units shall contain at least three bedrooms, or that no less than 35% of the total number of proposed dwelling units shall contain at least two bedrooms and no less than 10% shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units and units counted towards the three-bedroom requirement may also count towards the requirement for units with two or more bedrooms.

The Project proposes a dwelling unit mix consisting of 1 studio unit, 27 one-bedroom units, 21 two-bedroom units, and 4 three-bedroom units. The Project therefore complies with the dwelling unit mix requirement by providing 47% of the units with at least two bedrooms, exceeding the 40% requirement.

P. Height. Planning Code Section 260, and Article 2.5 of the Planning Code generally, require that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The subject property is located within a 65-A Height and Bulk District. Within this District, heights of buildings are limited to 65 feet. Section 260(b) allows elevator, stair

and mechanical penthouses to exceed the maximum height by an additional 10 feet, except that the elevator shaft may exceed the maximum height by 16 feet.

The finished roof of the Project would reach a maximum height of approximately 65 feet, as measured from the lowest point of the project's Pacific Avenue frontage. Rooftop stair and mechanical penthouses would add an additional 10 feet of height in those areas, while the elevator shaft will rise approximately 13'-5" above the roof; however, these features are exempt from height limits per Planning Code Section 260(b). As proposed, the Project is compliant with the 65-foot height limit on the subject property.

Q. Bulk. Planning Code Section 270 establishes bulk controls by District. The Project Site is located within the "A" Bulk District, where controls apply above 40 feet in height. Above 40 feet in height, the maximum plan length is 110 feet and the maximum diagonal dimension is 125 feet.

Portions of the building above the fourth floor exceed 40 feet in height; therefore, the Project is subject to the controls of the "A" Bulk District at the fourth floor and above. The Project's design, including at the fourth floor and above, is intended to continue the streetwall given its prominent corner location and large amount of frontage. The Project incorporates setbacks and bay windows, and varies the proposed exterior materials in order to create visual interest and assist the project in appearing contextual within the surrounding neighborhood. However, both the proposed maximum project length (approximately 127 feet along Polk Street and 136 feet along Pacific Avenue) and maximum project diagonal (approximately 186 feet) exceed the limits of the "A" Bulk District. This additional massing allows the project to achieve the additional density bonus permitted under the State Density Bonus Program.

Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for bulk, which are defined in Section 270.

R. Shadows on Parks. Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project would result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department or designated for acquisition by the Recreation and Park Commission.

A technical memorandum was prepared by "PREVISION DESIGN", dated July 13, 2020 ("Shadow Study"), which analyzed the potential shadow impacts of the proposed Project to parks subject to Section 295 (in addition to other open spaces under public jurisdiction and privately owned, publicly accessible open spaces).

As detailed in the Shadow Study, the proposed Project would cast new shadow on one existing park under the jurisdiction of the Recreation and Park Department and subject to Planning Code Section 295 – Helen Wills Park.

Helen Wills Park is an approximately 35,034 sf (0.80 acre) highly developed urban park between the

Russian Hill and Nob Hill neighborhoods, bounded by Broadway to the north and Larkin Street to the east, sitting in the northeast corner of Block 0573. The park is divided into three main areas: the western portion contains a full-size tennis court enclosed by high fencing, the eastern portion contains a full basketball court and a multi-use court, and the central portion contains two separate children's play areas: one for toddlers and the other for kids 5 to 12. The park has approximately 130,374,016 square foot hours (sfh) of Theoretically Available Annual Sunlight (TAAS), of which, existing shadow coverage accounts for 53,885,260 sfh, or 41.33 percent of TAAS.

The Shadow Study found that the proposed Project would add 797,100 sfh of net new shadow resulting in a 0.61 percent increase in annual shadow as a percentage of TAAS. Under existing plus project conditions, the total annual shadow coverage on Helen Wills Park would be 54,682,360 sfh, or 41.94 percent of TAAS. Shadow from the proposed Project on Helen Wills Park would occur between August 3rd and May 9th. Most of this new shadow would occur during the fall in late afternoon (after 4:00 pm). During the periods of shadow, the largest net new shadow by area would occur on November 15th and January 25th at 3:45 pm., covering an area of approximately 4,149 sf at a time where the majority of the park is already cast in shadow. The average duration of new shadow resulting from the Project would be approximately 121 minutes. The longest new shadow duration resulting from the Project would occur on December 20th and 21st for approximately 4.25 hours (starting at 11:45 am until the end of the daily analysis period at 3:54 pm.

On November 19, 2020 the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project would not be adverse to the use of Helen Wills Park. However, the Recreation and Park Commission did still recommend that the Planning Commission and Project Sponsor explore whether it was feasible to alter the design to reduce net new shadow on the park. Based on analysis conducted by the shadow consultant, the Project would need to be limited to a single story in order not to have any net new shadow impact.

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 Project Application. A complete Project Application was submitted on January 25, 2019; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 22% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it 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 through a combination of on-site units and 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 July 23, 2019. 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 Project Application. A complete Project Application was submitted on January 25, 2019; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 22% of the total proposed dwelling units as affordable, with a minimum of 12% of the units affordable to low-income households, 5% of the units affordable to moderate-income households, and the remaining 5% of the units affordable to middle-income households, as defined by the Planning Code and Procedures Manual. Nine units (5 one-bedroom, 3 two-bedroom, and 1 three-bedroom) of the total 53 units provided will be affordable units. As this only satisfies approximately 75% of the required 22% On-Site Affordable Housing obligation, the remainder of the requirement shall be paid as the Inclusionary Housing Fee at the applicable rate of 33%. Based on current fee rates, it is estimated that the project will pay approximately $1,039,986 as the balance of the Inclusionary Affordable Housing requirement, in addition to the 9 proposed on-site units.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 proposed Project is necessary and desirable in that it will provide 53 new dwelling units, including 25 that contain at least two bedrooms and are appropriate for larger households. The Project will add housing opportunities within the Polk Street NCD at a density suitable for an urban area well served by public transit and nearby retail opportunities. The commercial spaces proposed primarily along the Project's Polk Street frontage will contribute to the overall commercial activity of the district, and will generally improve the pedestrian character of the site, particularly along Pacific Avenue where the public right-of-way currently abuts a surface parking lot. One of the commercial storefronts is intended as a replacement location for the legacy business, The Jug Shop that currently operates at the project site.

      The existing development in the area surrounding the Project Site is varied in scale and intensity with buildings ranging from single-story commercial buildings to mixed-use buildings up to six stories in height, including two five-story buildings on other corners of this same intersection. West of the project site towards the Van Ness corridor, building heights range from two to seven stories. While the Project is taller than some adjacent buildings, the design incorporates upper level setbacks, bay windows and varied facade treatments to divide the elevation into discrete sections that complement the surrounding built environment and enhance the pedestrian realm.

   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:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project site is adequately sized to accommodate the development. Existing development in the vicinity varies in size and intensity, and the Project is generally compatible with the character of the area, while bringing greater emphasis and height to the intersection.

(2) 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 provides ample off-street parking with 27 accessory residential spaces at a ratio of 0.5 spaces per unit, in addition to a car-share vehicle space. The parking is accessed through a single garage entry on Pacific Avenue, which should have minimal effect on pedestrian and bicycle traffic, which is more oriented to Polk Street. The Project Site is well served by public transit located within a quarter-mile of many MUNI lines including the 1, 12, 19, 27, 30X, 41, 45, 47, 49, 76X, and the Powell-Hyde historic cable car. The Project additionally provides a bicycle storage room for 54 bicycles, encouraging residents and employees to use alternative means of transportation, particularly given the location on the Polk Street bikeway.

(3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

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

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

The Project proposes open spaces in the form of private patios and a common rear courtyard patio at the second floor as well as a large rooftop deck. Plans for the project show landscaping in the form of street trees and other plantings along Polk Street and Pacific Avenue, as well as a large planted area at the second-floor open space. Along Pacific Avenue, the project includes walk-up dwelling units, which have additional recessed and planted areas. Conditions of approval required that, as the Project proceeds through building permit review, the Project Sponsor will continue to work with Planning staff to refine details of lighting, signage, materials, and other aspects of the project.

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 Polk Street Neighborhood Commercial District is a linear, dense mixed-use corridor that consists of residential units above ground-story commercial uses. The Project conforms to the purposes of the Polk Street NCD in that it would add ground-level retail uses along Polk Street, which will wrap the corner around to Pacific Avenue. This will enhance pedestrian and commercial activity in the area, while maintaining an existing sense of identity through the replacement storefront for The Jug Shop. Housing development is specifically encouraged on upper stories within the District and the Project succeeds in providing both a dense number of dwelling units overall while also having close to half of the units in the Project containing at least two bedrooms.

8. **Development of Large Lots in NC Districts Findings.** In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met for the development of large lots in NC Districts, as per Planning Code Section 121.1(b):

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

The existing development in the area surrounding the Project Site is varied in scale and intensity with buildings ranging from single-story commercial buildings to mixed-use buildings up to six stories in height, including two five-story buildings on other corners of this same intersection. West of the project site towards the Van Ness corridor, building heights range from two to seven stories. While the Project is taller than some adjacent buildings, the design incorporates upper level setbacks, bay windows and varied facade treatments to divide the elevation into discrete sections that complement the surrounding built environment and enhance the pedestrian realm. Overall, the mass of the proposed structure is generally consistent with the neighborhood zoning and height limits and compatible with other structures in the vicinity, while also designed in a manner to create visual rhythm and a ground floor consistent with the neighborhood pattern.

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

Existing buildings in the area exhibit an eclectic architectural character, with no prevailing style establishing a dominant visual pattern for the neighborhood. One-story retail commercial buildings are interspersed with multi-story, mixed-use structures.

Both the Polk Street and Pacific Avenue facades on the proposed project express a high ratio of wall to glazing, similar to older residential and mixed-use buildings in the area. The building

incorporates forms and detailing that are familiar to the older buildings in the area while harmonizing with newer contemporary structures. Additionally, the massing of the ground floor retail is divided into multiple tenant spaces that will help reinforce the neighborhood commercial scale of the building.

9. **Non-Residential Use Size Limits in NC Districts Findings.** In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met in order to permit non-residential use sizes in excess of 2,000 square feet within the Polk NCD, as per Planning Code Section 121.2(a):

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

      The Polk Street Neighborhood Commercial District is an active commercial corridor that extends from Filbert Street to the north, far to the south until it reaches Civic Center and the Downtown area. On the southern half of the corridor, the location of commercial activity generally broadens east-west, away from the primary Polk corridor as well. Given the numerous other commercial activities in the area, some of which are likely in excess of 2,000 square feet as well, it is unlikely that the proposed commercial spaces will be detrimental to or foreclose other needed neighborhood-serving uses in the vicinity.

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

      One of the proposed storefront spaces is intended to be a replacement location for the legacy business, The Jug Shop, which currently operates at the Project Site. The replacement commercial space will already be smaller than the business' current store, which is around 4,000 square feet. This additional space will be necessary for the business' operation, which deals with large volumes of a product that generally needs to be stored on site for sale to customers. The other proposed storefronts will exceed 2,000 square foot due to the inclusion of mezzanine spaces. While it is not clear at this time what business will operate in these locations, such additional space could be useful to a variety of businesses, whether needed for additional seating spaced farther apart, or needed for additional storage of materials for deliveries. This additional floor space does not have much corresponding visual impact on the street, since these storefronts will be no wider than if the mezzanines did not exist; however, the additional mezzanine in this location is a more efficient use of space given the almost double-height ground floor space due to site topography.

   C. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

      The proposed building is designed in a manner consistent with the pattern of development in the vicinity and respects the scale of development in the district. As discussed above, the individual storefronts have been designed in discreet elements with similar architectural features as seen on nearby buildings, while the additional square footage is primarily being added through incorporation of mezzanines in a double-height space. For the commercial space closest to the corner, proposed for occupation by the Jug Shop, this space could at some point in the future still

be converted into two separate commercial spaces based on the overall architectural design of the building.

10. State Density Bonus Program Findings. Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession or Waiver for any Individually Requested Density Bonus Project:

A. The Housing Project is eligible for the Individually Requested Density Bonus Program.

The Project consists of five or more dwelling units on a site located in the Polk Street Neighborhood Commercial Zoning District that is currently developed as a one-story structure containing only non-residential, retail sales and service uses and is, therefore, eligible for the Individually Requested Density Bonus Program.

B. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

The Project is not requesting any concessions or incentives under the Individually Requested Density Bonus Program; and is therefore not applicable.

C. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

The Project includes the demolition of the existing one-story commercial building and construction of a new six-story mixed-use residential building with ground floor commercial. The Project proposes a dwelling unit mix consisting of 1 studio unit, 27 one-bedroom units, 21 two-bedroom units, and 4 three-bedroom units totaling 53 dwelling units, with 9 dwelling units provided as affordable.

In order to achieve the proposed residential density, the Project is requesting two waivers from development standards: 1) Rear Yard (Section 134) and 2) Bulk (Section 270). Without the waivers, the Project will be physically precluded from constructing the additional units as permitted under the Individually Requested Density Bonus Program, thus preventing the Project from achieving a 23% density bonus.

D. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

The Density Bonus for the Project is not based on any donation of land; and is therefore not applicable.

E. If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

The requested Density Bonus for the Project is not based on the inclusion of a Child Care Facility; and is therefore not applicable.

F. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

The Project is not seeking any concessions or incentives under the Individually Requested Density Bonus Program; and is therefore not applicable.

11. **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 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

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 4.5
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.

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.

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, childcare, and neighborhood services, when developing new housing units.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

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

Policy 6.1
Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.3
Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

Policy 6.8
Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

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 3.2
Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

Policy 3.6
Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project is a high-density residential infill development that will provide 53 new dwelling units in a mixed-use area. The Project proposes a mix of dwelling unit types, with almost half (47%) of the units containing at least two bedrooms. The Project proposes to meet the requirements of the Inclusionary Affordable Housing Program through a combination of nine (9) on-site Below Market Rate (BMR) units and payment of approximately $1,039,986 as the balance of the Inclusionary Affordable Housing Fee. The Project Site is located in proximity to a variety of public transportation options, including numerous MUNI lines within a quarter-mile, as well as being located along a primary north-south bikeway on Polk Street. The Project proposes accessory parking at a ratio of 0.5 spaces per unit, consistent with the maximum amount permitted within the zoning district, which will allow families and other future building residents the flexibility to use personal vehicles. The garage's single entry off Pacific Avenue should minimize conflict

between vehicles and pedestrians, cyclists and transit, particularly along the more active Polk Street frontage. The Project Site is located within a developed urban context with much existing access to neighborhood-serving retail, services, amenities and entertainment opportunities. The Project will create new ground floor commercial spaces along Polk Street, including a replacement storefront space for The Jug Shop, a legacy business that currently operates at the Project Site. The Project will also create a better pedestrian environment along Pacific Avenue, which currently abuts the surface parking lot at the project site. The building's design includes two walk-up residential units along Pacific Avenue, reflecting the block's slightly more residential character than what exists on Polk Street. The subject property is appropriate for infill development and will complement and contribute to the vitality, activity and walkable urban character of the area.

The Project is consistent with the mixed-use character of Polk Street with high-density residential housing located over ground floor commercial spaces. Although the Project will use the State Density Bonus Program to achieve additional density, the Project's height will be consistent with the existing zoning height limit of 65 feet. The Project Site is a large lot at the intersection of Polk Street and Pacific Avenue and the building has been designed to hold the streetwall; as a result, the Project requires a waiver from bulk under the State Density Bonus Program. However, the building has also been designed to avoid a dominating or overbearing appearance in terms of mass and scale. The building has incorporated an upper floor setback along both the Polk Street and Pacific Avenue frontages to step the building mass back from the corner, and uses different exterior materials and bay windows to visually break up the building façade into multiple discreet components. At the ground floor level, the Project activates the Polk Street frontage with multiple storefronts including a corner location that wraps around to Pacific Avenue and is intended to be a replacement location for the legacy business, The Jug Shop. Along Pacific Avenue, to reinforce a more residential character, the project has included two walk-up dwelling units, with small planted areas to add visual interest. Overall, these design decisions are complementary to the context of the district, while still being contemporary in its design. For all these reasons, the Project is on balance, consistent with the Objectives and Policies of the General Plan.

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

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

    The Project would require the removal and demolition of the existing retail businesses; however, new commercial spaces will be included in the new building that will provide local business ownership and employment opportunities. Importantly, one of these spaces is intended as a replacement location for the legacy business, The Jug Shop, which currently operates on the Project Site. In addition, the new residents in the Project will patronize area businesses, bolstering the viability of surrounding commercial districts.

    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 does not contain any existing housing that would be removed for the Project. The

Project will add 53 dwelling units in a manner that is compatible with the surrounding neighborhood context and that will enhance the vitality of the surrounding commercial corridor. The Project is expressive in design and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project does not remove any housing and will add 53 dwelling units to the City's stock. The Project will comply with the City's Affordable Housing Program through a combination of nine (9) on-site affordable units and payment of the Affordable Housing Fee, approximately $1,040,000, as the remainder of the Inclusionary obligation.

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

The Project Site is located within the Polk Street NCD where a wide variety of goods and services are available within walking distance of the subject property. The Project Site is located in an area well served by public transit and is located on a primary north-south bikeway. The Project provides a reasonable amount of off-street parking, which can be particularly useful to families that may occupy the building; however, the garage's single access point from Pacific Avenue should help to minimize conflicts with transit, bicyclists or pedestrians, particularly when compared with the more pedestrian- and bicycle-active Polk Street frontage.

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

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

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

The Project will be designed and will be 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.

The Project Site does not contain any City Landmarks or historic buildings. A legacy business currently operates at the Project Site; however, the Project intends to create a replacement storefront for this business, so that they may continue to operate after construction of the Project.

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

The Project will create new shadow on one proposed park under jurisdiction of the Recreation and Park Department – Helen Wills Park. The amount of additional shadow that would occur as a result of the Project has not been found to be significant or adverse to the use of the park.

13. First Source Hiring. The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), 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.

14. 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.

15. 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 Authorization Application No. 2018-008259CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 24, 2020, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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. 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 December 3, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 3, 2020

EXHIBIT A

Authorization

This authorization is for a conditional use to allow demolition of an existing commercial building and associated surface parking lot, and new construction of a six-story, approximately 65-foot-tall, 60,000 gross square foot mixed-use building containing approximately 7,264 gross square feet of ground floor commercial space and 53 dwelling units, 54 Class 1 bicycle parking spaces and 6 Class 2 spaces, with 27 proposed off-street accessory residential vehicle parking spaces, 4 off-street accessory commercial vehicle parking spaces, and 1 car-share space, located at 2030 Polk Street (a.k.a. 1580 Pacific Avenue), Block 0573, Lot 011, pursuant to Planning Code Section(s) 121.1, 121.2, and 303, and pursuant to Planning Code Section 206.6 as an Individually-Requested State Density Bonus Project, within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District; in general conformance with plans, dated November 24, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2018-008259CUA and subject to conditions of approval reviewed and approved by the Commission on December 3, 2020 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 December 3, 2020 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463,

www.sfplanning.org

6. **Additional Project Authorization.** The Project Sponsor must obtain a Shadow Determination under Section 295 that the net new shadow cast by the Project on Helen Wills Park will be insignificant to the use of said park under the jurisdiction of the Recreation and Park Department and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

9. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sf-

planning.org

11. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

12. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

13. **Transformer Vault Location.** 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 in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: within the sidewalk along the Pacific Avenue street frontage. This location is subject to approval by the Department of Public Works of a Minor Encroachment Permit. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

    For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublicworks.org

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

    For information about compliance, contact the Environmental Health Section, Department of Public Health at 415.252.3800, www.sfdph.org

15. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from

escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

Parking and Traffic

16. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

    Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

    For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

17. **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 628.652.7463, www.sfplanning.org

18. **Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

19. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 60 bicycle parking spaces (53 Class 1 spaces for the residential portion of the Project, 1 Class 1 space for the commercial portion of the project and 6 Class 2 spaces for the residential and commercial portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

20. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than twenty-seven (27) off-street parking spaces accessory to the residential use, and no more than fifteen (15) spaces accessory to the Retail Sales and Service uses.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

21. **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 628.652.7463, www.sfplanning.org

Provisions

22. **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 the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

23. **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

24. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

25. **Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

26. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

    A. Number of Required Units. Pursuant to Planning Code Section 415.3, the Project is required to provide 22% of the proposed dwelling units as affordable to qualifying households. The Project contains 53 units; therefore, 12 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing 9 affordable units on-site and payment of the Affordable Housing Fee for the remaining 25% balance of the requirement. 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 (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

    B. Unit Mix. The Project contains 1 studio, 27 one-bedroom, 21 two-bedroom, and 4 three-bedroom units; therefore, the required affordable unit mix is zero (0) studios, 6 one-bedroom, 5 two-bedroom, and 1 three-bedroom units. The Project Sponsor has elected to provide 75% of their Inclusionary requirement by providing on-site units, consistent with the "Combination" alternative included in Section 415.5(g)(1)(D). Therefore, the Project is providing zero (0) studios, 5 one-bedroom, 3 two-bedroom, and 1 three-bedroom units on-site. 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 (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

    C. Mixed Income Levels for Affordable Units. Pursuant to Planning Code Section 415.3, the Project is required to provide 22% of the proposed dwelling units as affordable to qualifying households. At least 12% must be affordable to low-income households, at least 5% must be affordable to moderate income households, and at least 5% must be affordable to middle income households. Ownership

Units for low-income households shall have an affordable sales price set at 80% of Area Median Income or less, with households earning up to 100% of Area Median Income eligible to apply for low-income units. Ownership Units for moderate-income households shall have an affordable sales price set at 105% of Area Median Income or less, with households earning from 95% to 120% of Area Median Income eligible to apply for moderate-income units. Ownership Units for middle-income households shall have an affordable sales price set at 130% of Area Median Income or less, with households earning from 120% to 150% of Area Median Income eligible to apply for middle-income units. For any affordable units with sales prices set at 130% of Area Median Income, the units shall have a minimum occupancy of two persons. The Project Sponsor has elected to provide 75% of their Inclusionary requirement by providing on-site units, consistent with the "Combination" alternative included in Section 415.5(g)(1)(D). Therefore, the Project is providing 5 units to very low-income households at an affordable rent set at 80% Area Median Income, 2 units to moderate-income households at an affordable rent set at 105% Area Median Income, and 2 units to middle-income households at an affordable rent set at 130% Area Median Income. 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 (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

D. Minimum Unit Sizes. The affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total residential floor area of the principal project, provided that a 10% variation in floor area is permitted.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

E. Notice of Special Restrictions. The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

F. Regulatory Agreement. Prior to the issuance of the first construction document, recipients of density bonuses pursuant to CA Govt. Code Section 65915 shall enter into a regulatory agreement with the City in conformance with the provisions set forth in Planning Code Section 206.6(f).

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430,

www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

G. Phasing. If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty-two percent (22%), or the applicable percentage as discussed above, of each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

H. 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 (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

I. Expiration of the Inclusionary Rate. Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. XXXXX, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

J. Reduction of On-Site Units after Project Approval. Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

K. 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 (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

i. 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) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building; and (3) 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.

ii. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households with a minimum of 12% of the units affordable to low-income households, 5% to moderate-income households, and the remaining 5% of the units affordable to middle-income 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.

iii. 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.

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

v. 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.

vi. 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, including interest and penalties, if applicable.

L. Fee Requirement. Pursuant to Planning Code Section 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is thirty percent (33%) because it is an ownership project. The Project Sponsor shall pay the applicable Affordable Housing Fee at the issuance of the first construction document. The Project Sponsor has elected to provide 75% of their Inclusionary requirement by providing on-site units, consistent with the "Combination" alternative included in Section 415.5(g)(1)(D). Therefore, the Project Sponsor is required to satisfy the remaining 25% of the Inclusionary requirement through payment of the Inclusionary Affordable Housing Fee.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

M. 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 the terms of the 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 Mayor's Office of Housing and Community Development ("MOHCD") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's 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 or rent.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7430, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

i. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document.

ii. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy 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.

iii. If project applicant 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 Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law, including interest and penalties, if applicable.

27. Legacy Business. There is an existing Legacy Business (d.b.a. The Jug Shop) operating at the Project Site. While the Project will demolish the existing building and the current Legacy Business storefront, the Project will create a new commercial space closest to the corner of Polk Street and Pacific Avenue, intended to be occupied by The Jug Shop upon completion of the Project. Pursuant to Planning Code Section 723(b)(2), any Non-Residential use other than the subject Legacy Business proposed for occupancy of this commercial space shall require a Conditional Use Authorization from the Planning Commission for the replacement of a Legacy Business.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7430, www.sfplanning.org

Monitoring - After Entitlement

28. 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 628.652.7463, www.sfplanning.org

29. 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 628.652.7463, www.sfplanning.org

Operation

30. Eating and Drinking Uses. As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section 102, shall be subject to the following conditions:

i. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.

For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublicworks.org.

ii. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at 415.252.3800, www.sfdph.org.

For information about compliance with construction noise requirements, contact the Department of Building Inspection at 628.652.3200, www.sfdbi.org.

For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, www.sf-police.org

iii. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 628.652.7600, www.sfplanning.org

iv. 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 the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublicworks.org

31. **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, 628.271.2000, www.sfpublicworks.org

32. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org

33. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

PLANNING COMMISSION DRAFT MOTION

HEARING DATE: DECEMBER 3, 2020

Case No.:	**2018-008259SHD**
Project Address:	**2030 POLK STREET (aka 1580 PACIFIC AVENUE)**
Zoning:	Polk Street Neighborhood Commercial (NCD) Zoning District 65-A Height and Bulk District
Block/Lots:	0573 / 011
Project Sponsor:	Jon Heimdahl, JS Sullivan Development 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Property Owner:	JS Pacific Street Partners LLC 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115
Staff Contact:	Andrew Perry – (628) 652-7430 Andrew.Perry@sfgov.org

ADOPTING FINDINGS WITH THE RECOMMENDATION OF THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON HELEN WILLS PARK BY THE PROPOSED PROJECT AT 2030 POLK STREET (AKA 1580 PACIFIC AVENUE) WOULD NOT BE ADVERSE TO THE USE OF HELEN WILLS PARK.

Preamble

Under Planning Code Section 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1959, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the

shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted a memorandum which identified quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department (the "Proposition K Memorandum").

The Proposition K Memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. Helen Wills Park was not named in the Proposition K memorandum and, at 0.80 acres (35,034 sq. ft.), is considered a small park which is shadowed more than 20 percent of the time during the year. As such, Proposition K Memorandum recommended that no additional shadow was to be permitted on the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new shadow on Helen Wills Park would require hearings at the Recreation and Park Commission and the Planning Commission.

Hellen Wills Park is a public park under the jurisdiction of the Recreation and Park Department (RPD). It is a 0.80-acre (35,034 square feet) highly developed urban park between the Russian Hill and Nob Hill neighborhoods, bounded by Broadway to the north and Larkin Street to the east, sitting in the northeast corner of Block 0573. The park is enclosed by a fence and the stated hours of operation for Helen Wills Park are from 5 am to midnight, year-round. There are two pedestrian entrances – the primary entrance is on Broadway near the corner at Larkin Street, with a secondary entry near the southeast corner on Larkin Street.

The park is divided into three main areas: the western portion contains a full-size tennis court enclosed by high fencing, the eastern portion contains a full basketball court and a multi-use court, and the central portion contains two separate children's play areas: one for toddlers and the other for children 5 to 12. The park also contains two buildings – a multi-purpose clubhouse and bathrooms, which are both on the mid-southern edge of the park. An elevated walkway connects to a raised picnic area between the two buildings, as well as an elevated bath leading to the secondary entrance on Larkin Street.

The proposed project would result in new shadows falling on the park, adding approximately 797,100 annual square foot hours (sfh) of shadow and increasing shadow load by 0.61% above current levels, resulting in an increase in the total annual shading from 41.33% to 41.94% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present between August 3rd and May 9th in late afternoon hours and would fall on the middle portions where the children's play equipment is and on parts of the northeastern section of the park.

On January 25, 2019, Jessica Jauw, and subsequently Jon Heimdahl, of JS Sullivan Development (hereinafter "Project Sponsor") filed Application No. 2018-008259SHD (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Shadow Analysis to construct a new six-story, 65-foot-tall, mixed-use building with 53 dwelling units and approximately 7,264 square feet of ground floor commercial space (hereinafter "Project") at 2030 Polk Street (aka 1580 Pacific Avenue), Block 0573, Lot 011 (hereinafter "Project Site"). The Project is located within the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District.

On an annual basis, the Theoretical Annual Available Sunlight ("TAAS") on Helen Wills Park is approximately 130,374,016 square-foot hours of sunlight. Existing structures in the area cast shadows on Helen Wills Park that total approximately 53,885,260 square-foot hours, or approximately 41.33% of the TAAS.

A shadow analysis report, prepared by PREVISION DESIGN and dated July 13, 2020, analyzed the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2018-008259SHD). The memorandum concluded that the Project would cast approximately 797,100 square-foot hours of new shadow on Helen Wills Park, equal to approximately 0.61% of the TAAS on Helen Wills Park, bringing the estimated total annual shading of the Park as a percentage of TAAS to 41.94% (previously at 41.33%).

On October 21, 2020, a Preliminary Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review. The Preliminary IS/MND was available for public comment until November 10, 2020. No comments were received on the Preliminary IS/MND.

On November 18, 2020 the Department reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Department found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission (hereinafter "Commission"), and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Department prepared a Mitigation Monitoring and Reporting program (MMRP), which was made available to the public and the Commission for review, consideration and action.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2018-008259SHD is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On November 19, 2020 the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meetings and recommended that the Planning Commission find that the shadows cast by the Project would not be adverse to the use of Helen Wills Park.

On December 3, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization and Shadow Analysis Application Nos. 2018-008259CUASHD.

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

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. The additional shadow cast by the Project would not be adverse and is not expected in interfere with the use of the Park for the following reasons:

   a. The magnitude of the additional shadow is below one percent of TAAS on an annual basis, and amounts to a reasonable and small loss of sunlight for a park in an area of intended for increased building heights and residential density, and considering that the park already has a substantial amount of shadow cast on it from nearby buildings.

   b. When present, most of the new shadow would occur during fall in the late afternoon (after 4:00 pm) when lower levels of weekday and weekend use were observed relative to the peak usage time. The average duration of the net new shadow is approximately 121 minutes.

   c. The Project massing would need to be reduced to a one-story building to not add any new shadow on Helen Wills Park.

3. Public Outreach and Comments. The Project Sponsor held a pre-application meeting in November 2018 prior to formal submittal of the Project to the Department. As the Project design became finalized, the Project Sponsor also met with several community organizations including: Lower Polk Neighbors, Russian Hill Neighbors, the Van Ness Corridor Neighborhoods Coalition, and Discover Polk CBD. All four organizations listed above have submitted letters of support for the Project. Additionally, the Department has received four communications with concerns about the project. These concerns include: impacts from noise, dust and street access during construction; impacts to traffic, parking and livability from the additional residential density; the overall height of the proposed structure; and the resulting loss of views from a newly purchased residential unit across the street. One commenter expressed a desire to see the Project Site be used as a public park instead.

4. A determination by the Planning Commission and the Recreation and Park Commission to allocate new shadow to the Project does not constitute an approval of the Project.

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 DETERMINES, under Shadow Analysis Application No. 2018-008259SHD that the net new shadow cast by the Project on Helen Wills Park will not be adverse to the use of Helen Wills Park.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 3, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 3, 2020

Exhibit B

Plans and Renderings

1580 PACIFIC AVENUE COMMISSION HEARING

PROJECT INFORMATION

■ UNITS	TOTAL UNITS = 53 UNITS
- RESIDENTIAL	27 X 1 BEDROOMS FROM 690 SF TO 1,183 SF
	21 X 2 BEDROOMS FROM 1,155 SF TO 1,644 SF
	4 X 3 BEDROOM FROM 1,642 SF TO 1,852 SF
	1 X STUDIO 488 SF
- COMMERCIAL	3 RETAIL/COMMERCIAL
	(2,887 SF, 2,232 SF, 2,145 SF)
■ LOT AREA	17,376 SF
■ HEIGHT	6 STORIES, 65'-0" TALL (65'-0" HEIGHT LIMIT)
■ PARKING	
- AUTOMOBILE	32
- BICYCLE	54 CLASS 1, 5 CLASS 2
■ REAR YARD	70'-0" X 62'-1/2" = 4344 SF (25%)
■ OPEN SPACE	
- COMMON	3,760 SF (ON ROOF DECK AND COMMON REAR YARD)
■ ACCESSIBILITY	FULLY ADAPTABLE
■ INCLUSIONARY HOUSING	9 INCLUSIONARY HOUSING UNITS
■ CONSTRUCTION TYPE	IIIA OVER IA

1580 PACIFIC AVENUE (2030 POLK STREET) ZONING INFORMATION

ZONING INFORMATION

BLOCK/LOT	ZONING	HEIGHT/BULK	AREA
0573/011	Polk Street NCD (Neighborhood Commercial District)	65-A	17,371 SF

PLANNING CODE REQUIREMENTS	**REQUIRED**	**PROVIDED** (MODIFIED BY DENSITY BONUS*)
LOT COVERAGE	25% REAR YARD REQUIRED AT RESIDENTIAL LEVELS (15'MIN.)	4,344 SF = 25% OF LOT
STREET FRONTAGE	GROUND FLOOR COMMERCIAL NOT REQUIRED	3 COMM. SPACES
BULK LIMITS (A)	ABOVE 40' = MAX LENGTH OF 110', MAX DIAGONAL OF 125'	LENGTH = 135'-1", DIAGONAL = 185'-5" *
UNIT DENSITY	400 (ONE UNIT PER 400 SF LOT AREA) = 43 MAX UNITS	53 UNITS PROVIDED *
DWELLING UNIT MIX	AT LEAST 40% 2-BEDROOM UNITS OR 30% 3-BEDROOM UNITS	40% 2 BD. PROVIDED
RESIDENTIAL OPEN SPACE	60SF/UNIT IF PRIVATE OPEN SPACE	PROVIDED, SEE SHEET 26
	80SF/UNIT IF COMMON OPEN SPACE	PROVIDED, SEE SHEET 26
VEHICULAR PARKING	RESIDENTIAL : NOT REQUIRED / 0.5 PER UNIT PERMITTED	27 RES. PKG. PROVIDED
	COMMERCIAL : NOT REQUIRED UP TO 5,000 SF / ONE PER EACH 500 SF OVER 5,000 SF	4 COMM. PKG. PROVIDED & 1 CAR SHARE
BICYCLE PARKING (CLASS I)	RESIDENTIAL : < 100 UNITS = 1.0/UNIT	53 PROVIDED
	COMMERCIAL : 1/7,500 SF	1 PROVIDED
BICYCLE PARKING (CLASS II)	ONE PER 20 UNITS + TWO PER RETAIL 2,500 SF	5 PROVIDED
FAR	NON-RESIDENTIAL: 2.5 TO 1	7,264 SF OF COMMERCIAL SPACE PROVIDED
PROP K	Section 295 of the city planning code requires the planning commission, prior to the issuance of a permit for a project that exceeds 40 feet in height, to make a finding that any shadow on property under the jurisdiction of Recreation and Park department cast by the project is insignificant.	

STATE DENSITY BONUS

The proposed project seeks to apply the State Density Bonus Law to this project, which allows up to a maximum 35% density bonus above the base density of 43 units. The proposed project has an on-site inclusionary requirement of 22% (12% at 80% AMI, 5% at 105% AMI, and 5% at 130% AMI). At this rate, the project is eligible for 23% density bonus on 43 base units, for a total of 10 additional units. The proposed project includes 53 residential units and will request a waiver for a bulk modification.

AREA CALCULATIONS

Area Calculations: Interior Total (Net)			
Story	Zone	Type	Area
BASEMENT			
	BICYCLE PARKING & REPAIR	54 CLASS 1 PKG.	1.023
	COMMERCIAL 2		1.680
	COMMERCIAL 3		2.012
	ELEV		72
	LOBBY		550
	MAIL PKG.		84
STORY 1			
	BFP		83
	COMMERCIAL 1		2.145
	COMMERCIAL 2	MEZZ.	552
	COMMERCIAL 3	MEZZ.	875
	COMMERCIAL GARAGE		1.920
	CORRIDOR		398
	ELECTRICAL		276
	ELEV		72
	EXIT PASG		217
	GAS		9
	RES. RECYCLE		417
	RESIDENTIAL GARAGE		6.303
	STAIR 1		103
	STAIR 2		192
	UNIT 203	2BD	522
	UNIT 204	2BD	607
STORY 2			
	CORRIDOR		1.009
	ELEV		72
	RECYCLE		59
	STAIR 1		133
	STAIR 2		125
	UNIT 201	2 BD	1.242
	UNIT 202	1 BD	693
	UNIT 203	2 BD	1.079
	UNIT 204	2 BD	1.037
	UNIT 205	1 BD	757
	UNIT 206	2 BD	1.264
	UNIT 207	1 BD	744
	UNIT 208	2 BD	1.155
	UNIT 209	2 BD	1.189
	UNIT 210	1 BD	748
	UNIT 211	1 BD	690
STORY 3			
	CORRIDOR		862
	ELEV		76
	RECYCLE		59
	STAIR 1		133
	STAIR 2		125
	UNIT 301	2 BD	1.242
	UNIT 302	1 BD	693
	UNIT 303	1 BD	715
	UNIT 304	1 BD	743
	UNIT 305	1 BD	758
	UNIT 306	1 BD	759
	UNIT 307	1 BD	714
	UNIT 308	1 BD	723
	UNIT 309	1 BD	766
	UNIT 310	2 BD	1.183
	UNIT 311	2 BD	1.189
	UNIT 312	1 BD	748
	UNIT 313	1 BD	690
STORY 4			
	CORRIDOR		862
	ELEV		72
	RECYCLE		59
	STAIR 1		133

Area Calculations: Interior Total (Net)			
Story	Zone	Type	Area
	STAIR 2		125
	UNIT 401	2 BD	1.242
	UNIT 402	1 BD	693
	UNIT 403	1 BD	686
	UNIT 404	2 BD	1.522
	UNIT 405	1 BD	759
	UNIT 406	1 BD	714
	UNIT 407	1 BD	723
	UNIT 408	1 BD	765
	UNIT 409	2 BD	1.183
	UNIT 410	2 BD	1.189
	UNIT 411	2 BD	1.457
STORY 5			
	CORRIDOR		862
	ELEV		96
	RECYCLE		59
	STAIR 1		133
	STAIR 2		125
	UNIT 501	2 BD	1.242
	UNIT 502	2 BD	1.397
	UNIT 503	2 BD	1.521
	UNIT 504	1 BD	759
	UNIT 505	1 BD	714
	UNIT 506	1 BD	723
	UNIT 507	1 BD	765
	UNIT 508	2 BD	1.183
	UNIT 509	2 BD	1.189
	UNIT 510	2 BD	1.457
STORY 6			
	CORRIDOR		720
	ELEV		72
	RECYCLE		59
	STAIR 1		133
	STAIR 2		125
	UNIT 601	3 BD	1.852
	UNIT 602	2 BD	1.105
	UNIT 603	3 BD	1.730
	UNIT 604	3 BD	1.642
	UNIT 605	STUDIO	488
	UNIT 606	1 BD	765
TOTAL	UNIT 607	1 BD	1.183
	UNIT 608	3 BD	1.721
			80.290 sq ft

Area Calculations: Interior Total (Net) Townhomes		
Unit	Type	Area
203	2BD	1550
204	2BD	1643

Area Calculations	
Floor (Story)	Exterior Gross Total
BASEMENT	8.077
STORY 1	16.963
STORY 2	13.008
STORY 3	13.196
STORY 4	13.196
STORY 5	13.196
STORY 6	12.491
TOTAL	**90.127 sq ft**

Area Calculations: Residential Gross Total	
Floor (Story)	Calculated Area
STORY 1	1.512
STORY 2	11.523
STORY 3	11.857
STORY 4	11.856
STORY 5	11.856
STORY 6	11.290
TOTAL	**59.894 sq ft**

Unit Inventory		
Unit Type	Quantity	Unit Mix %
1 BD	27	50%
2 BD	21	40%
3 BD	4	8%
STUDIO	1	2%
TOTAL	53	100%

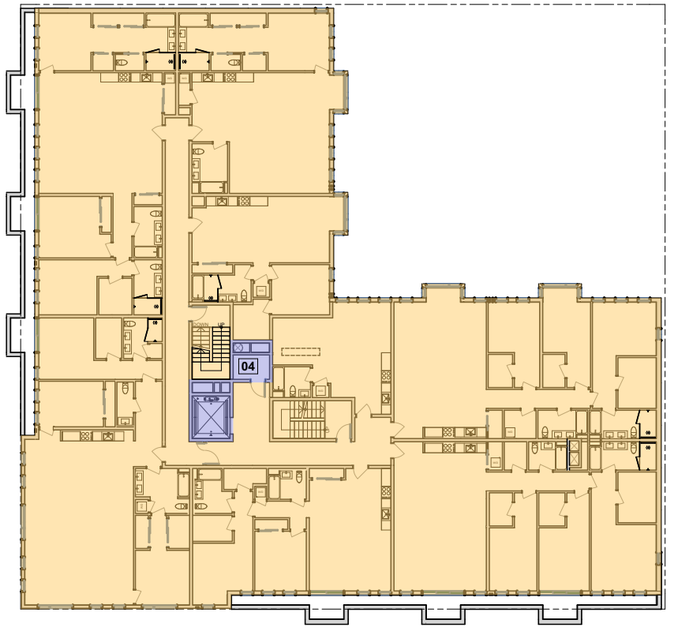
Area Calculations: Commercial Net Total	
Zone Name	Calculated Area
COMMERCIAL 1	2.145
COMMERCIAL 2	2.232
COMMERCIAL 3	2.887
TOTAL	**7.264 sq ft**

BEDROOM COUNT:

- 82 TOTAL BEDROOMS
- 54 BEDROOMS IN 2 & 3 BEDROOM UNITS
- THEREFORE 66% OF BEDROOMS IN 2 BEDROOM OR GREATER SIZED UNITS

KEY

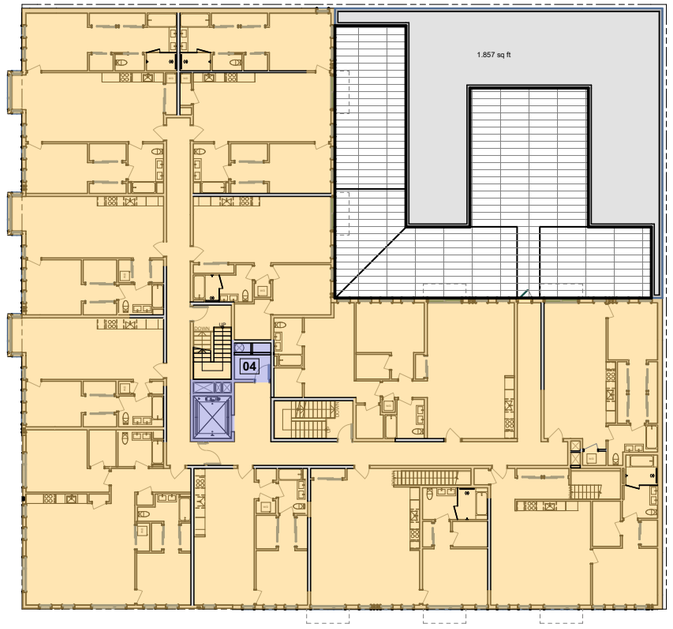
- GROSS FLOOR AREA (GFA) *
- PARKING & BALCONIES EXEMPT FROM GFA
- NECESSARY BUILDING OPERATIONS EXEMPT FROM GFA
- BICYCLE STORAGE EXEMPT FROM GFA



GFA PER SEC. 102 12.288 sq ft
BLDG OPERATIONS EXEMPT FROM GFA 203 sq ft

STORY 6

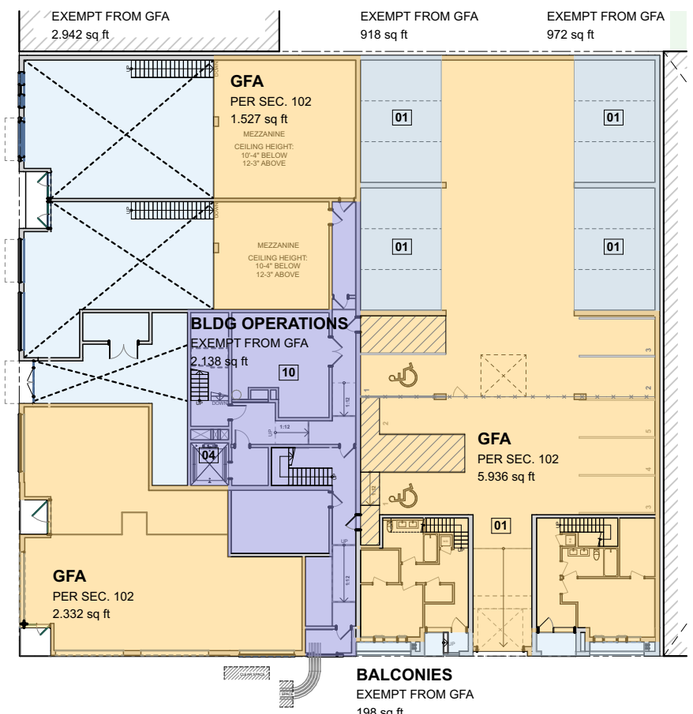
SCALE: 1/32" = 1'-0"



GFA PER SEC. 102 12.805 sq ft
BLDG OPERATIONS EXEMPT FROM GFA 203 sq ft

STORY 2

SCALE: 1/32" = 1'-0"



STORY 1

SCALE: 1/32" = 1'-0"

* EXCLUSIONS FROM FLOOR AREA, GROSS PER SFPC DEFINITIONS SEC. 102.9(8)(b)

01 (1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;

03 (3) Elevator or stair penthouses, accessory water tanks or cooling towers, and other mechanical equipment, appurtenances and areas necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area

04 (4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself (i) if located at an intermediate story of the building and forming a complete floor level; or (ii) in C-3 Districts, if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and in aggregate area do not exceed the area of an average floor as determined by the Zoning Administrator;

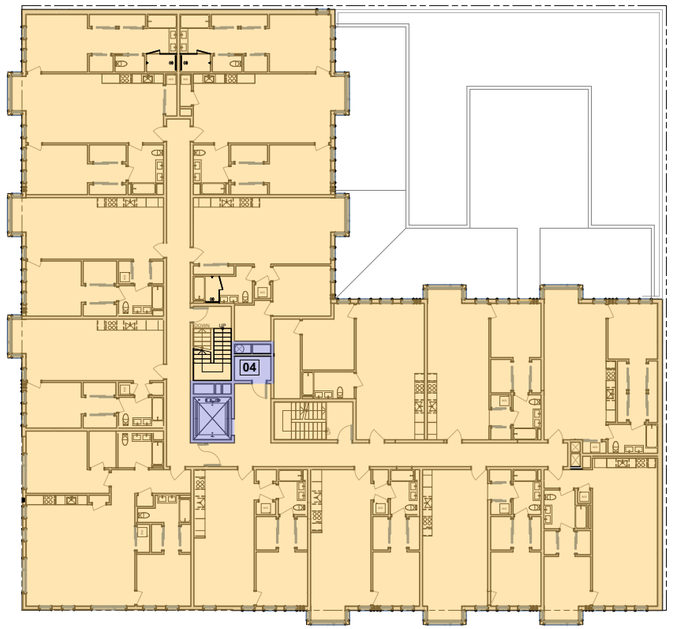
07 (7) Bicycle parking which meets the standards of Sections 155.1 through 155.5 of this Code.

09 (9) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:
(A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).

10 (10) On lower, nonresidential floors, elevator shafts and other life-support systems serving exclusively the residential uses on the upper floors of a building;

11 (11) One-third of that portion of a window bay conforming to the requirements of Section 136(d)(2) which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed seven square feet per bay window as measured at each floor;

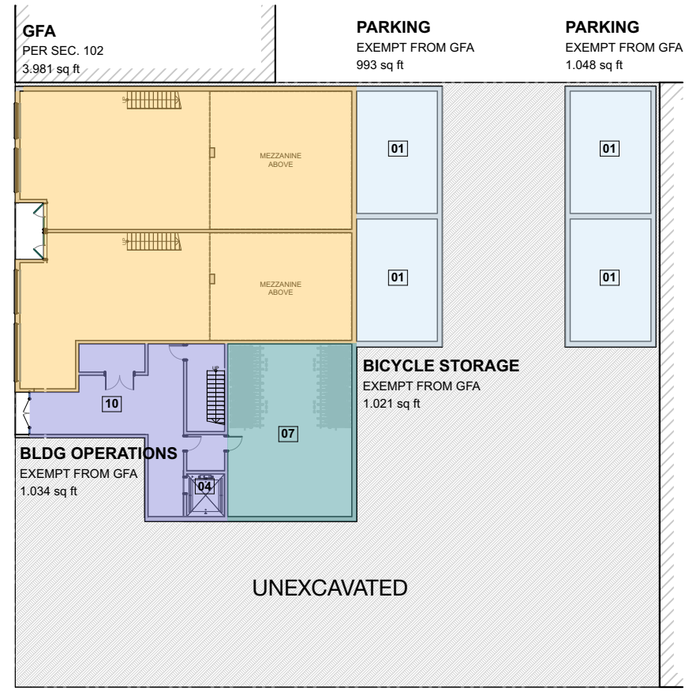
Area Calculations			
Floor (Story)	Exterior Gross Total	* GFA	* Exempt from GFA
BASEMENT	8.077	3.981	4.096
STORY 1	16.963	9.795	7.168
STORY 2	13.008	12.805	203
STORY 3	13.196	12.993	203
STORY 4	13.196	12.993	203
STORY 5	13.196	12.993	203
STORY 6	12.491	12.288	203
	90.127 sq ft	**77.848 sq ft**	**12.279 sq ft**



GFA PER SEC. 102 12.993 sq ft
BLDG OPERATIONS EXEMPT FROM GFA 203 sq ft

STORIES 3-5

SCALE: 1/32" = 1'-0"



BASEMENT

SCALE: 1/32" = 1'-0"

KEY

QUALIFYING COMMON OPEN SPACE

QUALIFYING PRIVATE OPEN SPACE

OPEN SPACE

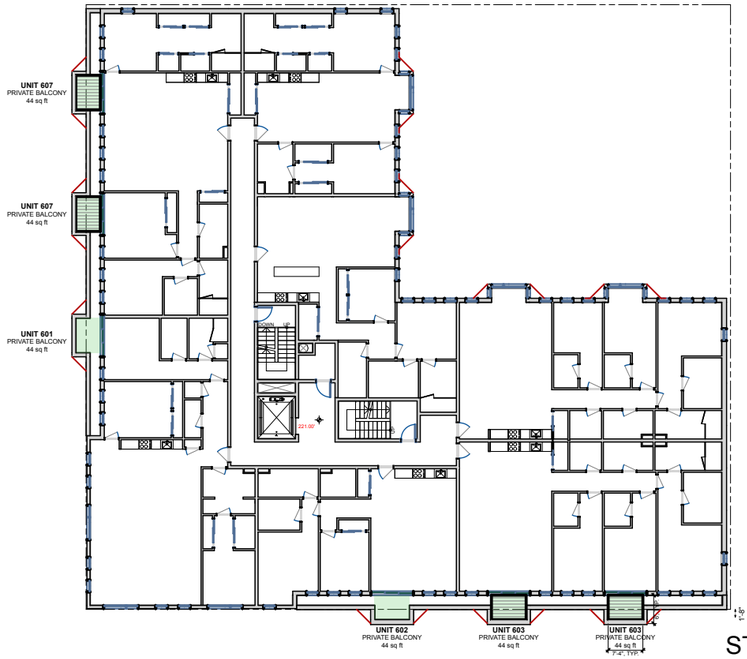
Total Qualifying Open Space - Common & Private			
Story	Zone	Type	Area
STORY 2			
	COMMON OPEN SPACE	COMMON REAR YARD	733
	UNIT 205	PRIVATE PATIO	353
	UNIT 206	PRIVATE PATIO	463
	UNIT 207	PRIVATE PATIO	232
	UNIT 208	PRIVATE PATIO	522
STORY 6			
	UNIT 603	PRIVATE BALCONY	88
	UNIT 607	PRIVATE BALCONY	88
ROOF			
	COMMON OPEN SPACE	COMMON ROOF DECK	3,030
			5,509 sq ft

Area Calculation - Common Open Space			
Story	Zone	Type	Area
STORY 2			
	COMMON OPEN SPACE	COMMON REAR YARD	733
ROOF			
	COMMON OPEN SPACE	COMMON ROOF DECK	3,030
			3,763 sq ft

COMMON OPEN SPACE REQUIRED: TABLE 723

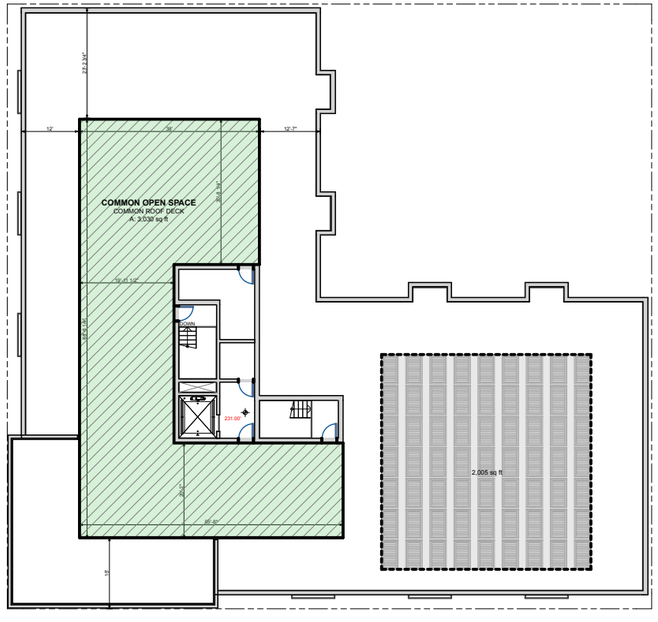
53 TOTAL UNITS - 6 W/ PRIVATE OPEN SPACE = 47 units x 80 sq ft = 3,760 sq ft COMMON OPEN SPACE REQUIRED

3,763 sq ft PROVIDED > 3,760 sq ft REQUIRED ∴ COMPLIES



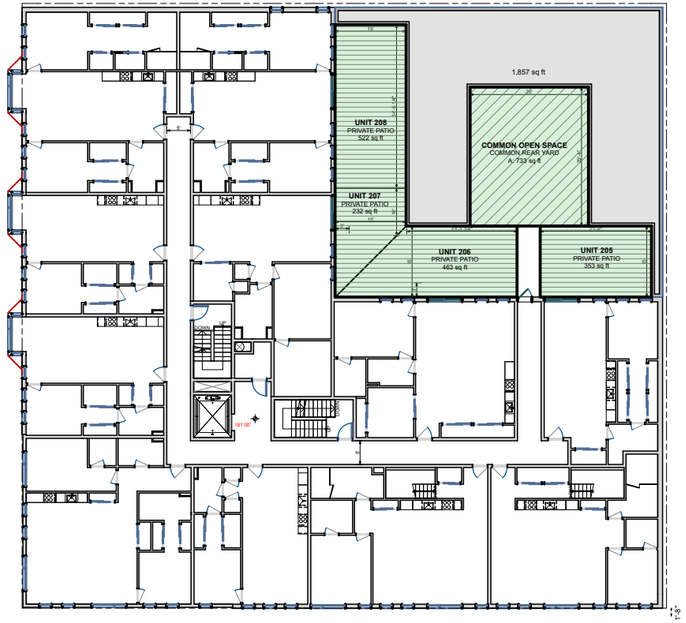
STORY 6

SCALE: 1/32" = 1'-0"



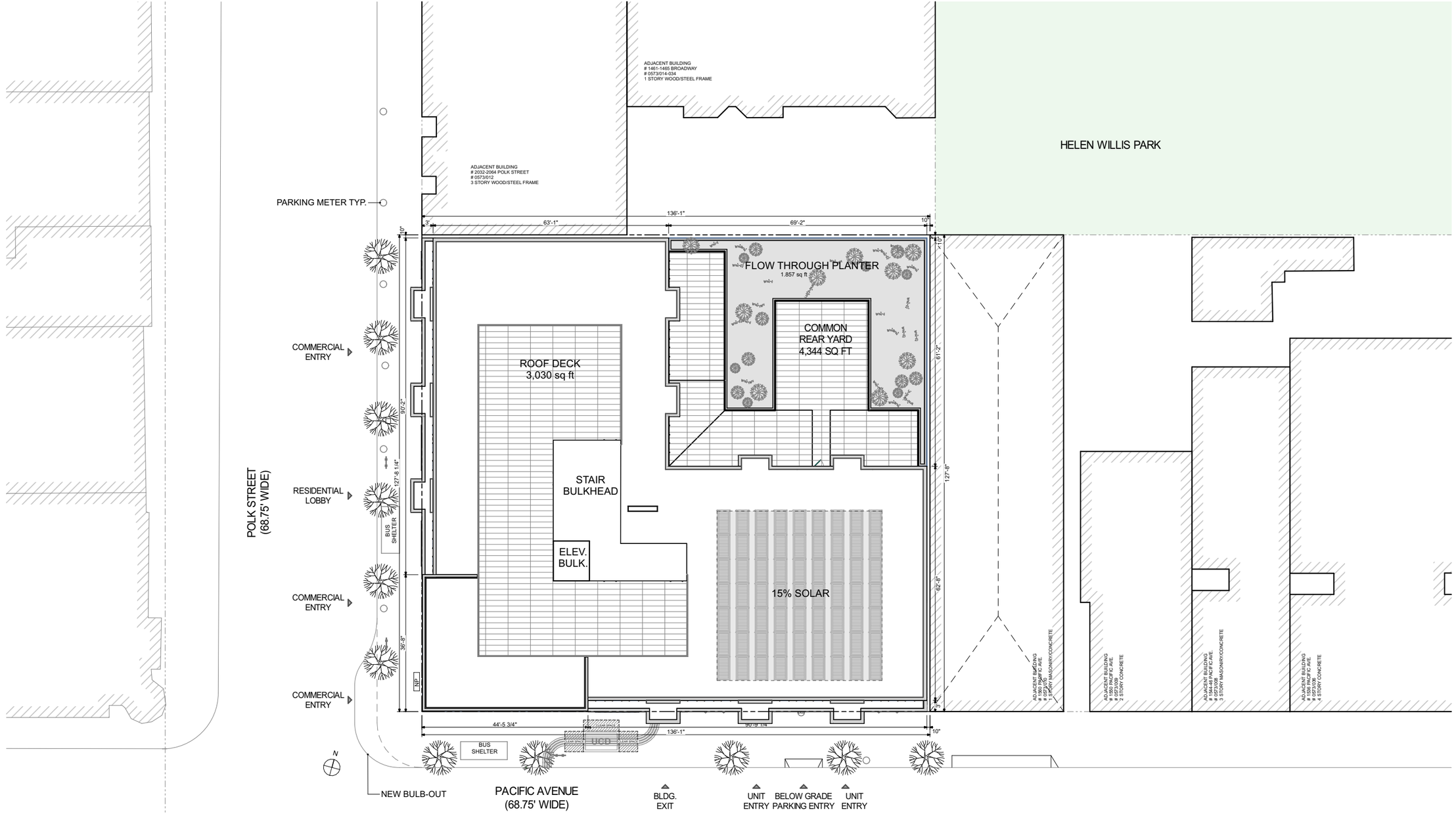
ROOF

SCALE: 1/32" = 1'-0"



STORY 2

SCALE: 1/32" = 1'-0"


ADJACENT BUILDING
1461-1465 BROADWAY
0573/014-034
1 STORY WOOD/STEEL FRAME
HELEN WILLIS PARK
ADJACENT BUILDING
2032-2064 POLK STREET
0573/012
3 STORY WOOD/STEEL FRAME
PARKING METER TYP.
3'
63'-1"
136'-1"
69'-2"
10'
10'
FLOW THROUGH PLANTER
1,857 sq ft
COMMON
REAR YARD
4,344 SQ FT
ROOF DECK
3,030 sq ft
STAIR
BULKHEAD
ELEV.
BULK.
15% SOLAR
61'-2"
127'-8"
62'-8"
3'
COMMERCIAL
ENTRY
RESIDENTIAL
LOBBY
COMMERCIAL
ENTRY
COMMERCIAL
ENTRY
BUS
SHELTER
NP
90'-2"
127'-8 1/4"
36'-8"
POLK STREET
(68.75' WIDE)
44'-5 3/4"
90'-9" 1/4
136'-1"
10"
BUS
SHELTER
UCD
N
NEW BULB-OUT
PACIFIC AVENUE
(68.75' WIDE)
BLDG.
EXIT
UNIT
ENTRY
BELOW GRADE
PARKING ENTRY
UNIT
ENTRY
ADJACENT BUILDING
1580 PACIFIC AVE
0557/008
1 STORY MASONRY/CONCRETE
ADJACENT BUILDING
1584 PACIFIC AVE
0557/009
2 STORY CONCRETE
ADJACENT BUILDING
1590 PACIFIC AVE
0557/008
3 STORY MASONRY/CONCRETE
ADJACENT BUILDING
1596 PACIFIC AVE
0557/007
4 STORY CONCRETE

LOBBY

COMMERCIAL

STORAGE

COMMERCIAL 3
2.012 sq ft

MEZZANINE ABOVE

COMMERCIAL 2
1.680 sq ft

MEZZANINE ABOVE

CAR STACKER PIT

CAR STACKER PIT

CAR STACKER PIT

CAR STACKER PIT

MAIL PKG.
84 sq ft

LOBBY
550 sq ft

BICYCLE PARKING & REPAIR
54 CLASS 1 PKG
1.023 sq ft

ELEV
72 sq ft

UNEXCAVATED

UNEXCAVATED

PM. TYP

COMMERCIAL ENTRY

COMMERCIAL ENTRY

RESIDENTIAL ENTRY

COMMERCIAL ENTRY

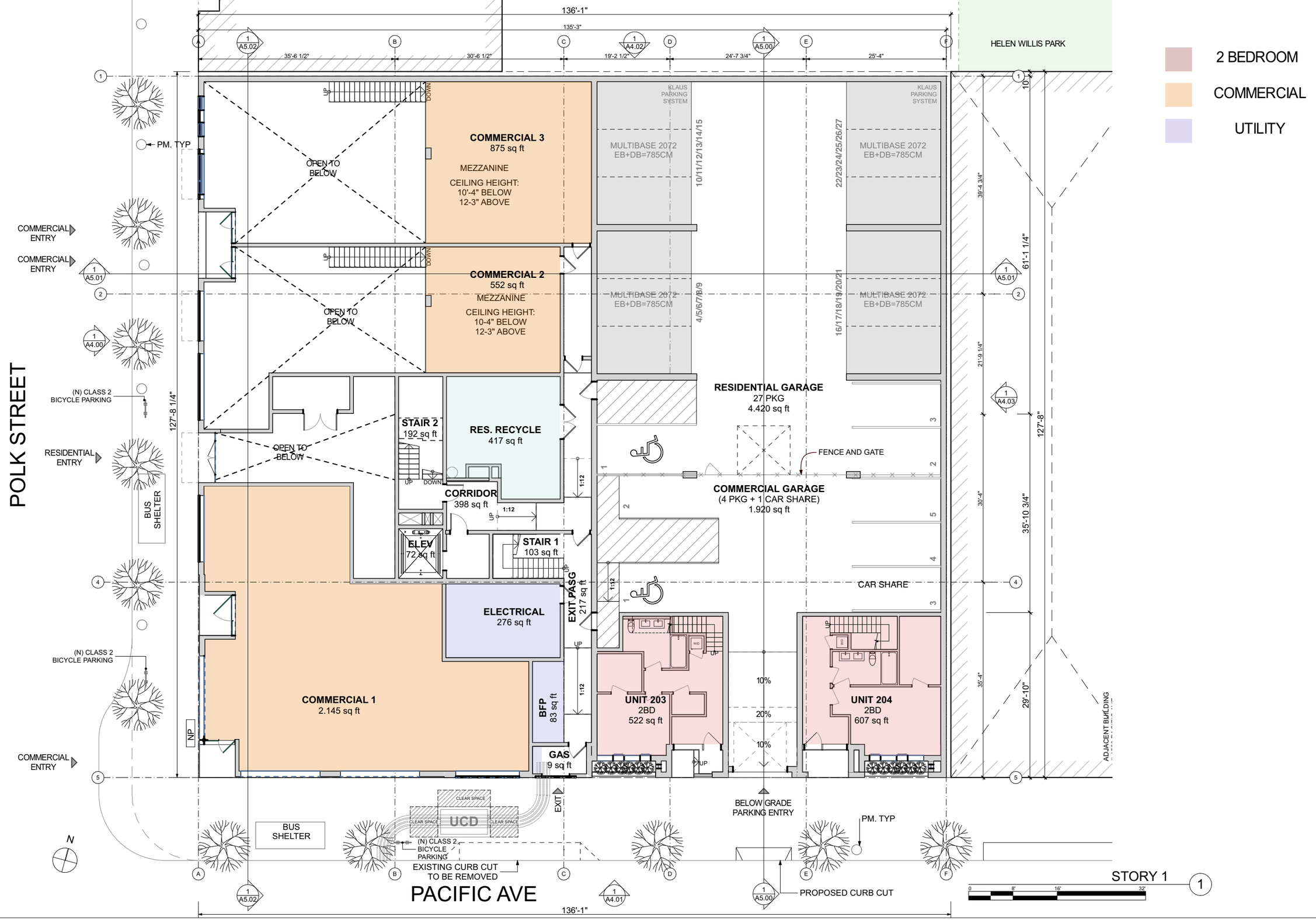
BUS SHELTER

ADJACENT BUILDING
1580 PACIFIC AVE
0573/010
1 STORIES
+/-

N

BASEMENT 1

0 8' 16' 32'


2 BEDROOM
COMMERCIAL
UTILITY
HELEN WILLIS PARK
136'-1"
135'-3"
35'-6 1/2"
30'-6 1/2"
19'-2 1/2"
24'-7 3/4"
25'-4"
PM. TYP
OPEN TO BELOW
COMMERCIAL 3
875 sq ft
MEZZANINE
CEILING HEIGHT:
10'-4" BELOW
12-3" ABOVE
COMMERCIAL 2
552 sq ft
MEZZANINE
CEILING HEIGHT:
10-4" BELOW
12-3" ABOVE
KLAUS PARKING SYSTEM
MULTIBASE 2072
EB+DB=785CM
10/11/12/13/14/15
22/23/24/25/26/27
4/5/6/7/8/9
16/17/18/19/20/21
COMMERCIAL ENTRY
COMMERCIAL ENTRY
RESIDENTIAL ENTRY
(N) CLASS 2 BICYCLE PARKING
BUS SHELTER
POLK STREET
127'-8 1/4"
STAIR 2
192 sq ft
RES. RECYCLE
417 sq ft
CORRIDOR
398 sq ft
ELEV
72 sq ft
STAIR 1
103 sq ft
EXIT PASG
217 sq ft
ELECTRICAL
276 sq ft
COMMERCIAL 1
2.145 sq ft
BFP
83 sq ft
GAS
9 sq ft
NP
RESIDENTIAL GARAGE
27 PKG
4.420 sq ft
FENCE AND GATE
COMMERCIAL GARAGE
(4 PKG + 1 CAR SHARE)
1.920 sq ft
CAR SHARE
UNIT 203
2BD
522 sq ft
UNIT 204
2BD
607 sq ft
10%
20%
10%
1:12
UP
DOWN
WD
39'-4 3/4"
61'-1 1/4"
21'-9 1/4"
30'-4"
35'-10 3/4"
35'-4"
29'-10"
ADJACENT BUILDING
CLEAR SPACE
UCD
EXIT
BELOW GRADE PARKING ENTRY
PROPOSED CURB CUT
EXISTING CURB CUT TO BE REMOVED
PACIFIC AVE
N
STORY 1
0
8'
16'
32'

2 BEDROOM

1 BEDROOM

136'-1"
66'-1"
69'-2"
35'-6 1/2"
30'-6 1/2"
19'-2 1/2"
24'-7 3/4"
25'-4"

UNIT 209
2 BD
1.189 sq ft

UNIT 208
2 BD
1.155 sq ft

UNIT 208
PRIVATE PATIO
522 sq ft

FLOW THROUGH PLANTER
1.857 sq ft

COMMON OPEN SPACE
COMMON REAR YARD
A: 733 sq ft

UNIT 207
PRIVATE PATIO
232 sq ft

UNIT 210
1 BD
748 sq ft

UNIT 207
1 BD
744 sq ft

UNIT 206
PRIVATE PATIO
463 sq ft

UNIT 205
PRIVATE PATIO
353 sq ft

STAIR 2
125 sq ft

UNIT 211
1 BD
690 sq ft
BMR

RECYCLE
59 sq ft

ELEV
72 sq ft

STAIR 1
133 sq ft

UNIT 206
2 BD
1.264 sq ft

UNIT 205
1 BD
757 sq ft

CORRIDOR
1.009 sq ft

UNIT 201
2 BD
1.242 sq ft

UNIT 202
1 BD
693 sq ft

UNIT 203
2 BD
1.079 sq ft

UNIT 204
2 BD
1.037 sq ft

POLK STREET

PACIFIC AVE

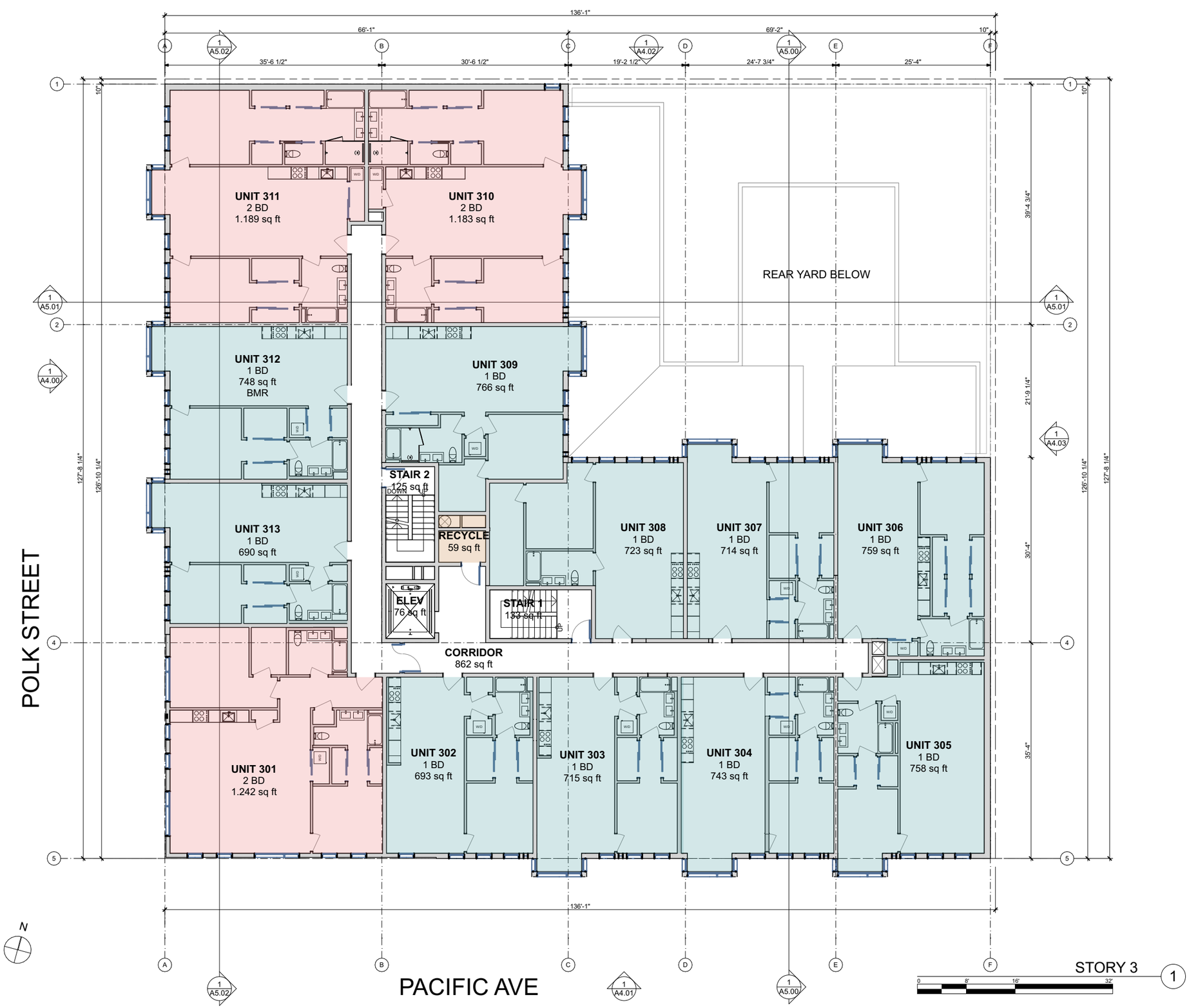
135'-1"
136'-1"

N

STORY 2

0 8' 16' 32'

JS SULLIVAN DEVELOPMENT | rg-architecture | MADE IN FILMO | 1580 PACIFIC AVENUE 24.11.20 | STORY 2


2 BEDROOM
1 BEDROOM
136'-1"
66'-1"
69'-2"
10"
35'-6 1/2"
30'-6 1/2"
19'-2 1/2"
24'-7 3/4"
25'-4"
UNIT 311
2 BD
1.189 sq ft
UNIT 310
2 BD
1.183 sq ft
REAR YARD BELOW
UNIT 312
1 BD
748 sq ft
BMR
UNIT 309
1 BD
766 sq ft
STAIR 2
125 sq ft
DOWN
UP
RECYCLE
59 sq ft
ELEV
76 sq ft
STAIR 1
133 sq ft
UNIT 313
1 BD
690 sq ft
UNIT 308
1 BD
723 sq ft
UNIT 307
1 BD
714 sq ft
UNIT 306
1 BD
759 sq ft
CORRIDOR
862 sq ft
UNIT 301
2 BD
1.242 sq ft
UNIT 302
1 BD
693 sq ft
UNIT 303
1 BD
715 sq ft
UNIT 304
1 BD
743 sq ft
UNIT 305
1 BD
758 sq ft
39'-4 3/4"
21'-9 1/4"
30'-4"
35'-4"
127'-8 1/4"
126'-10 1/4"
POLK STREET
PACIFIC AVE
N
STORY 3
1
0
8'
16'
32'

2 BEDROOM

1 BEDROOM

UNIT 410
2 BD
1.189 sq ft

UNIT 409
2 BD
1.183 sq ft
BMR

REAR YARD BELOW

UNIT 408
1 BD
765 sq ft

UNIT 411
2 BD
1.457 sq ft

STAIR 2
125 sq ft

RECYCLE
59 sq ft

ELEV
72 sq ft

STAIR 1
133 sq ft

UNIT 407
1 BD
723 sq ft

UNIT 406
1 BD
714 sq ft
BMR

UNIT 405
1 BD
759 sq ft

CORRIDOR
862 sq ft

UNIT 402
1 BD
693 sq ft

UNIT 403
1 BD
686 sq ft

UNIT 401
2 BD
1.242 sq ft

UNIT 404
2 BD
1.522 sq ft
BMR

POLK STREET

PACIFIC AVE

136'-1"

66'-1"

70'

35'-6 1/2"

30'-6 1/2"

19'-2 1/2"

24'-7 3/4"

25'-4"

127'-8 1/4"

126'-10 1/4"

39'-4 3/4"

62'

21'-9 1/4"

30'-4"

35'-4"

65'-8 1/4"

N

STORY 4

0 8' 16' 32'

JS SULLIVAN DEVELOPMENT

rg-architecture

MADE IN FILMO

1580 PACIFIC AVENUE 24.11.20

STORY 4

2 BEDROOM

1 BEDROOM

136'-1"

66'-3/4"

69'-2"

10"

UNIT 509
2 BD
1.189 sq ft

UNIT 508
2 BD
1.183 sq ft

REAR YARD BELOW

UNIT 507
1 BD
765 sq ft

STAIR 2
125 sq ft
DOWN UP

UNIT 510
2 BD
1.457 sq ft

RECYCLE
59 sq ft

ELEV
96 sq ft

STAIR 1
133 sq ft
UP

UNIT 506
1 BD
723 sq ft
BMR

UNIT 505
1 BD
714 sq ft

UNIT 504
1 BD
759 sq ft
BMR

CORRIDOR
862 sq ft

UNIT 501
2 BD
1.242 sq ft

UNIT 502
2 BD
1.397 sq ft

UNIT 503
2 BD
1.521 sq ft

61'-2"

65'-8 1/4"

127'-8 1/4"

126'-10 1/4"

POLK STREET

PACIFIC AVE

N

STORY 5

0 8' 16' 32'

STUDIO
1 BEDROOM
2 BEDROOM
3 BEDROOM

136'-1"
66'-1"
69'-2"
10"
61'-2"
127'-8 1/4"
126'-10 1/4"
65'-8 1/4"

UNIT 607
PRIVATE BALCONY
44 sq ft

UNIT 608
3 BD
1.721 sq ft

UNIT 607
1 BD
1.183 sq ft

REAR YARD BELOW

UNIT 607
PRIVATE BALCONY
44 sq ft

UNIT 606
1 BD
765 sq ft
BMR

UNIT 601
PRIVATE BALCONY
44 sq ft

STAIR 2
125 sq ft
DOWN UP

SKYLIGHT

UNIT 605
STUDIO
488 sq ft

RECYCLE
59 sq ft

UNIT 604
3 BD
1.642 sq ft

ELEV
72 sq ft

STAIR 1
133 sq ft
UP

CORRIDOR
720 sq ft

UNIT 601
3 BD
1.852 sq ft

UNIT 602
2 BD
1.105 sq ft

UNIT 603
3 BD
1.730 sq ft

UNIT 602
PRIVATE BALCONY
44 sq ft

UNIT 603
PRIVATE BALCONY
44 sq ft

UNIT 603
PRIVATE BALCONY
44 sq ft

136'-1"

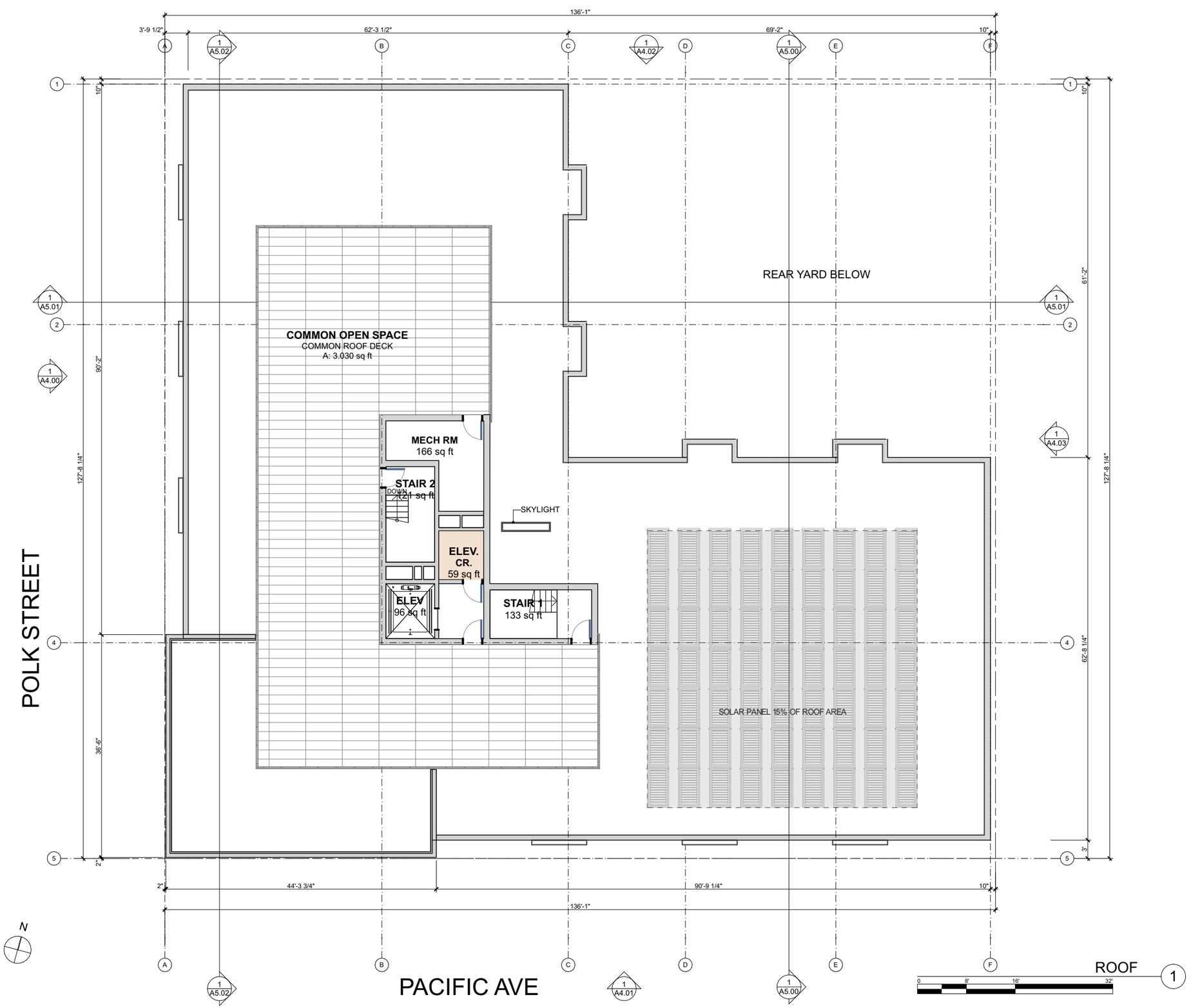
POLK STREET

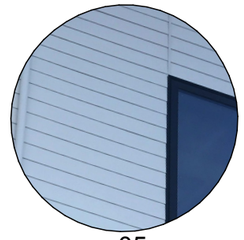
PACIFIC AVE

N

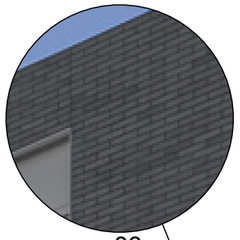
STORY 6

0 8' 16' 32'

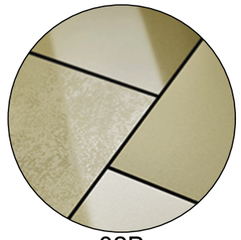

136'-1"
3'-9 1/2"
62'-3 1/2"
69'-2"
10"
A
B
C
D
E
F
1
2
4
5
1 A5.02
1 A4.02
1 A5.00
1 A5.01
1 A4.00
1 A4.03
10"
90'-2"
127'-8 1/4"
61'-2"
62'-8 1/4"
36'-6"
2"
3"
REAR YARD BELOW
COMMON OPEN SPACE
COMMON ROOF DECK
A: 3,030 sq ft
MECH RM
166 sq ft
STAIR 2
221 sq ft
DOWN
SKYLIGHT
ELEV. CR.
59 sq ft
ELEV
96 sq ft
STAIR 1
133 sq ft
SOLAR PANEL 15% OF ROOF AREA
POLK STREET
PACIFIC AVE
44'-3 3/4"
90'-9 1/4"
N
ROOF
1
0
8'
16'
32'



05



03



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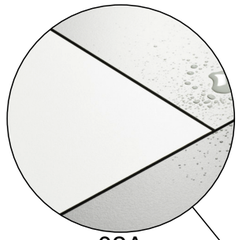
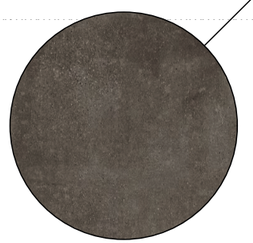


02A

01

ID	DESCRIPTION
01	GLASS & PAINTED STEEL STOREFRONT SYSTEM
02	PHENOLIC RAINSCREEN PANEL, (02A)WHITE (02B)BRONZE
03	THIN BRICK VENEER
04	ANODIZED ALUM. FRAME WINDOWS & DOORS
05	FIBER CEMENT LAP SIDING, PAINTED
06	PAINTED METAL TRIM TO MATCH ADJACENT PANEL
07	42"H GUARDRAIL
08	LARGE FORMAT THROUGH -BODY TILE, CHARCOAL
09	LARGE FORMAT THROUGH -BODY TILE, WHITE
10	LARGE FORMAT THROUGH -BODY TILE, BRONZE
11	PAINTED STEEL CASING

HEIGHT LIMIT



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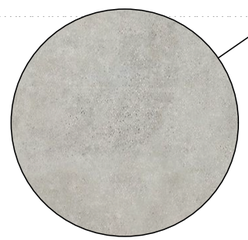

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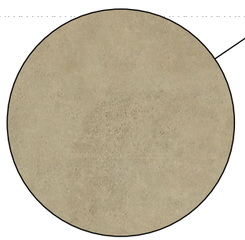


10

(WEST) ELEVATION AT POLK STREET 1

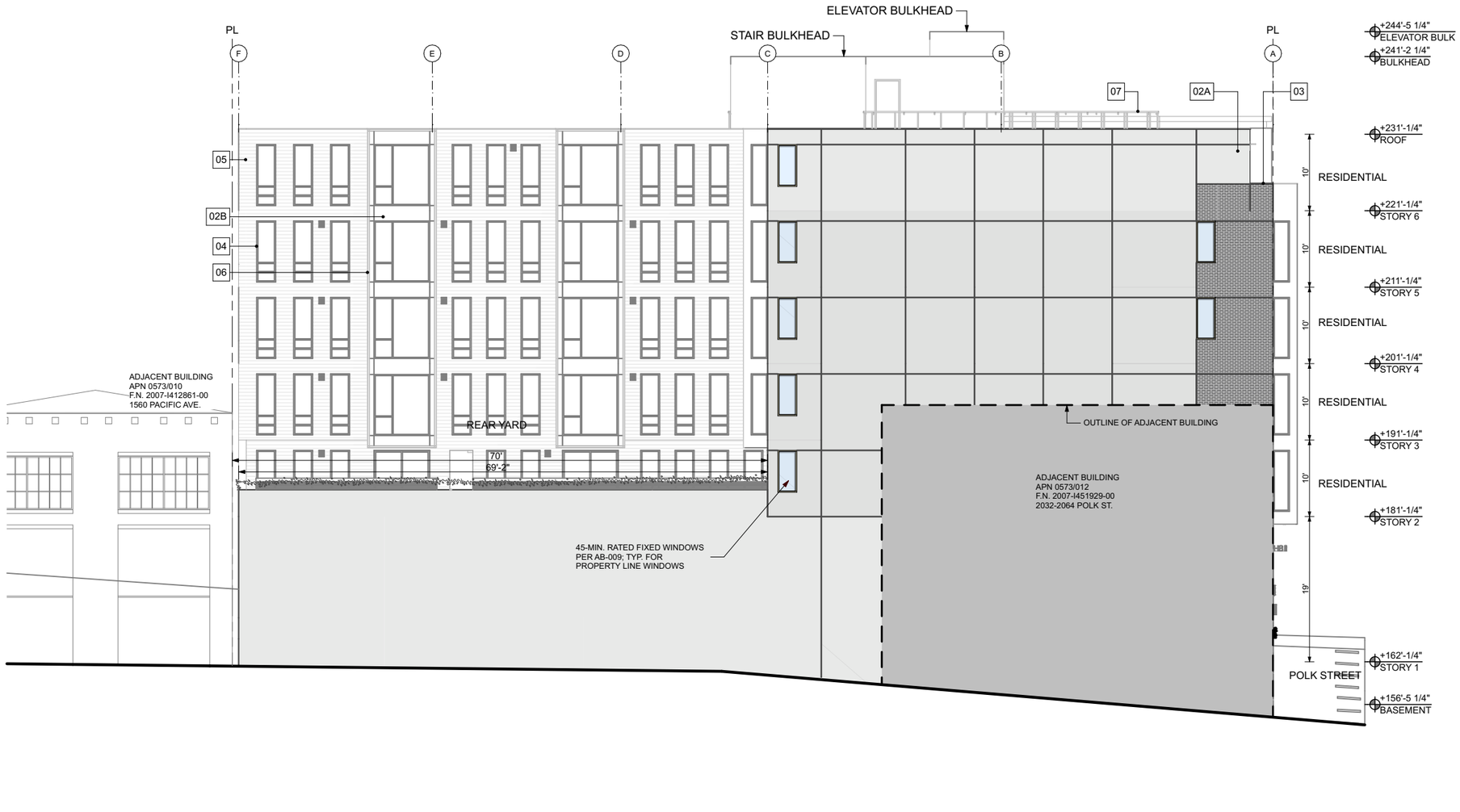
0 8' 16' 32'

ID	DESCRIPTION
01	GLASS & PAINTED STEEL STOREFRONT SYSTEM
02	PHENOLIC RAINSCREEN PANEL, (02A)WHITE (02B)BRONZE
03	THIN BRICK VENEER
04	ANODIZED ALUM. FRAME WINDOWS & DOORS
05	FIBER CEMENT LAP SIDING, PAINTED
06	PAINTED METAL TRIM TO MATCH ADJACENT PANEL
07	42"H GUARDRAIL
08	LARGE FORMAT THROUGH -BODY TILE, CHARCOAL
09	LARGE FORMAT THROUGH -BODY TILE, WHITE
10	LARGE FORMAT THROUGH -BODY TILE, BRONZE
11	PAINTED STEEL CASING

HEIGHT LIMIT

(SOUTH) ELEVATION AT PACIFIC AVENUE 1

0 8' 16' 32'

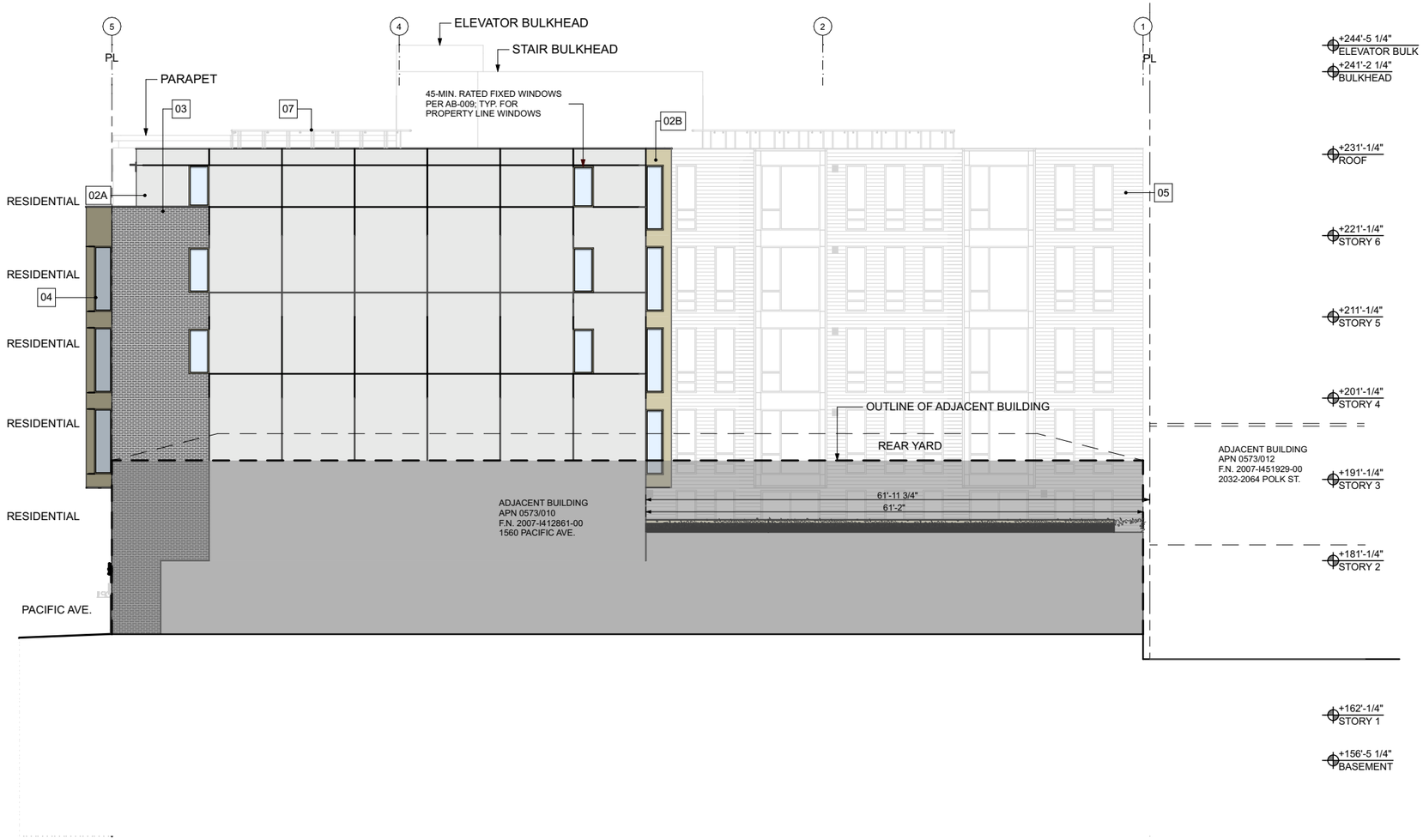


NORTH ELEVATION 1

0 8' 16' 32'

ID	DESCRIPTION
01	GLASS & PAINTED STEEL STOREFRONT SYSTEM
02	PHENOLIC RAINSCREEN PANEL, (02A)WHITE (02B)BRONZE
03	THIN BRICK VENEER
04	ANODIZED ALUM. FRAME WINDOWS & DOORS
05	FIBER CEMENT LAP SIDING, PAINTED
06	PAINTED METAL TRIM TO MATCH ADJACENT PANEL
07	42"H GUARDRAIL
08	LARGE FORMAT THROUGH -BODY TILE, CHARCOAL
09	LARGE FORMAT THROUGH -BODY TILE, WHITE
10	LARGE FORMAT THROUGH -BODY TILE, BRONZE
11	PAINTED STEEL CASING

HEIGHT LIMIT

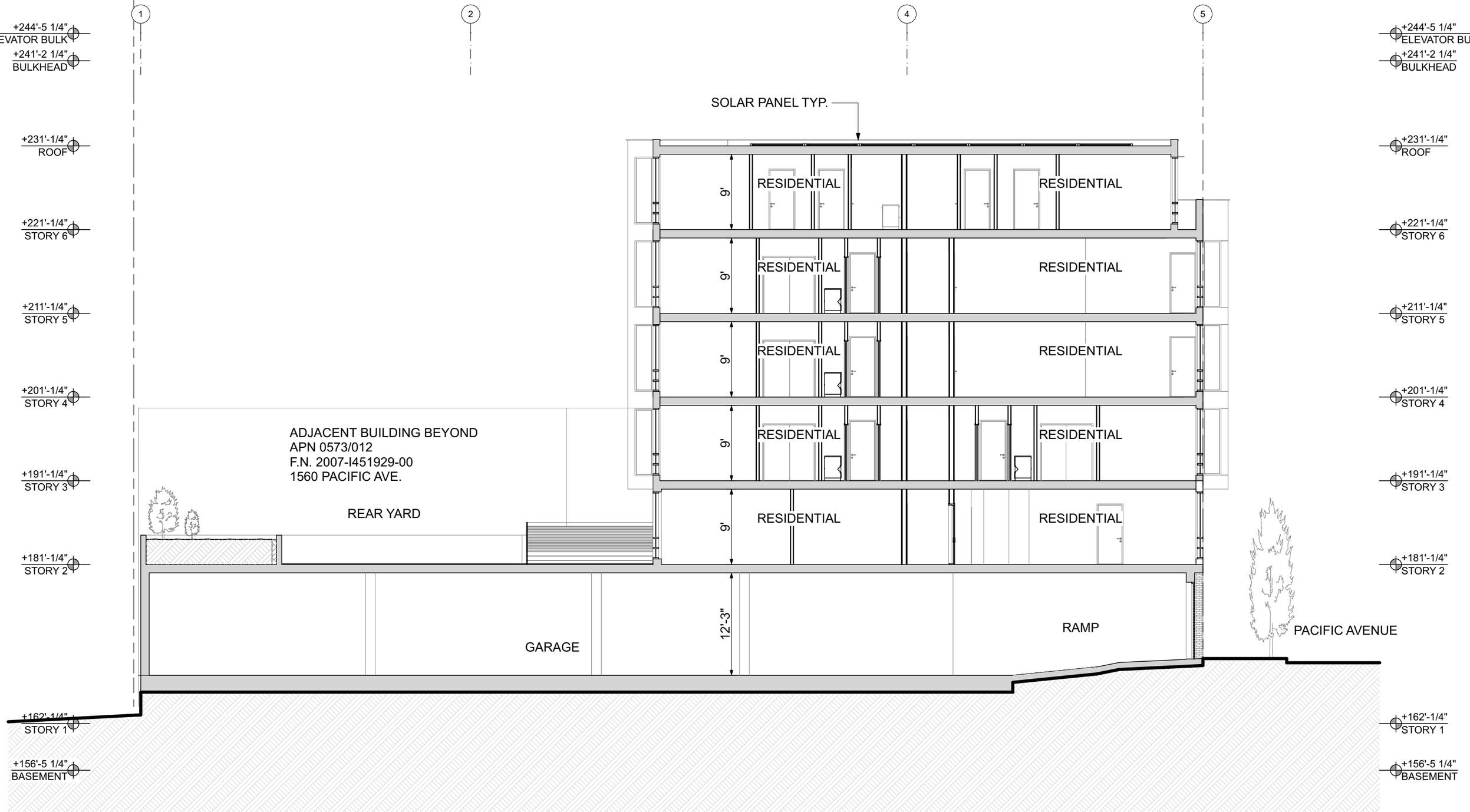


ID	DESCRIPTION
01	GLASS & PAINTED STEEL STOREFRONT SYSTEM
02	PHENOLIC RAINSCREEN PANEL, (02A)WHITE (02B)BRONZE
03	THIN BRICK VENEER
04	ANODIZED ALUM. FRAME WINDOWS & DOORS
05	FIBER CEMENT LAP SIDING, PAINTED
06	PAINTED METAL TRIM TO MATCH ADJACENT PANEL
07	42"H GUARDRAIL
08	LARGE FORMAT THROUGH -BODY TILE, CHARCOAL
09	LARGE FORMAT THROUGH -BODY TILE, WHITE
10	LARGE FORMAT THROUGH -BODY TILE, BRONZE
11	PAINTED STEEL CASING

HEIGHT LIMIT

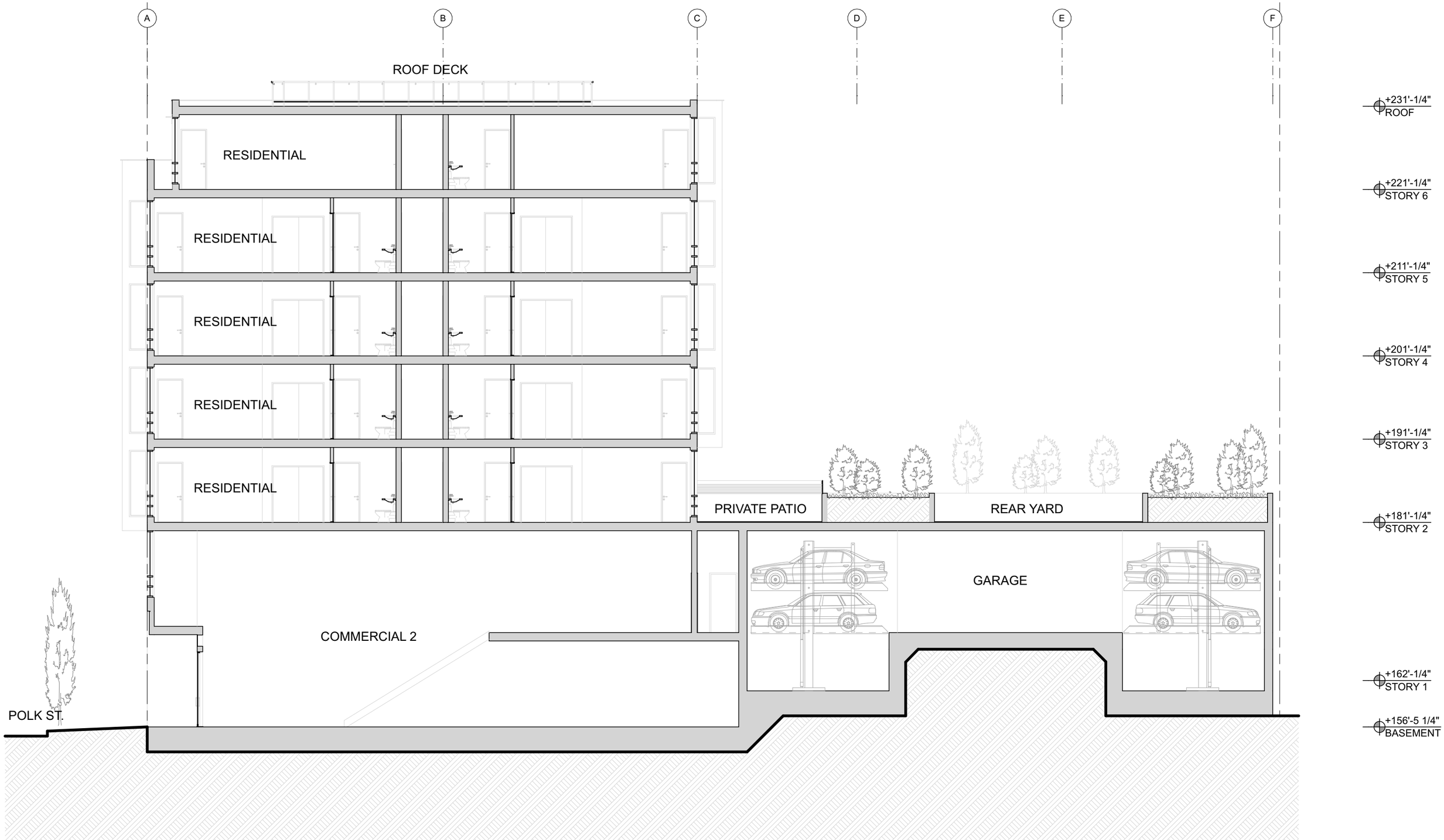
EAST ELEVATION 2

0 8' 16' 32'



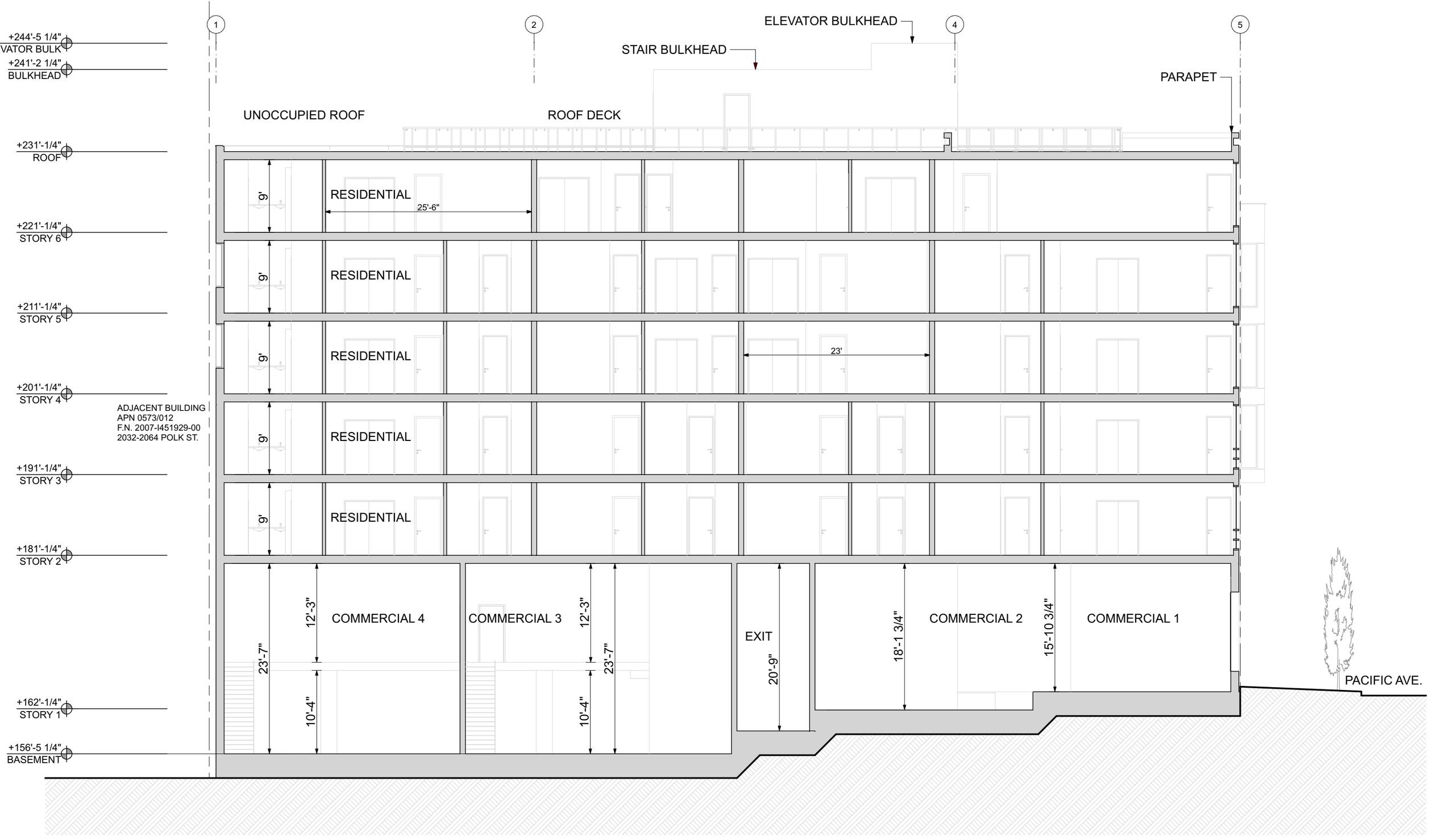
SECTION 1

0 8' 16' 24'



SECTION EAST TO WEST 1

0 8' 16' 24'



SECTION NORTH TO SOUTH 1

0 8' 16' 24'


SHOP
SHOP

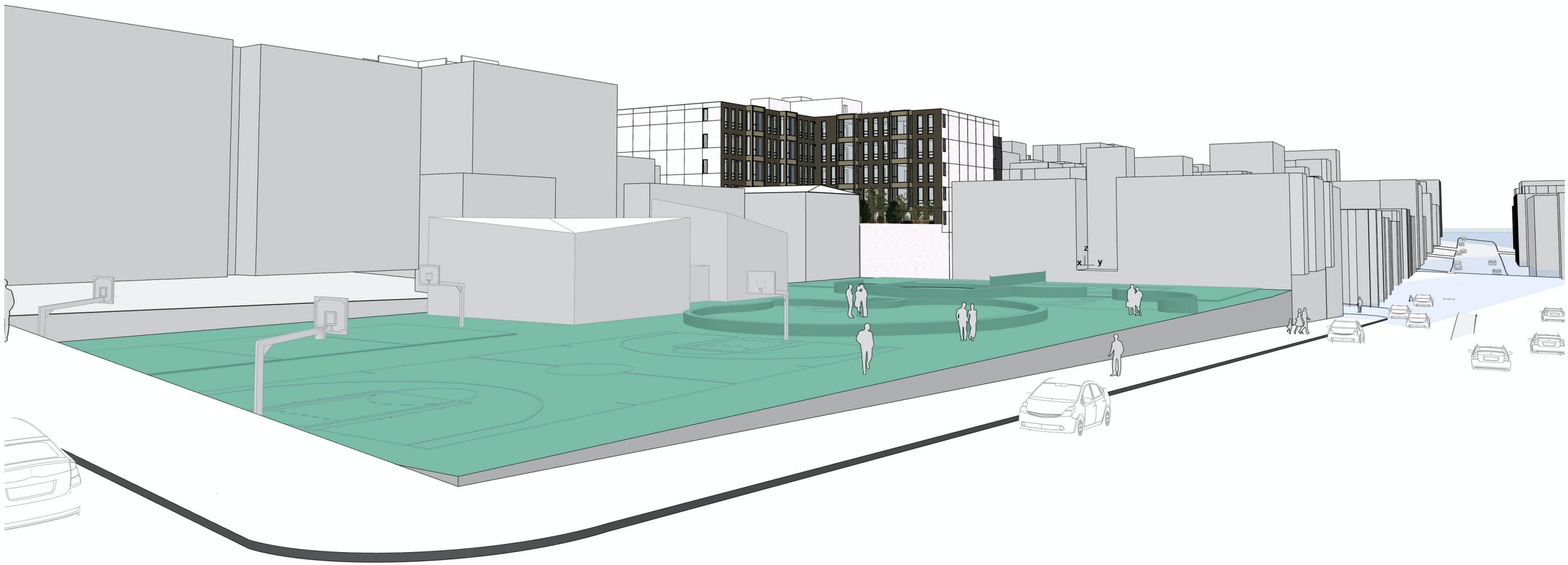

z
x
y

Exhibit C

Final Mitigated Negative Declaration (FMND),

including Mitigation Monitoring and Reporting Program (MMRP)

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

MITIGATED NEGATIVE DECLARATION

PMND Date:	October 21, 2020
Case No.:	2018-008259ENV
Project Address:	1580 Pacific Avenue
Building Permit Application Nos.:	201912129355 and 201912129356
Zoning:	NCD – Polk Street Neighborhood Commercial Use District 65-A Height and Bulk Districts
Block/Lot:	0573/011
Lot Size:	17,371 square feet
Project Sponsor:	Jon Heimdahl, JS Sullivan Development (415) 206-1578 j.heimdahl@js-sullivan.com
Lead Agency:	San Francisco Planning Department
Staff Contact:	Josh Pollak – (628) 652-7493 Josh.Pollak@sfgov.org

Project Description

The proposed project at 1580 Pacific Avenue (also known as 2030 Polk Street) is located in San Francisco's Nob Hill neighborhood. The project site (Assessor's Block 0573, Lot 011) is a rectangular shaped 17,131-square-foot parcel on the southwest corner of the city block bound by Polk Street to the west, Broadway to the north, Larkin Street to the east, and Pacific Avenue to the south. The project site has frontages on both Polk Street and Pacific Avenue, and is occupied by an existing one-story, 8,366 square foot building currently occupied with commercial uses, which also has an 8,600 square foot surface parking lot with 23 parking spaces. The project site slopes down from the southeast (Pacific Avenue) to the northwest (Polk Street). The project site is in the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District.

The proposed project would demolish the existing building and parking lot on the project site and construct a six-story, 65-foot-tall (exclusive of rooftop appurtenances) mixed-use residential and commercial building with 60,000 square feet of residential space, 7,000 square feet of ground-level retail space, and 4,000 square feet of open space. The height of the rooftop appurtenances, which are comprised of the stair bulkhead and elevator bulkhead, is approximately 16 feet. The building would contain 53 dwelling units, with 28 one-bedroom units, 21 two-bedroom units, and four three-bedroom units. The proposed project would vary in the number of stories with six stories along Pacific Avenue, to seven stories on the northernmost portion of

Polk Street, but the roof height would remain constant throughout the project site at or below the 65-foot height limit (exclusive of the mechanical penthouse).

The project proposes to use the State Density Bonus Program in order provide 10 additional units (which are included in the 53 units referenced above) and is seeking waivers from development standards for rear yard and bulk requirements. A rear yard would comprise approximately one-quarter of the lot area on the first residential level (second floor), with common open space for all residents provided in the rear yard and at the roof level. The project would include 27 vehicle parking spaces (including one car share space) in a below-grade parking structure, for a net increase of four parking spaces at the site. Vehicular access to and from the below-grade parking structure would be provided from Pacific Avenue through a new 10-foot-wide curb cut. The project would remove an existing roughly 20-foot-wide curb cut on Pacific Avenue, located near the southeast corner of the project site. The project would construct a bulb-out on the northeast corner of Polk Street and Pacific Avenue in compliance with the Better Streets Plan.

Finding

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the initial study for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See section on page 113.

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

Devyani Jain

By Lisa Gibson
Environmental Review Officer

November 18, 2020

Date of Adoption of Final Mitigated Negative Declaration

cc: Jon Heimdahl, JS Sullivan Development
Andrew Perry, Current Planning Division

Initial Study
Table of Contents
1580 Pacific Avenue

FIGURES

TABLES

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ACRONYMS AND ABBREVIATIONS

Acronym/ Abbreviation	Definition
ACMs	Asbestos-Containing Materials
ARB	California Air Resources Board
BMPs	Best Management Practices
Cal/OSHA	Occupational Safety and Health Administration
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CO	carbon monoxide
dB	Decibels
dBA	A-Weighted Decibels
DBI	Department of Building Inspection
EP	Environmental Planning Division
ERO	Environmental Review Officer
FARR	Final Archeological Resources Report
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	Greenhouse Gases
HRE	Historic Resource Evaluation
HVAC	Heating, Ventilation and Air Conditioning
Ldn	Day-night average sound level
Leq	Time-equivalent sound level, or equivalent continuous sound pressure over a given time
Lmax	Maximum sound level
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendant
MRZ	Mineral Resource Zone
NCD	Neighborhood Commercial District
NO_2	Nitrogen Dioxide
NO_x	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
ppm	Parts per million
PPV	Peak-Particle Velocity
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter, 2.5 micrometers or less in diameter
PM_{10}	Particulate matter 10 micrometers or less in diameter
RCNM	Roadway Construction Noise Model

ROG	Reactive Organic Gases
RM	Residential Mixed
SF-CHAMP	San Francisco Chained Activity Model Process
SFPUC	San Francisco Public Utilities Commission
SO_2	Sulfur Dioxide
TACs	Toxic Air Contaminants
TASC	Transportation Advisory Staff Committee
TAZ	Transportation Analysis Zone
USEPA	United States Environmental Protection Agency
VDECS	Verified Diesel Emission Control Strategy
VMT	Vehicle Miles Travelled

Initial Study
1580 Pacific Avenue
Planning Department Case No. 2018-008259ENV

A. PROJECT DESCRIPTION

The proposed project at 1580 Pacific Avenue (also known as 2030 Polk Street) is located in San Francisco's Nob Hill neighborhood. A description of the project's location, its characteristics including project figures, the regional and local context, planning process and background, and a discussion of requested project approvals are included below.

Project Location

The project site (Assessor's Block 0573, Lot 011) is a rectangular shaped 17,131-square-foot parcel on the southwest corner of the city block bound by Polk Street to the west, Broadway to the north, Larkin Street to the east, and Pacific Avenue to the south (see Figure 1: Project Location next page). The project site has frontages on both Polk Street and Pacific Avenue, and is occupied by a one-story, 8,366 square foot commercial building, which also has an 8,600 square foot parking lot with 23 parking spaces. The building contains a partial basement facing Polk Street along the rear, northern portion of the building.

The project site contains two stores, PPG Paints and the Jug Shop, which is a liquor store listed on the San Francisco Office of Small Business Legacy Business Registry due to the business' continuous operation since 1965, contributions to the neighborhood's history and identity, and its commitment to maintaining the physical features and traditions that define the business.[1]

The project site slopes down from the southeast (Pacific Avenue) to the northwest (Polk Street). The elevation at the project site's southeastern corner is approximately 18 feet higher than the elevation at the northwestern corner.

The project site is in the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District. The "65" refers to a roof height limit of 65 feet, and "A" bulk refers to the maximum bulk of the building allowed above a certain height. According to section 270 of the Planning Code, above 40 feet in height, the building bulk is allowed a maximum length of 110 feet and a diagonal dimension of 125 feet.

[1] San Francisco Office of Small Business, *Legacy Business Registry Staff Report*, September 2018, Available: *https://sfosb.org/sites/default/files/Legacy%20Business/SBC%20Hearings/Item%203e.%20LBR-2017-18-042%20Jug%20Shop.PDF*

Figure 1 Project Location

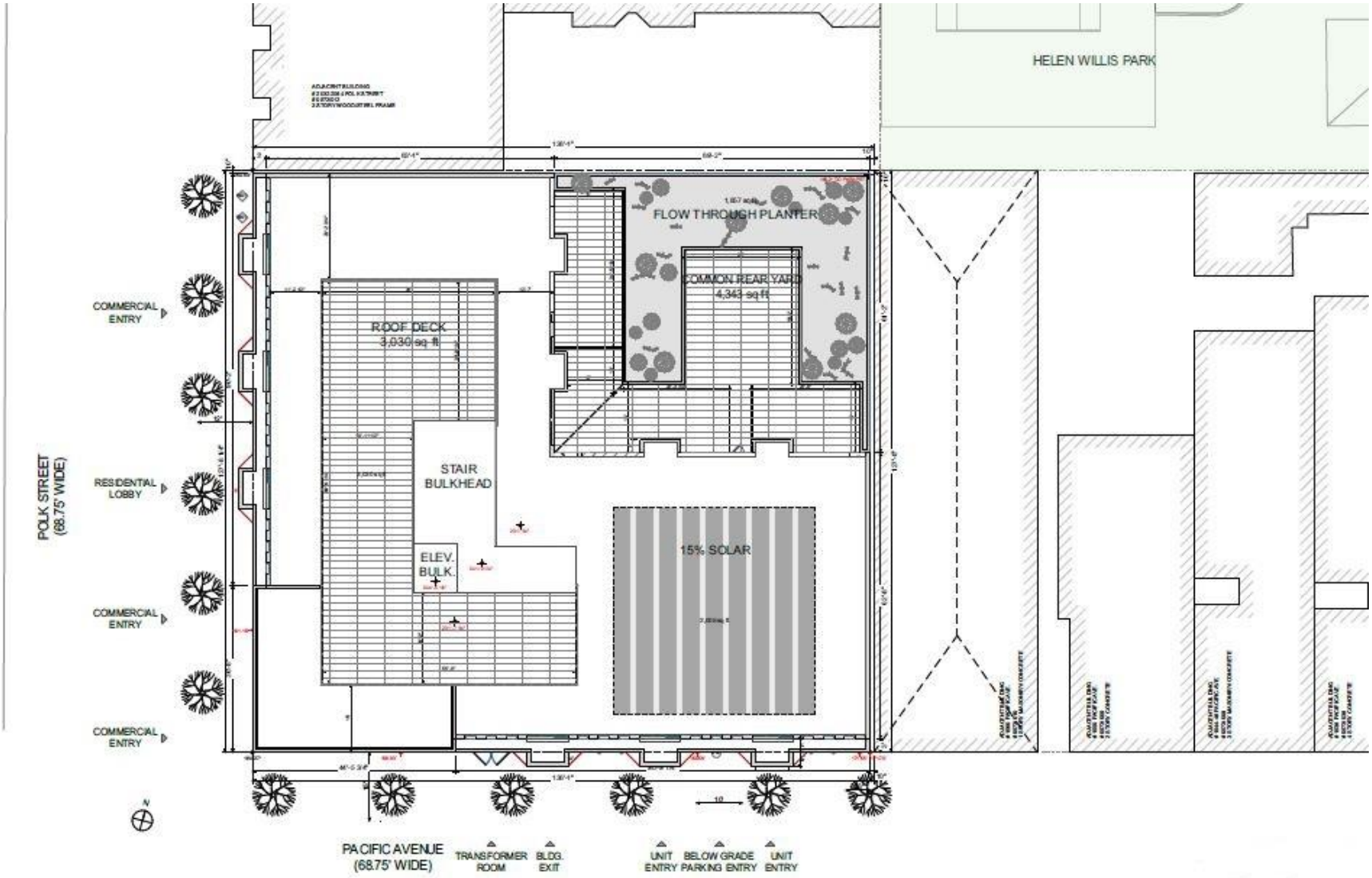

Figure 2 Project Site Plan

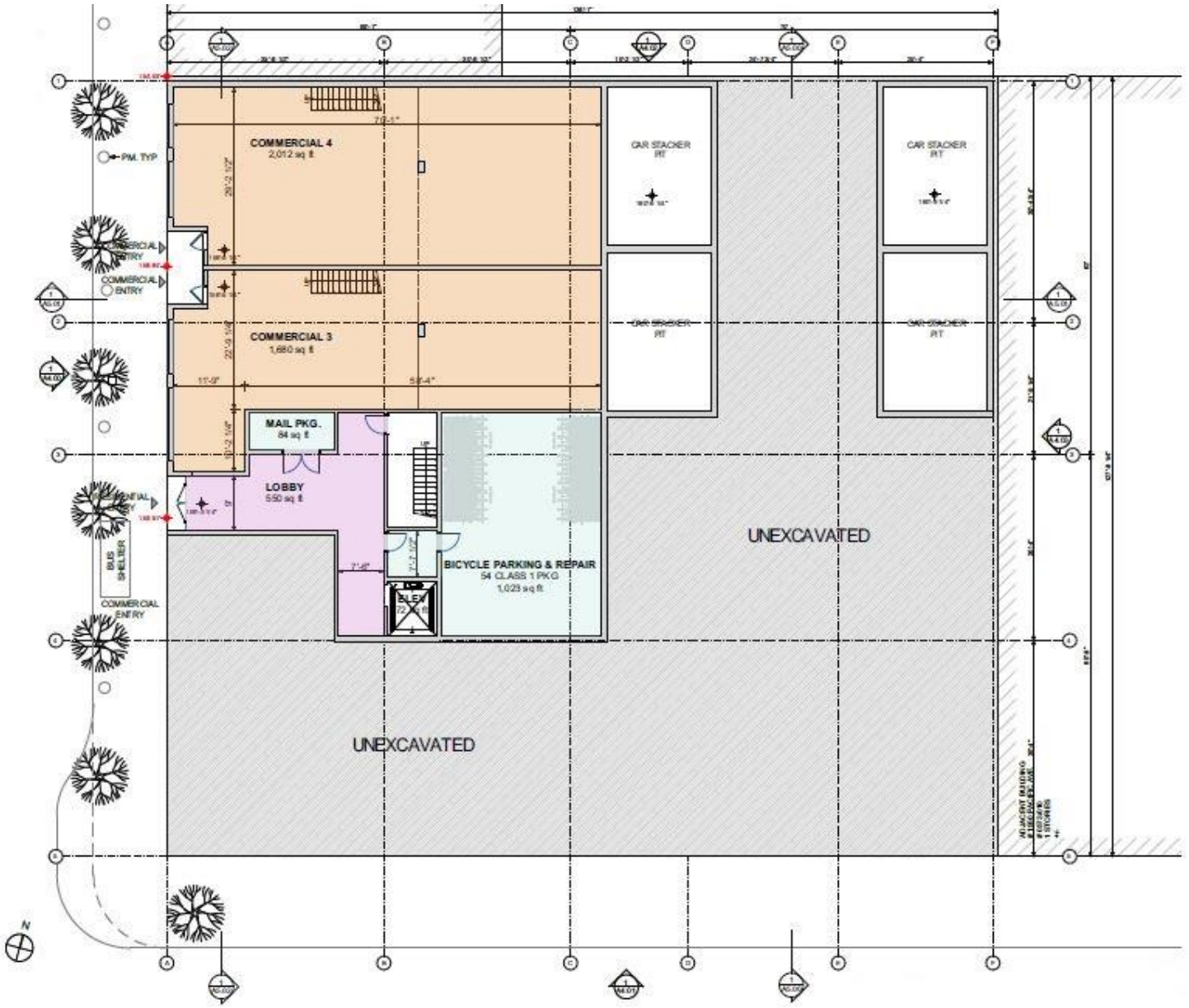

Figure 3 Basement

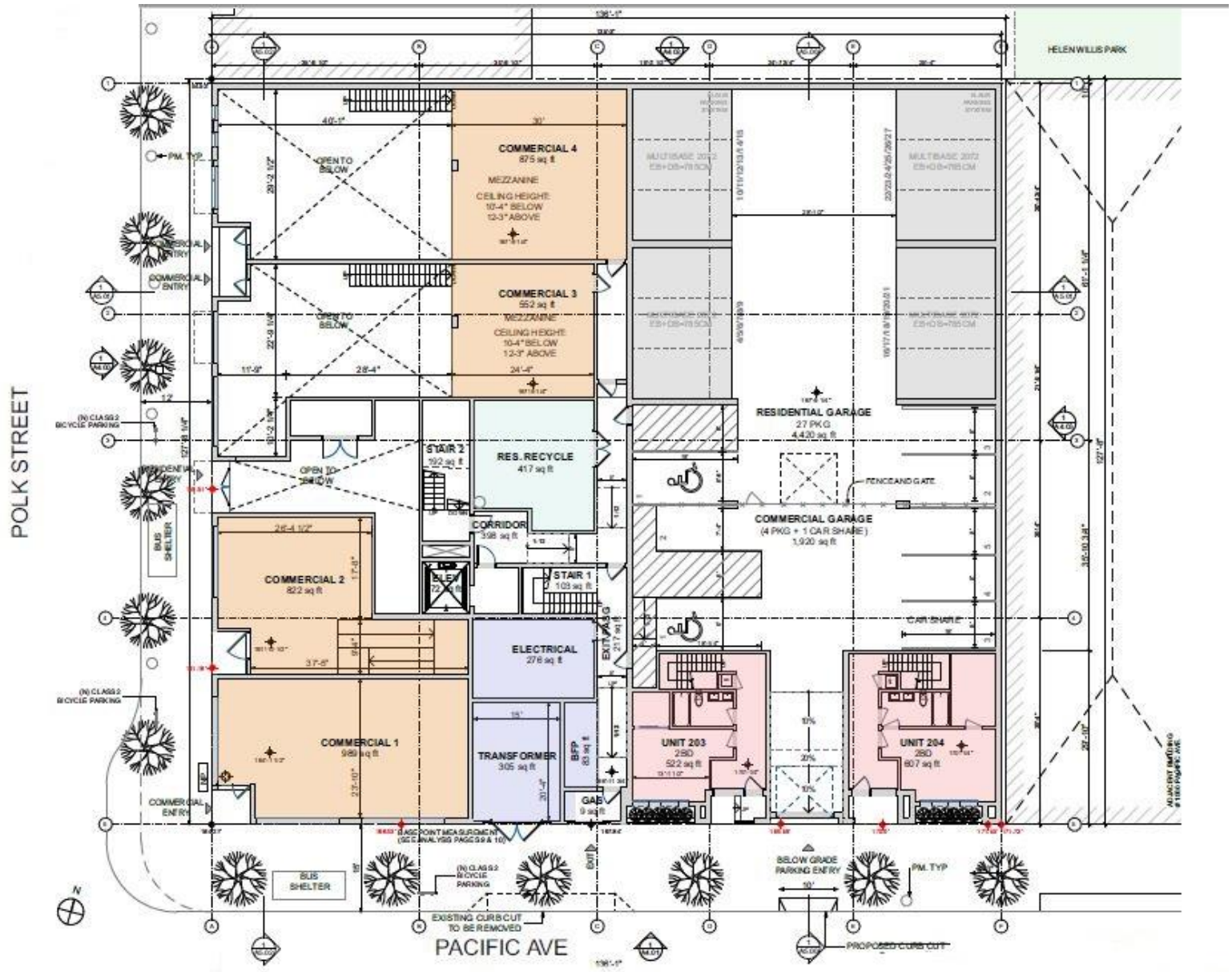

Figure 4 First Story

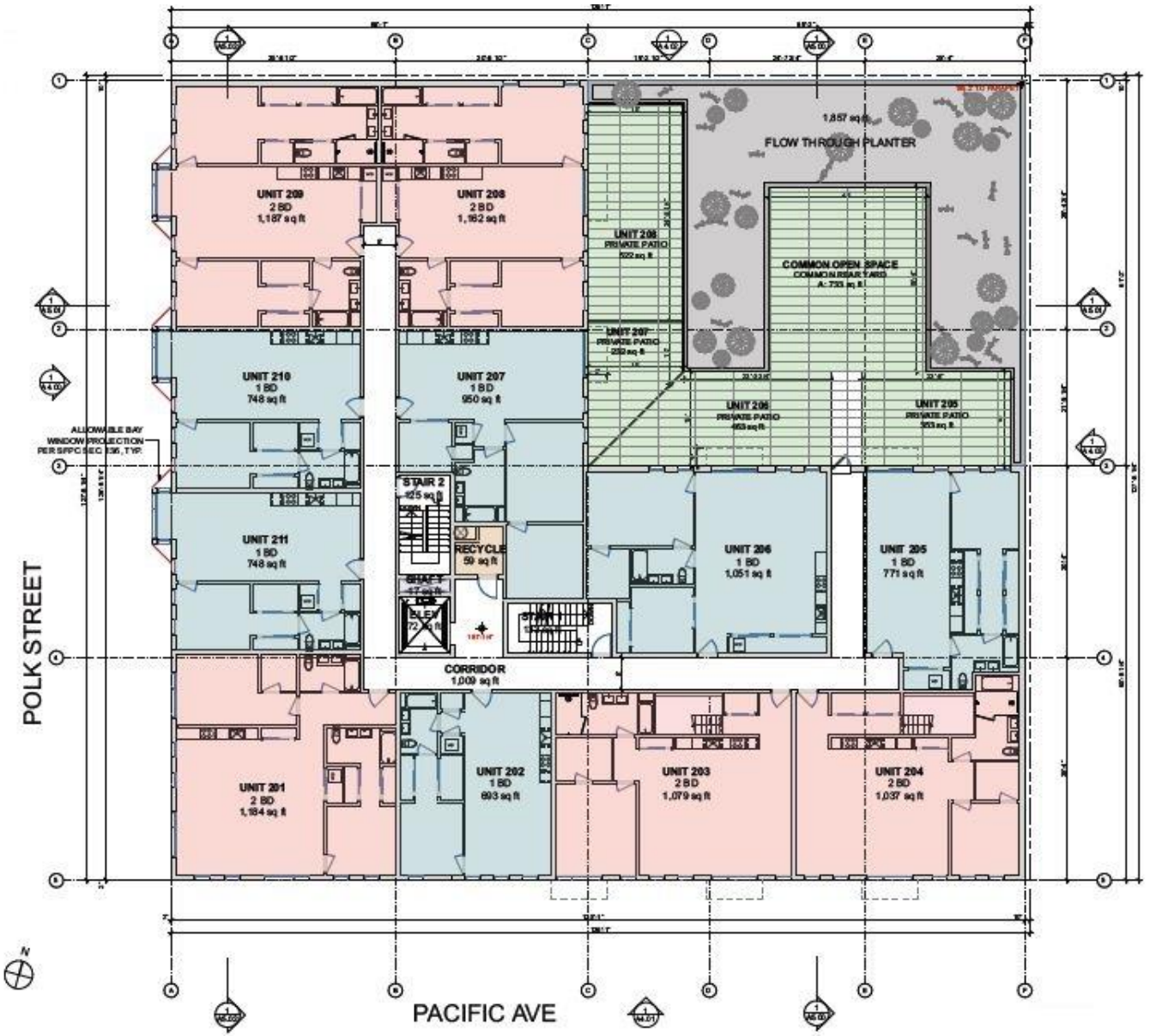

Figure 5 Second Story

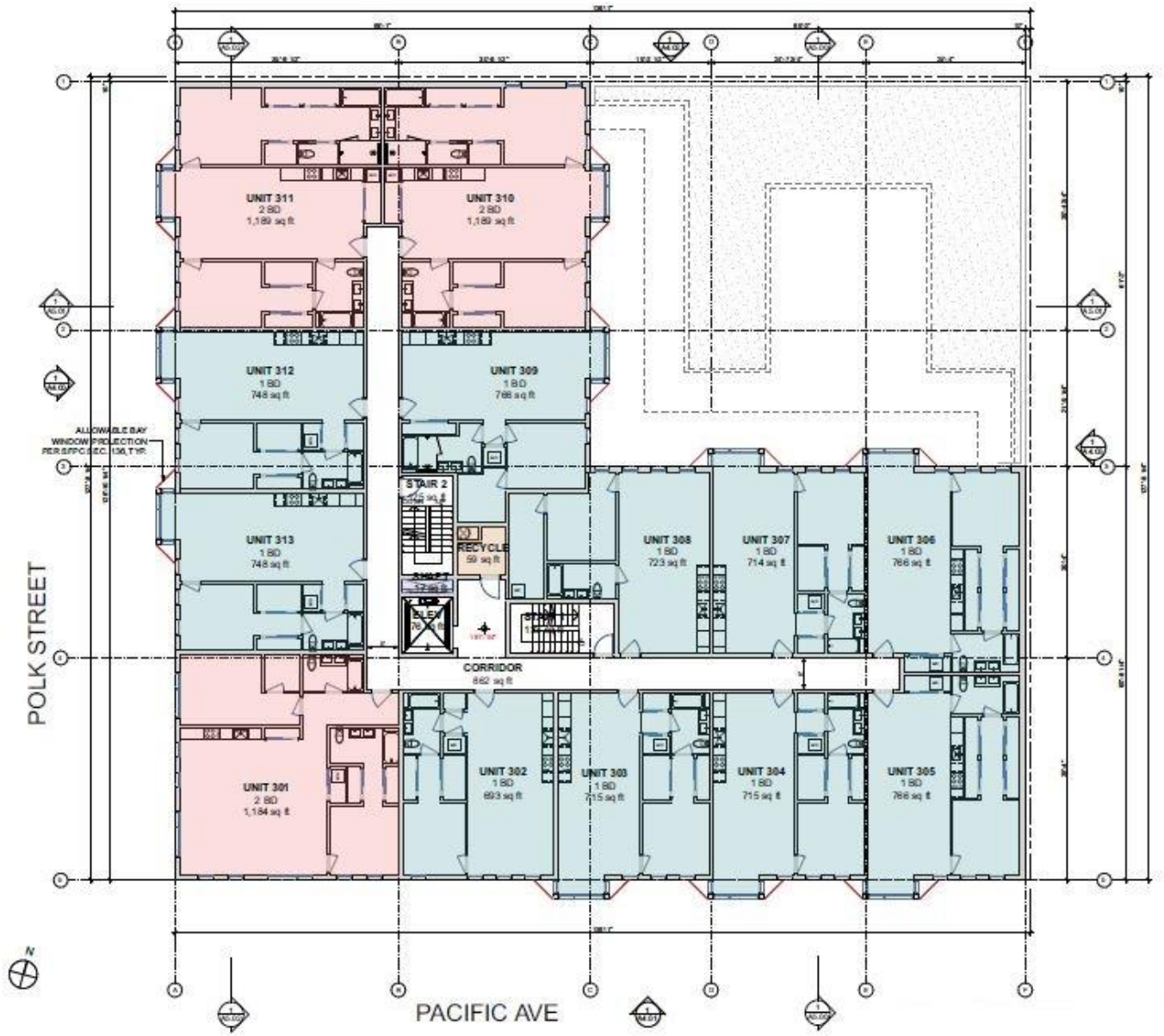

Figure 6 Third Story

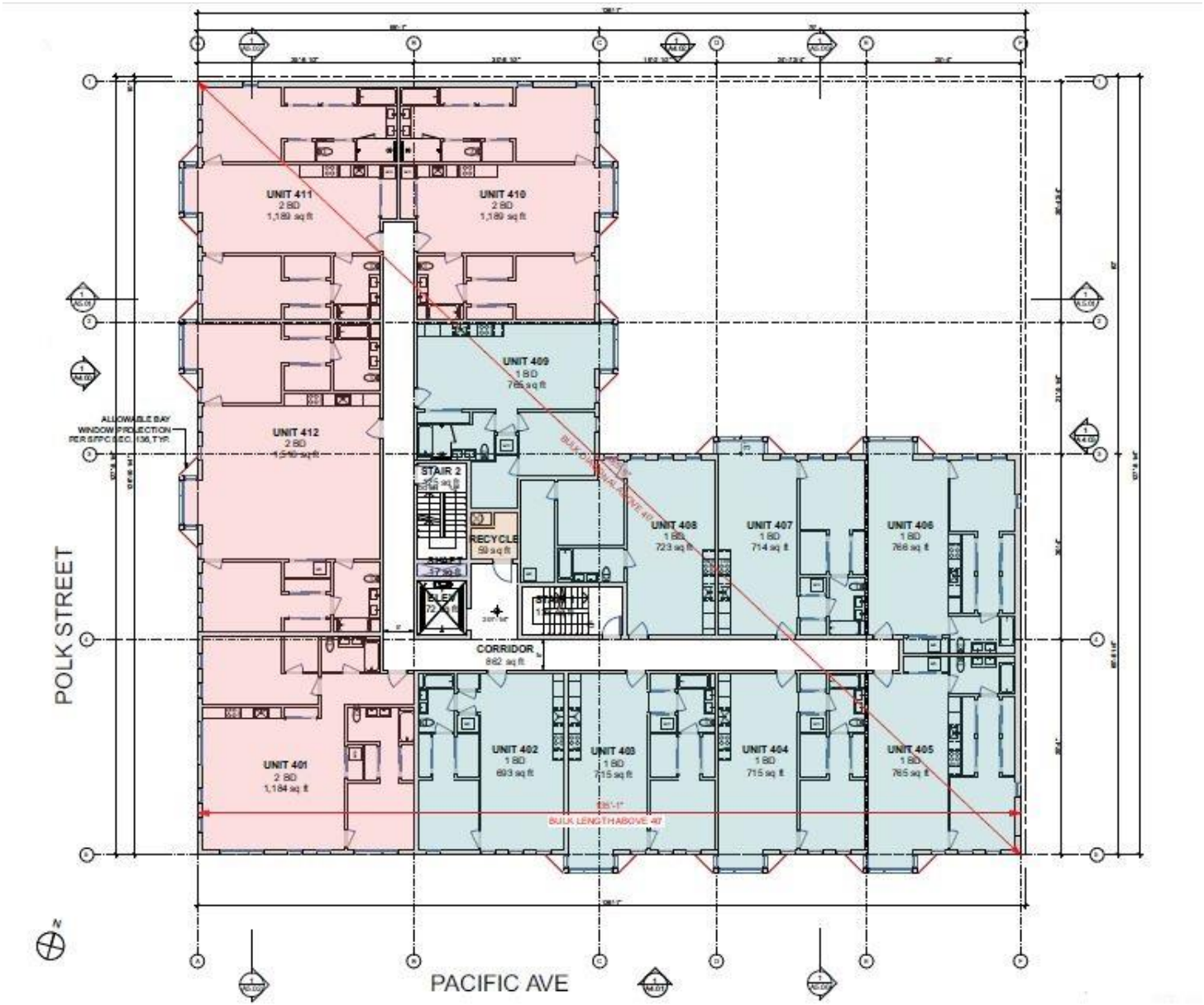

Figure 7 Fourth Story

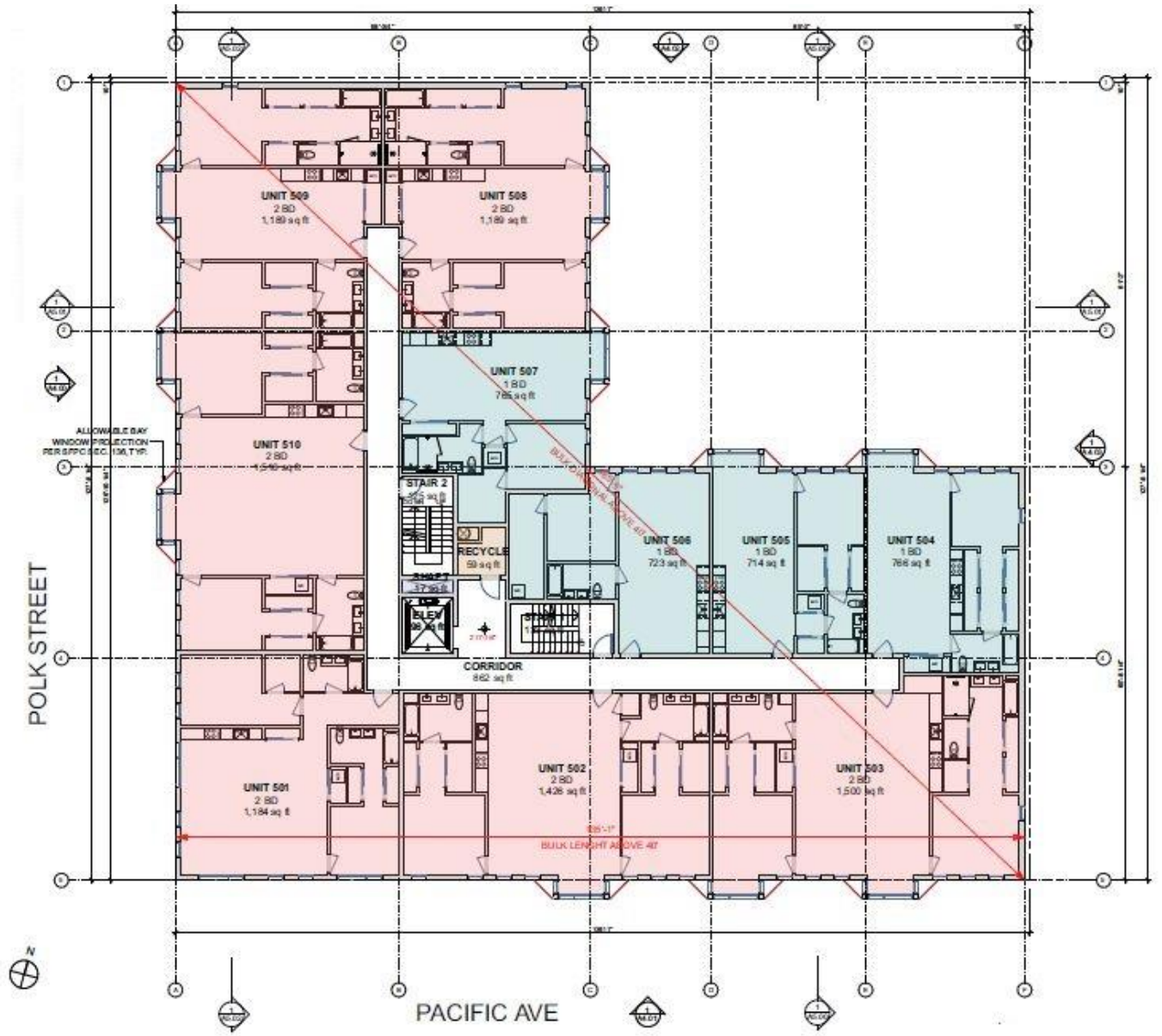

Figure 8 Fifth Story

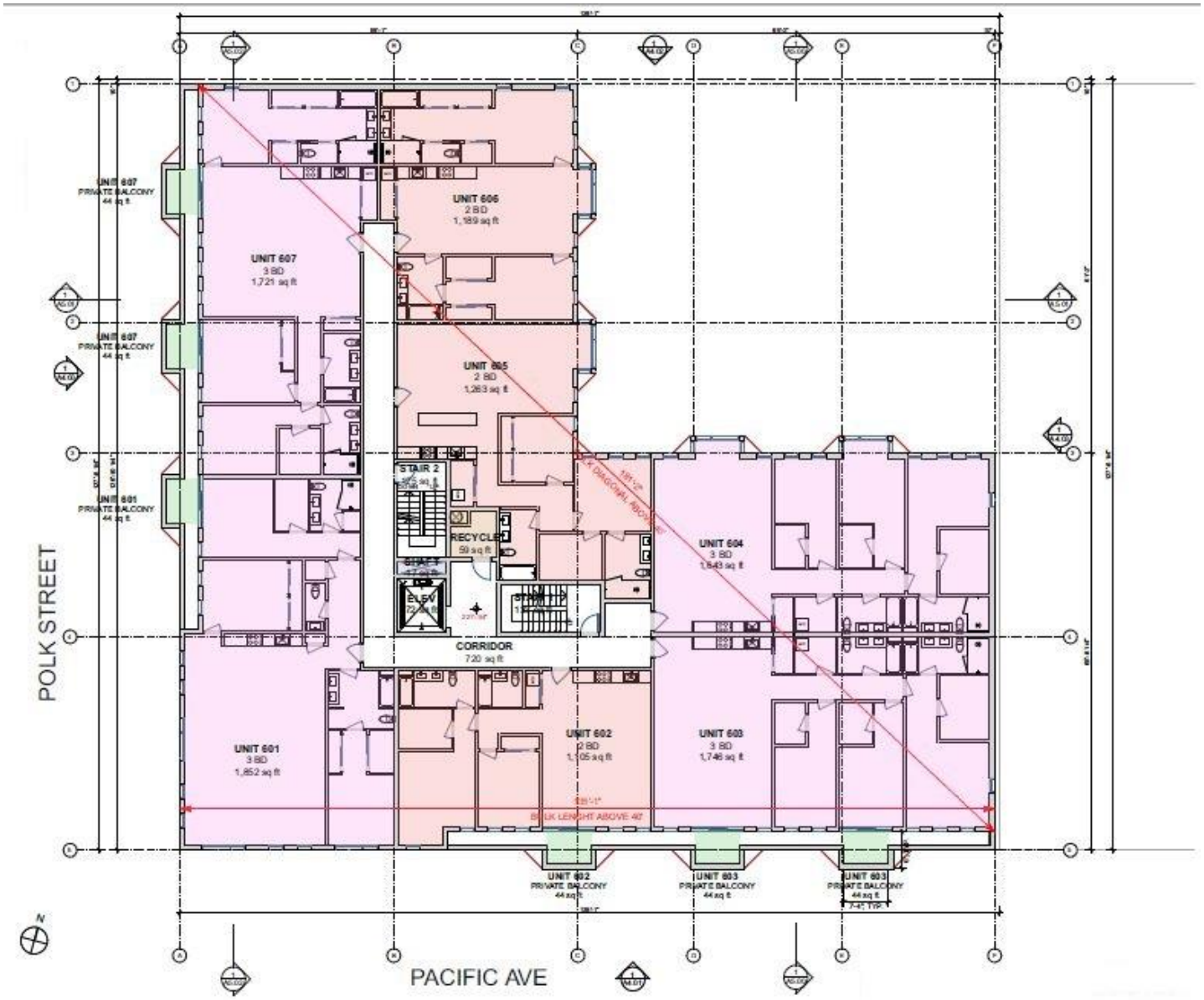

Figure 9 Sixth Story

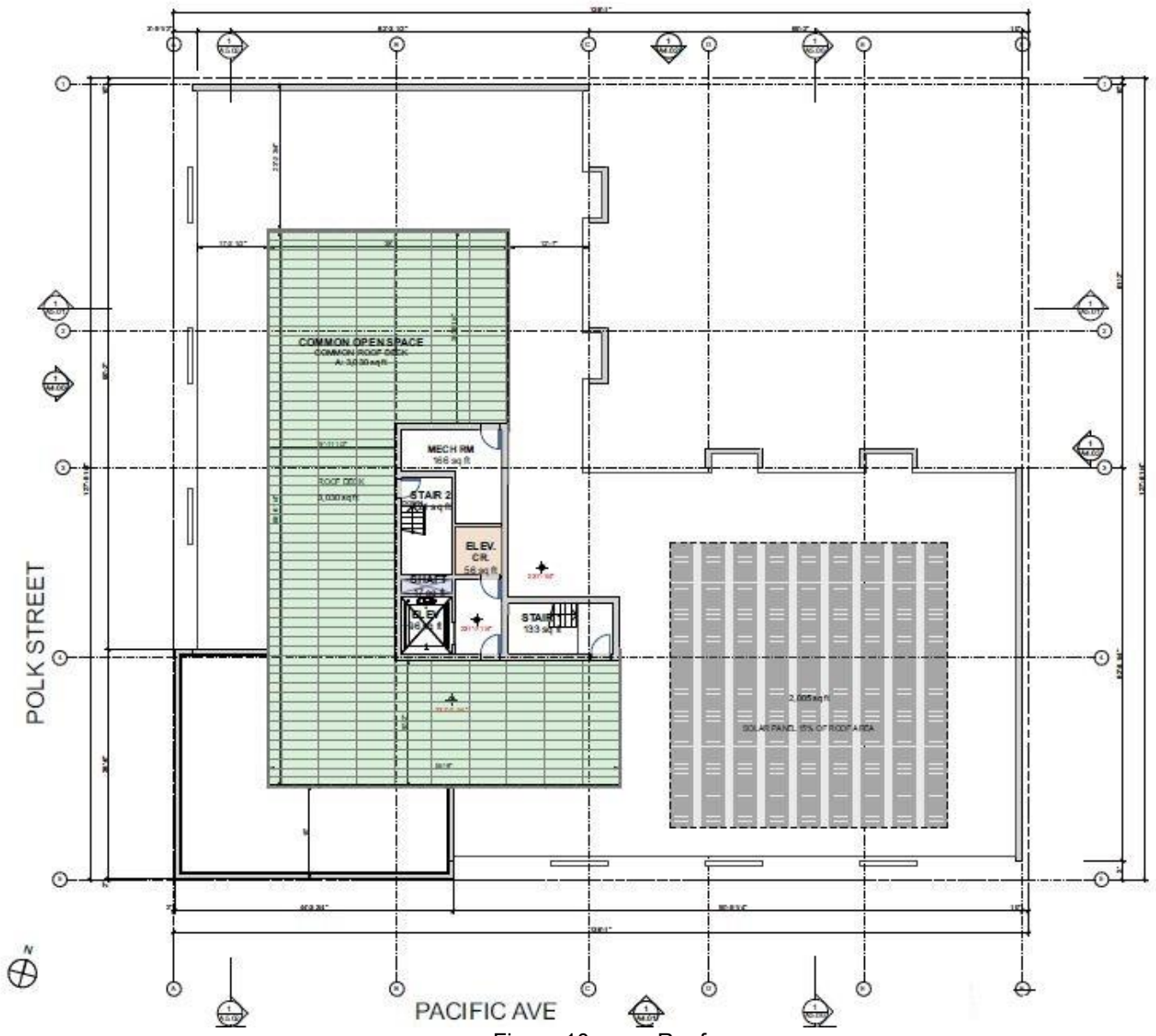

Figure 10 Roof

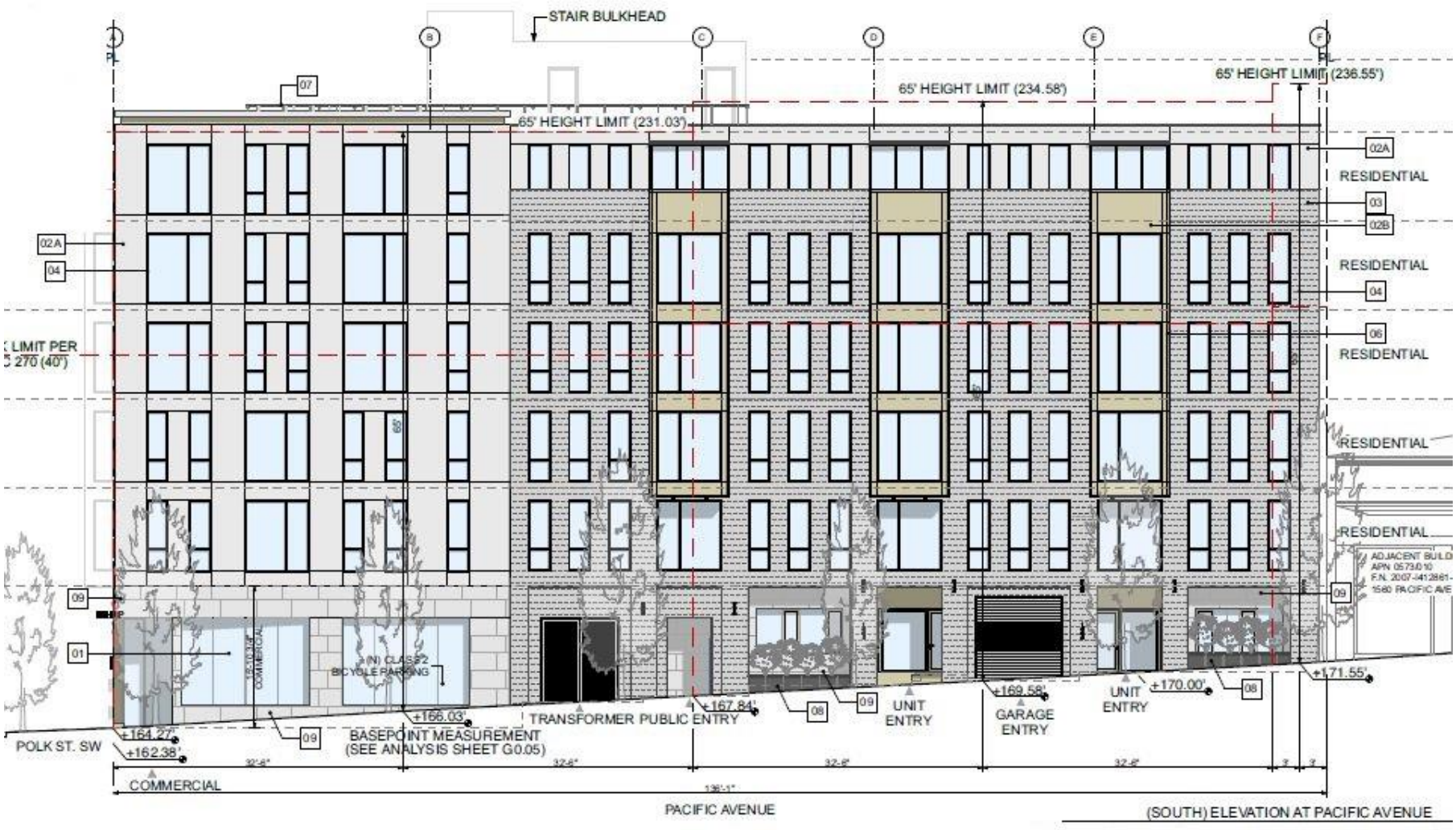

Figure 11 South Elevation

(WEST) ELEVATION AT POLK STREET

Figure 12 West Elevation

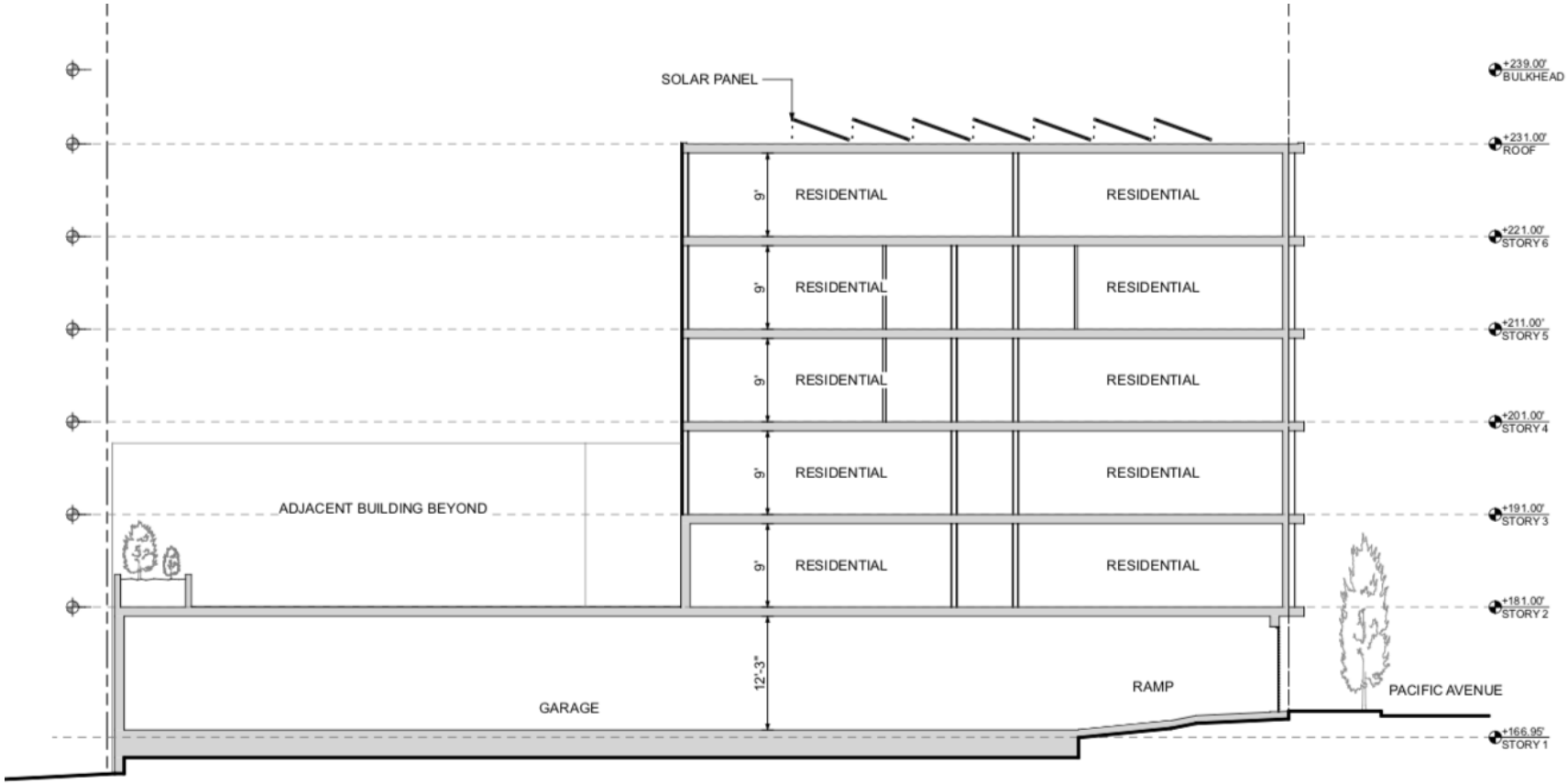

Figure 13 Building Section

Project Characteristics

The proposed project would demolish the existing building and parking lot on the project site and construct a six-story, 65-foot-tall (exclusive of the rooftop appurtenances) mixed-use residential and commercial building with 60,000 square feet of residential space, 7,000 square feet of ground-level retail space, and 4,000 square feet of open space. The height of the rooftop appurtenances, which are compromised of the stair bulkhead and elevator bulkhead, is approximately 16 feet. The building would contain 53 dwelling units, with 28 one-bedroom units, 21 two-bedroom units, and four three-bedroom units. The proposed project would vary in the number of stories with six stories along Pacific Avenue, to seven stories on the northernmost portion of Polk Street, but the roof height would remain constant throughout the project site at or below the 65-foot height limit (exclusive of the rooftop appurtenances).

The project proposes to use the State Density Bonus Program (described in detail under State Density Bonus below) in order to provide 10 additional units (which are included in the 53 units referenced above) and to seek waivers from development standards for rear yard and bulk requirements. A rear yard would comprise approximately one-quarter of the lot area on the first residential level (second floor), with common open space for all residents provided in the rear yard and at the roof level.

The project would include 27 vehicle parking spaces (including one car share space) in a below-grade parking structure, for a net increase of four parking spaces at the site. Vehicular access to and from the below-grade parking structure would be provided from Pacific Avenue through a new 10-foot-wide curb cut, located approximately 33 feet from the east property line. The project would remove an existing roughly 20-foot-wide curb cut on Pacific Avenue. The project would construct a bulb-out on the northeast corner of Polk Street and Pacific Avenue in compliance with the Better Streets Plan. The project would have 54 *Class I* bicycle parking spaces. Figures 2 through 12 above show the project plans, including the site plan, plans for each floor, a roof plan, a south elevation, a west elevation, and a section.

Project Construction

Construction of the proposed project is expected to last approximately 18 months, and would take place in six phases: demolition, site preparation, grading and excavation, building construction, architectural coatings/finishing, and paving. The proposed building would be supported by a mat slab foundation. Construction of the proposed project would require excavation to a depth of up to approximately five feet over the entire site for a total excavation of approximately 3,500 cubic yards of soil.

State Density Bonus Program

Under Government Code section 65915, the state density bonus law, cities are required to grant density bonuses, waivers from development standards,[2] and concessions and incentives[3] when a developer of a

[2] "Development standard" includes a site or construction condition, including but not limited to a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation. (See Government Code section 65915(0)(1)).

[3] Concessions and incentives mean: (1) a reduction in site development standards or a modification of zoning requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with section 18901) of Division 13 of the Health and Safety

housing project of five or more units includes at least 5 percent of those units as housing units affordable to moderate, low, or very low income households (between 50 and 120 percent of area median income). The amount of the density bonus and the number of concessions and incentives varies depending on the percentage of affordable units proposed and the level of affordability; generally, however, state law requires that cities grant between 5 to 35 percent density bonus, and up to three concessions and incentives, if a developer provides between 5 and 40 percent affordable units.

Additionally, project sponsors are able to request waivers from development standards if the development standards would physically preclude the project from being developed with the additional density or with the concessions and incentives. State law requires that rental units be affordable for a term of no less than 55 years, and that ownership units be affordable to at least the first buyer through a shared equity agreement. Local jurisdictions are required to adopt an ordinance implementing the state density bonus law; however, absent an ordinance, local jurisdictions are still required to comply with the law.[4] In 2017, the city codified the State Density Bonus Law as the Individually Requested State Density Bonus Program in Planning Code section 206.6. The proposed project would utilize the State Density Bonus Program in order provide 10 additional units (which are included in the 53 units referenced above) and is seeking waivers from development standards for rear yard and bulk requirements.

Project Approvals

The proposed project would require the approvals listed below. These approvals may be considered by city decision-makers in conjunction with the required environmental review but may not be granted until completion of the environmental review.

Planning Commission

- Approval of a Conditional Use Authorization pursuant to Planning Code sections 303, 121.1, and 121.2 for a large lot development within an NC District and for a non-residential use size larger than 2,000 square feet within the Polk Street NCD.

- Approval of an Individually Requested State Bonus Project pursuant to Planning Code Section 206.6, with waivers from the development standards for rear yard (section 134) and bulk (section 270).

- Adoption of shadow findings made by the San Francisco Recreation and Park Commission (section 295).

Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions; (2) approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located; or (3) other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable, financially sufficient, and actual cost reductions. (See Government Code section 65915.)

[4] See Government Code section 65915 generally, specifically sections 65915(a), 65915(c)(1) and (2), and 65915(c).

Actions by other City Departments

- Demolition and building permits (San Francisco Department of Building Inspection) for the demolition of the existing building and the construction of the proposed project
- Determination that shadow would not adversely affect open spaces under Recreation and Park Commission jurisdiction (San Francisco Recreation and Park Commission, occurs prior to Planning Commission review)
- Approval of a Street Improvement Permit application (San Francisco Public Works and San Francisco Municipal Transportation Agency) in order to construct a Better Streets Plan compliant corner bulb-out and for infrastructure improvements within the public right-of-way

Approval Action: Approval of the Conditional Use Authorization by the Planning Commission constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day period for the appeal of the Final Mitigated Negative Declaration to the Board of Supervisors pursuant to Section 31.04(h) of the San Francisco Administrative Code. Pursuant to Section 31.16(d) of the San Francisco Administrative Code, only persons or entities who have filed an appeal of a Preliminary Mitigated Negative Declaration may appeal the Final Mitigated Negative Declaration.

B. PROJECT SETTING

Project Site and Surrounding Land Uses

As described above, the project site is located in San Francisco's Nob Hill neighborhood, within the city block bound by Polk Street to the west, Broadway to the north, Larkin Street to the east, and Pacific Avenue to the south. The project site is within the Polk Street Neighborhood Commercial District (NCD - Polk Street Neighborhood Commercial), which extends for a mile as a north-south linear district between Post and Filbert streets, and has a dense, mixed-use character consisting of buildings with residential units above ground-story commercial use. The district has an active, pedestrian-oriented, and continuous commercial frontage along Polk Street for almost all of its length. The project site is within a 65-A height and bulk district.

One block west of the project site is Van Ness Avenue, which is a dense residential and commercial corridor. East of the project site along Pacific Avenue is the Pacific Avenue Neighborhood Commercial District (NCD - Pacific Avenue), which extends from immediately adjacent to the project site east to Jones Street. The Pacific Avenue NCD runs along Pacific Avenue from northeast of the project site and the development consists primarily of two- to three-story residential buildings. The southeast and southwest corners of Polk Street and Pacific Avenue (1595 Pacific Avenue and 1601 Pacific Avenue, respectively) contain five-story mixed-use buildings with ground-level commercial uses. The closest residences are immediately north of the project site at 2032 Polk Street, as well as residences at 1461 Broadway (approximately 35 feet north), and 1550 Pacific Avenue (40 feet east). Other surrounding zoning districts include Public (P, for adjacent Helen Wills Park), Residential Commercial, Medium and High density (RC-3 and RC-4) along Van Ness Avenue, Residential Mixed, Low and Moderate density (RM-1 and RM-2) along Jackson Street between Polk and Larkin streets, and mid-block on Broadway north of Helen Wills Park, Residential One-Family (RH-1) a block and a half east of the project site near Pacific Avenue and McCormick Street, and Residential Three-Family (RH-3) along Larkin Street a block north of the project site.

The project site is well served by public transportation.[5] Muni's 19 Polk route operates along Polk Street and the 12 Folsom/Pacific route operates along Pacific Avenue. Within one-quarter mile of the project site, Muni also operates the following bus lines: the 1 California, 27 Bryant, 47 Van Ness, 45 Union/Stockton, and 49 Van Ness/Mission. Muni operates the Powell/Hyde Street cable car route along Hyde Street two blocks east of the project site. In addition, Golden Gate Transit operates regional transit along Van Ness Avenue, including the 4C, 24C, 30, 54C, 70, 101 and 101X lines with service to Marin County, Sonoma County, and Richmond/East Bay. Polk Street also includes north and south bike lanes which run along the entire length of Polk Street, from Market Street to Beach Street.

Cumulative Context

The cumulative context for land use development project effects is typically localized, within the immediate vicinity of the project site, or at the neighborhood level. Cumulative development in the project vicinity (within approximately a quarter-mile radius of the project site) includes the following projects, which are either under construction or for which the Planning Department has a project application on file. The areas and the projects relevant to the analysis vary, depending on the topic, as detailed in the cumulative analyses presented in subsequent sections of this document.

- Case No. 2019-022328PRJ: 1600 Jackson Street (conversion of a vacant two-story over basement, 38,900-gross-square-foot commercial building into a grocery store [Mollie Stone's Market], including interior renovations to the first and second floors, and addition of a coffee shop)
- Case No. 2015-002584PRJ: 1469 Pacific Street (two-story addition to an existing two-story industrial building to create a four-story, nine dwelling-unit residential building)
- Case No. 2019-017770PRJ: 1535 Jackson Street (addition of 11 additional SRO units to an existing 19-unit SRO building)
- Case No. 2016-015987PRJ: 1750 Van Ness Avenue (demolition of existing two-story building and construction of five-story building for an education and community center)

Cumulative transportation projects within a quarter mile of the proposed project include:

- 19 Polk Bus Stop Change: In order to enhance 19 Polk bus service and improve safety, Muni is proposing bus stop changes.
- 27 Bryant Transit Reliability Project: The project focuses on improving the route of the 27 Bryant north of Market Street in the Tenderloin and Nob Hill neighborhoods, and aims to make the 27 Bryant more reliable and improve traffic safety for people walking along the route between the intersections of 5th at Market and Jackson at Van Ness.
- 12 Folsom/Pacific Rincon Hill Extension: The project would return the 12 Folsom/Pacific back to Rincon Hill, extending the current route, but the project has been delayed due to the COVID-19 health emergency.
- Van Ness Improvement Project [formerly referred to as Van Ness Bus Rapid Transit (BRT) project]: The project would create dedicated transit-only lanes for use by Muni (including 47 Van Ness and 49 Van Ness/Mission routes) and Golden Gate Transit buses only, that are physically separated

[5] As of April 8, 2020, Muni adopted a core service plan in response to the COVID-19 health emergency to reduce the number of bus routes available. As of August 22, 2020, several of the bus routes in the vicinity of the site were restored.

from other traffic lanes, and is anticipated to be completed by 2021. The project would also include enhancing traffic signal timing for transit priority, and safety enhancements for people walking.

In this initial study, cumulative impacts are analyzed for each environmental topic and the proposed project's contribution to a cumulative impact, if any, is discussed. The cumulative impact analysis in this initial study may employ a list-based approach or a projections approach, depending on which approach best suits the individual resource topic being analyzed. The projects listed may be considered in determining environmental effects that are more localized. A projections-based analysis would consider county-wide or regional growth and is typically based on growth projections developed by the Association of Bay Area Governments (ABAG) and refined by planning department staff. The cumulative analysis defines the cumulative context appropriate for analysis of each specific environmental topic.

C. SUMMARY OF ENVIRONMENTAL EFFECTS

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

☐ Land Use/Planning	☐ Wind	☐ Hydrology/Water Quality
☐ Population and Housing	☐ Shadow	☐ Hazards & Hazardous Materials
☒ Cultural Resources	☐ Recreation	☐ Mineral Resources
☒ Tribal Cultural Resources	☐ Utilities /Service Systems	☐ Energy
☐ Transportation and Circulation	☐ Public Services	☐ Agriculture and Forestry Resources
☒ Noise	☐ Biological Resources	☐ Wildfire
☒ Air Quality	☐ Geology/Soils	☒ Mandatory Findings of Significance
☐ Greenhouse Gas Emissions		

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

Aesthetics and Parking

In accordance with CEQA Section 21099: Modernization of Transportation Analysis for Transit-Oriented Infill 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 criteria; therefore, this initial study does not consider aesthetics or parking in determining the significance of project impacts under CEQA.[6]

D. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
1. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	☐
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐

Impact LU-1: The proposed project would not physically divide an established community. (No Impact)

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. Implementation of the proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in the construction of a new mixed-use residential and commercial building containing 53 dwelling units and 7,000 square feet of ground-level retail space. Implementation of the proposed project would not alter the established street grid or permanently close any streets or sidewalks. Although portions of the sidewalks adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. For these reasons, the proposed project would not physically divide an established community. Therefore, the proposed project would not physically divide an established community and would have no impact.

[6] San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis, 1580 Pacific Avenue,* June 2020.

Impact LU-2: The proposed project would not cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

Land use impacts would be considered significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those that directly address environmental issues and/or contain targets or standards that must be met in order to preserve or improve characteristics of the City's physical environment. Examples of such plans, policies, or regulations include the Bay Area Air Quality Management District's *2017 Clean Air Plan* and the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*. The proposed project would not substantially conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect including Article 10 of the San Francisco Planning Code, the *2017 Clean Air Plan*, San Francisco's *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy), the San Francisco Urban Forestry Ordinance, as discussed in Section D.3, Cultural Resources, Section D.8, Air Quality, Section D.9 Greenhouse Gas Emissions, and Section D.15, Biological Resources, and Planning Code section 295 relating to shadow impacts, which is also included as a Priority Policy of the *San Francisco General Plan*,[7] as discussed in Section D.11, respectively. Therefore, the proposed project would have a less-than-significant impact related to conflicts with land use plans, policies, or regulations.

Impact C-LU-1: The proposed project, in combination with reasonably foreseeable future projects, would not result in a cumulative land use impact. (Less than Significant)

Cumulative development in the project vicinity (generally within a quarter-mile radius of the project site) includes projects that have received their project entitlements but are not yet under construction or for which the Planning Department has a project application on file. As discussed in the Project Setting, cumulative development projects include residential projects which are generally of a similar scale to the proposed project, and transportation projects.

Upon completion, the proposed project would not physically divide an established community, and therefore would have no potential to combine with cumulative projects to result in a significant physical environmental impact related to dividing an established community. During construction, the project may require temporary sidewalk and lane closures, as could other cumulative construction activity in the project vicinity. Because all sidewalk and lane closures are required to maintain pedestrian access through surrounding areas and because any access detours or restrictions would be temporary in nature, any cumulative impacts related to physically dividing an established community would be less than significant.

All cumulative projects are required to comply with the planning code, including its zoning maps, and required to be on balance consistent with the general plan. Therefore, the proposed project in combination with reasonably foreseeable future projects would not result in a significant cumulative impact related to a conflict with a land use plan, policy, or regulation adopted for the purpose of mitigating an environmental

[7] Section 101.1 to the Planning Code establishes eight Priority Policies, including (8) protection of parks and open space and their access to sunlight and vistas.

impact. For these reasons, the proposed project would not combine with cumulative projects to create a significant cumulative land use impact.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
2. POPULATION AND HOUSING. Would the project:					
a) Induce substantial unplanned 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 people or housing units, necessitating the construction of replacement housing?	☐	☐	☒	☐	☐

Impact PH-1: The proposed project would not directly or indirectly induce substantial unplanned population growth in an area. (Less than Significant)

In general, a project would be considered growth-inducing if its implementation would result in substantial unplanned population growth or new development that might not otherwise occur without the project. The proposed project, which would result in the construction of a new mixed-use residential and commercial building containing 53 dwelling units and 7,000 square feet of ground-level retail space, would directly increase the residential population on the project site and contribute to anticipated population growth in both the neighborhood and citywide contexts.

As of 2016, the population of San Francisco was approximately 841,820, with 22,300 people in the Nob Hill neighborhood, which includes the project site.[8] Based on an average household size of 2.3 people per unit in 2016,[9] implementation of the proposed project would increase the residential population at the project site by about 122 people. This would represent a population increase of approximately one-half of one percent in the neighborhood. The increase in the number of dwelling units associated with the proposed project is not considered substantial unplanned population growth that would cause a substantial adverse physical change to the environment. The project site is already developed, is in an established neighborhood, and is served by existing infrastructure. The proposed project would not indirectly induce substantial population growth in the project vicinity, because it would not extend any roads or other infrastructure into areas where roads or other infrastructure currently do not exist.

Currently, there are approximately 24 employees on the project site based on the existing commercial square footage.[10] The proposed project would include approximately 20 employees for the ground-level retail

[8] San Francisco Planning Department, *San Francisco Neighborhoods Socio-Economic Profiles: American Community Survey: 2012–2016*, September 2018, Available at: https://default.sfplanning.org/publications_reports/SF_NGBD_SocioEconomic_Profiles/2012-2016_ACS_Profile_Neighborhoods_Final.pdf. Accessed: June 2020.

[9] Ibid.

[10] The planning department uses an employee density factor of one retail employee per 350 gross square feet to estimate the amount of potential employees. San Francisco Planning Department, Citywide Division, Information & Analysis Group.

space,[11] resulting in a reduction of approximately four retail employees onsite with implementation of the proposed project. Even conservatively assuming that all 20 employees associated with the project were new to San Francisco, the project-related employment growth would be considerably less than the City's estimated employment growth. For these reasons, implementation of the proposed project would not induce substantial growth in employment that would cause a substantial physical change to the environment.

In summary, any potential project-related population increases would be less than significant in relation to the existing number of residents and employees in the project vicinity and to the expected increases in the residential and employment populations of San Francisco. The proposed project would not directly or indirectly induce substantial population growth or concentration of employment in the project vicinity or citywide such that an adverse physical change to the environment would occur. This impact would be less than significant.

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

The proposed project would not displace any residents or housing units since no residential uses or housing units currently exist on the project site. As noted above, the proposed project would result in in the construction of a new mixed-use residential and commercial building containing 53 dwelling units and 7,000 square feet of ground-level retail space. An estimated 20 retail jobs would be associated with proposed project, which may be a decrease from the existing number of employees onsite, as the retail square footage would decrease under the proposed project. However, the decrease would not be substantial, as it could result in a reduction of approximately four retail jobs. The proposed project would not likely attract a substantial number of residents or employees that would move to San Francisco. Therefore, the proposed project would have a less-than- significant impact related to the displacement of housing, displacement of people, or the creation of a demand for additional housing elsewhere, and no mitigation measures are necessary.

Impact C-PH-1: The proposed project, in combination with reasonably foreseeable future projects in the vicinity, would not result in a cumulative impact on population and housing. (Less than Significant).

The cumulative context for population and housing effects are typically citywide. Over the last several years, the supply of housing has not met the demand for housing in San Francisco. In December 2013, the ABAG projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2015-2023*. According to this report, the housing growth need of San Francisco for 2015 through 2023 is 28,869 dwelling units: 6,234 units in the very low income level (0 to 50 percent of the area median income); 4,639 units in the low income level (51 to 80 percent); 5,460 units in the moderate income level (81 to 120 percent); and 12,536 units in the above moderate income level (120 percent and higher).[12] These numbers are consistent with the development pattern identified in *Plan Bay Area 2040*, a state-mandated, integrated long-range transportation,

[11] Ibid.

[12] ABAG, *Regional Housing Needs Plan, San Francisco Bay Area, 2015-2023,* July 2013.

land use, and housing plan.[13] As part of the planning process for Plan Bay Area, San Francisco identified priority development areas, which consist of areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Downtown/Van Ness/Northeast Neighborhoods Priority Development Area. Therefore, although the proposed project, in combination with other cumulative projects, would increase the population in the area, it would not induce substantial population growth beyond that already anticipated to occur. For these reasons, the proposed project, in combination with other cumulative housing projects, would not result in a significant cumulative impact related to population and housing.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
3. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §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) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐

Impact CR-1: The project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5, including those resources listed in article 10 or article 11 of the planning code. (Less than Significant)

Historical resources are those properties that meet the definitions in Section 21084.1 of the CEQA statute and Section 15064.5 of the CEQA Guidelines. Historical resources include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources or in an adopted local historic register. Historical resources also include resources identified as significant in a historical resource survey meeting certain criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered historical resources. The significance of a historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance ..."[14]

Implementation of the proposed project would include the demolition of the existing building on the project site. In evaluating whether the proposed project would cause a substantial adverse change in the significance of a historical resource, the planning department must first determine whether the existing buildings on the project site are historical resources. A property may be considered a historical resource if it meets any of the California Register criteria related to (1) events, (2) persons, (3) architecture, or (4)

[13] Metropolitan Transportation Commission and ABAG, *Plan Bay Area: 2040*, July 2018, Available at: http://2040.planbayarea.org/, Accessed: June 2020.

[14] CEQA Guidelines Section 15064.5(b)(2)(A).

information potential, that make it eligible for listing in the California Register, or if it is considered a contributor to a potential historic district.

A historic resource evaluation (HRE) was prepared to assist the planning department in determining whether the existing building on the project site is a historic resource.[15] The planning department reviewed the HRE, concurred with the findings, and issued a determination that the building is not a historical resource, as summarized below.[16]

The project site at 1580 Pacific Avenue currently contains a one-story over-basement reinforced concrete commercial building constructed in 1964, designed by Welton Beckett and Associates for the W.P. Fuller Paint Company. Two building entrances face onto a surface parking lot that provides a substantial setback from Pacific Avenue that is approximately half the depth of the lot. A third commercial space in the basement is accessed from Polk Street and is located at the street level due to the sharp downward slope of the street. In 1970, there was a permitted alteration to include modifications to add an additional commercial space, and various permits to install new awnings and signage as the spaces switched tenants.

Since 2006, the western portion of the building has contained the Jug Shop, a liquor store on the San Francisco Office of Small Business Legacy Business Registry. Though the business has been in operation continuously since 1965, it was previously located on other properties: on 2235 Polk Street from 1965 to 1978, 1567 Pacific Avenue from 1978 to 2006, and at the current location since 2006.[17] The project sponsor and owner of the Jug Shop have indicated the Jug Shop intends to continue its operations in the proposed building once the project is complete.[18]

The subject building does not appear to be eligible for listing in the California Register under Criterion 1. As a Post-World War II suburban-style commercial center with a prominent surface parking lot, the building does not represent the surrounding development pattern of Polk Street that is a commercial corridor of mixed-use buildings reconstructed after the 1906 earthquake and fire. With respect to Criterion 2, none of the owners or occupants have been identified as having made lasting contributions to local, state, or national history or cultural heritage. Although W.P. Fuller Paint Company was founded in San Francisco in 1849, this was one of many retail locations for the paint company, and it was never headquartered in this location. The building is not architecturally distinct such that it would qualify individually for listing under Criterion 3. Welton Beckett and Associates has been recognized as a master architecture firm responsible for the design of a number of architectural resources in California during their heyday as a global corporate architecture firm. However, the subject building represents a relatively modest commission for the firm and the design of the building is not an especially skillful execution of their corporate modern style. Based upon a review of information in the department's records, the subject building is not significant under

[15] LSA, *Part 1 Historic Resource Evaluation of 2030 Polk Street*, October 2018. The evaluation refers to 2030 Polk Street, which is an alternate address for the same block/lot as 1580 Pacific Avenue.

[16] San Francisco Planning Department, *Preservation Team Review Form, 2030 Polk Street*, August 2019.

[17] Richard Kurylo, *San Francisco Legacy Business Registry Staff Report*, September 24, 2018. Available: *https://sfosb.org/sites/default/files/Legacy%20Business/SBC%20Hearings/Item%203e.%20LBR-2017-18-042%20Jug%20Shop.PDF*, Accessed: September 2020.

[18] Michael Priolo and Sean Sullivan, Letter to San Francisco Planning Department, July 3, 2019.

Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type.[19]

The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Polk Street commercial corridor on a block that contains a range of mixed-use apartment buildings with ground floor retail space. The planning department has surveyed the Polk Street commercial corridor and determined that some areas have the potential to be a historic district, however the 2000 block of Polk Street is outside of these areas. Given the range of property types and construction dates, paired with later infill and alterations, the neighborhood does not contain a significant concentration of aesthetically related buildings or a unified construction period. The property is also just outside of the boundaries of the Polk Gulch historic district which has been identified as a queer enclave during the 1960s and 1970s. Although the boundaries may fluctuate, there is no information in the record to indicate the subject property had any association with this historic district.[20]

Adjacent to the project site at 2032 Polk Street (block 0573/lot 012) is a mixed-use residential building constructed in 1907. The building was identified in the Neighborhood Commercial Survey as a potential individual historic resource. As discussed in Section D.6, Noise, vibration impacts resulting from project site could physically damage the building at 2032 Polk Street. Implementation of Mitigation Measure M-NO-2: Construction Vibration Control, would reduce the impact of construction vibration on the adjacent potential individual historic resource at 2032 Polk Street to a less-the significant level.

In light of the above, the property at 1580 Pacific Avenue is not eligible for listing in the California register either individually or as a contributor to a potential historic district. Planning department staff has thus determined the property at 1580 Pacific Avenue is not a historical resource as defined by CEQA. Therefore, the alteration of the existing structure at the project site would have a less-than-significant impact on historic resources, and no mitigation is required.

Impact CR-2: The proposed project could cause a substantial adverse change in the significance of an archeological resource and potentially disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

Determining the potential for encountering archeological resources is based on relevant factors such as the location, depth, and amount of excavation proposed as well as any recorded information on known resources in the area. Construction of the proposed project would require excavation to a depth of approximately 5 feet and the removal of about 3,500 cubic yards of soil. Due to the depth and volume of the proposed excavation, the planning department conducted a preliminary archeological review and determined that the project site is within the area burned after the 1906 earthquake, which required cut and fill on the south half of the parcel in order to develop the site as currently configured.[21] It is possible that archeological features could be present on the project site, but it is generally unlikely that any such features would be encountered during project excavations, which would be confined primarily to the cut and fill areas created after the earthquake.

[19] San Francisco Planning Department, *Preservation Team Review Form, 2030 Polk Street*, August 2019.

[20] *Ibid*.

[21] San Francisco Planning Department, *Preliminary Archeological Review: 1580 Pacific Avenue*, March 2019.

As archeological features could be present on the site, excavation as part of the proposed project could damage or destroy these subsurface archeological resources, which would impair their ability to convey important scientific and historical information. The proposed project could result in a significant impact on archeological resources if such resources are present within the project site. Implementation of **Mitigation Measure M-CR-2, Accidental Discovery**, would be required to reduce the potential impact on archeological resources to a less-than-significant level. Distribution of the archeological "ALERT" sheet would reduce the potential for damaging any archeological resource and provide a process to recover and document information about archeological resources that may be encountered within the project site to enhance knowledge of prehistory and history. This information would be available to future archeological studies, contributing to the collective body of scientific and historic knowledge. With implementation of **Mitigation Measure M-CR-2**, the proposed project would not cause a substantial adverse change in the significance of an archeological resource should one be discovered during excavation of the project site.[22]

Mitigation Measure M-CR-2: Accidental Discovery

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and on human remains and associated or unassociated funerary objects. The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. The ERO may also determine that

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

the archeological resource is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; an archeological testing program; archeological data recovery excavations, and/or an interpretative program. If an archeological monitoring program, archeological testing program, archeological data recovery program or an interpretative program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs and reviewed and approved by the ERO. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource may be at risk from vandalism, looting, or other damaging actions.

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 Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.

The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archaeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.

Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance (Public Resources Code section 5097.98).

Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archaeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.

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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 and one unlocked, searchable PDF copy on CD of the FARR along with GIS shapefiles of the site and feature locations and 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.

Impact C-CR-1: The proposed project, in combination with cumulative projects, would not result in significant cumulative impacts to historic resources. (Less than Significant)

The analysis of cumulative impacts on historical resources considers cumulative projects within a 0.25-mile radius of the project site. The planning department has identified seven land use projects and four transportation infrastructure projects within this area as described above under "Cumulative Context." Those cumulative projects would be constructed in a densely developed urban environment and would be minimally visible from locations outside of their immediate vicinities. These projects are geographically dispersed and sufficiently removed from the project site such that any alteration or demolition of existing buildings and new construction in these locations would not act in combination with one another to substantially change the setting of any historical resource. Thus, the project in combination with cumulative projects would not contribute to any cumulative impacts on historical resources.

Impact C-CR-2: The proposed project, in combination with cumulative projects, would not result in significant cumulative impacts to archeological resources or human remains. (Less than Significant)

In most cases, federal and state laws protect archeological resources, either through project redesign or by requiring that the scientific data present within an archeological resource be archeologically recovered. Project-related impacts on archeological resources and human remains are site-specific and generally limited to the project's construction area and would be mitigated to a less-than-significant level with implementation of **Mitigation Measure M-CR-2**. There are no other projects that would have the same potential to affect the same resources as the proposed project. For these reasons, the proposed project, in combination with other projects in the area that would also involve ground disturbance, would not result in a cumulatively considerable impact on archeological resources or human remains and this impact would be less than significant.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
4. TRIBAL CULTURAL RESOURCES. **Would the project:**					
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐	☐

Impact TC-1: The proposed project could result in a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074. (Less than Significant with Mitigation)

CEQA section 21074.2 requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that is listed, or determined to be eligible for listing, on the national, state, or local register of historical resources. Pursuant to CEQA section 21080.3.1(d), on June 25, 2020, the planning department contacted Native American individuals and organizations for the San Francisco area who have indicated that they wished to be consulted, providing a description of the project and requesting comments on the identification, presence, and significance of tribal cultural resources in the project vicinity. During the 30-day comment period, no Native American tribal representatives contacted the planning department to request consultation.

Based on the background research, there are no known tribal cultural resources in the project area. While, based on prior Native American consultation, the planning department considers all prehistoric archeological resources to be potential tribal cultural resources, the project site is not located in an archeologically sensitive area; therefore, the potential for the site to contain tribal cultural resources appears to be low. Nonetheless, there is always the potential for archeological resources to be encountered unexpectedly as the result of soil disturbance. **Mitigation Measure M-CR-2, Accidental Discovery**, ensures that should an archeological resource be encountered unexpectedly during construction it will be appropriately assessed and treated. Inclusion of this measure would ensure that unexpected archeological resources that are tribal cultural resources would receive appropriate treatment. Therefore, even should a tribal cultural resource be encountered unexpectedly during construction, the impact would be less than significant with mitigation.

Impact C-TC-1: The proposed project, in combination with reasonably foreseeable future projects, would not result in significant cumulative impacts to tribal cultural resources. (No Impact)

Impacts related to tribal cultural resources are typically site-specific and generally limited to the immediate construction area. As discussed above, under Impact TC-1, the project is not expected to result in impacts to tribal cultural resources. Moreover, there are no other projects in the immediate vicinity that have that have the potential to affect a tribal cultural resource that might unexpectedly be present on the project site. Thus, the proposed project, in combination with cumulative projects, would not result in a cumulative impact on tribal cultural resources.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
5. TRANSPORTATION AND CIRCULATION. Would the project:					
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐	☐

The project is on an infill site, located in a transit priority area, and is a mixed-use residential, as discussed above in the subsection on "Aesthetics and Parking." Therefore, no analysis of parking is presented.

Transportation Setting

The project site is in the Nob Hill neighborhood at the northeast corner of Polk Street and Pacific Avenue, within Superdistrict 1, Census Tract 110, and Transportation Analysis Zone (TAZ) 351. The parcel is a rectangular-shaped lot with frontage on both Polk Street and Pacific Avenue. The project site has an existing 8,600 square foot parking lot with 23 parking spaces and a single roughly 20-foot-long curb cut on Pacific Avenue. Both project frontages on Polk Street and Pacific Avenue are Vision Zero high-injury streets. The project site is well served by public transportation. There is a bus stop in front of the project site on Pacific Avenue, and Muni's 19 Polk route operates along Polk Street and the 12 Folsom/Pacific route operates along Pacific Avenue. Within one-quarter mile of the project site, Muni operates the following additional bus lines: the 1 California, 27 Bryant, 47 Van Ness, 45 Union/Stockton, and 49 Van Ness/Mission. In addition, Muni operates the Powell/Hyde Street cable car route along Hyde Street two blocks east of the project site. The Van Ness Improvement Project, which would create dedicated transit-only lanes for use by Muni and Golden Gate Transit buses, is currently under construction and expected to be completed by 2021. The Polk Street and Pacific Avenue intersection is signalized with high-visibility crosswalks and pedestrian curb ramps at all four corners. In addition, Golden Gate Transit operates regional transit along Van Ness Avenue, including the 4C, 24C, 30, 54C, 70, 101 and 101X lines with service to Marin County, Sonoma County, and

Richmond/East Bay. Polk Street also includes north and south bike lanes which run along the entire length of Polk Street, from Market Street to Beach Street.

Vehicle Miles Traveled in San Francisco and Bay Area

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, generates more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower vehicle miles traveled (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 TAZs. TAZs 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 (the 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. The SF-CHAMP model is a regional travel demand forecasting model that assigns all predicted trips within, across, or to or from San Francisco onto the roadway network and the public transit system. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey, 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 model estimates daily VMT for residential, office, and retail land use types. For residential and office uses, the transportation authority uses a tour-based analysis, which examines the entire chain of trips over the course of a day, not simply trips to and from a site. For retail uses, the transportation authority uses a trip-based analysis, which counts VMT from individual trips to and from the project site (as opposed to an 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 overestimate VMT.[23,24,25]

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

[24] To state it 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.

[25] Retail travel is not explicitly captured in San Francisco chained activity modeling process; 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.

For residential development, the existing regional average daily VMT per capita is 17.2. For retail development, the existing regional average daily VMT per capita is 14.8.[26]

Vehicle Miles Traveled Analysis Methodology

Land use projects may cause substantial additional VMT. The following identifies thresholds of significance and screening criteria used to determine if a land use project would result in significant impacts under the VMT metric.

Pursuant to the San Francisco Transportation Impact Analysis Guidelines,[27] for residential projects, a project would generate substantial additional VMT if it exceeds the regional household VMT per capita minus 15 percent. As documented in the California Office of Planning and Research (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (proposed transportation impact guidelines),[28] a 15 percent threshold below existing development is "both reasonably ambitious and generally achievable." For retail projects, the planning department uses a VMT efficiency metric approach: a project would generate substantial additional VMT if it exceeds the regional VMT per retail employee minus 15 percent. This approach is consistent with CEQA section 21099 and the thresholds of significance for other land uses recommended in OPR's proposed transportation impact guidelines. For mixed-use projects, each proposed land use is evaluated independently.

OPR's proposed transportation impact guidelines provide screening criteria to identify types, characteristics, or locations of land use projects that would not exceed these VMT thresholds of significance. OPR recommends that if a project or land use proposed as part of the project meets any of the below screening criteria, then VMT impacts are presumed to be less than significant for that land use and a detailed VMT analysis is not required. These screening criteria and how they are applied in San Francisco are described below:

- *Map-Based Screening for Residential and Retail Projects*. OPR recommends mapping areas that exhibit where VMT is less than the applicable threshold for that land use. Accordingly, the transportation authority has developed maps depicting existing VMT levels in San Francisco for residential and retail land uses based on the SF‐CHAMP 2012 base‐year model run. The planning department uses these maps and associated data to determine whether a proposed project is located in an area of the city that is below the VMT threshold.
- *Proximity to Transit Stations.* OPR recommends that residential and retail projects, as well as projects that are a mix of these uses, proposed within 0.5 miles of an existing major transit stop (as defined by CEQA Guidelines section 21064.3) or an existing stop along a high quality transit corridor (as defined by CEQA Guidelines section 21155) would not result in a substantial increase in VMT. However, this

[26] San Francisco Planning Department, *San Francisco Transportation Information Map,* Available: *https://sfplanninggis.org/TIM/*, Accessed: June 2020. Note: Regional values on the website are given as VMT minus 15 percent, the values stated here are the total regional values.

[27] On February 14, 2019, the planning department published a comprehensive update to the 2002 Transportation Impact Analysis Guidelines for Environmental Review. This document is available online at https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update#impact-analysis-guidelines.

[28] OPR's proposed transportation impact guidelines state that a project would cause substantial additional VMT if it exceeds both the existing city household VMT per capita minus 15 percent and existing regional household VMT per capita minus 15 percent. In San Francisco, the city's average VMT per capita is lower (8.4) than the regional average (17.2). Therefore, the city average is irrelevant for the purposes of the analysis.

presumption would not apply if the project would: (1) have a floor area ratio of less than 0.75; (2) include more parking for use by residents, customers, or employees of the project than required or allowed, without a conditional use; or (3) is inconsistent with the applicable sustainable communities strategy.

OPR's proposed transportation impact guidelines do not provide screening criteria or thresholds of significance for other types of land uses, other than those projects that meet the definition of a small project.[29] Therefore, the Planning Department provides additional screening criteria and thresholds of significance to determine if land uses similar in function to residential and retail would generate a substantial increase in VMT. These screening criteria and thresholds of significance are consistent with CEQA Section 21099 and the screening criteria recommended in OPR's proposed transportation impact guidelines.

Average Daily Vehicle Miles Traveled Summary

Table 1, Average Daily Vehicle Miles Traveled – Existing Conditions, summarizes the existing VMT per capita for residential and or per employee for retail uses for the region and for TAZ 351, the TAZ containing the project site. The daily VMT per capita in TAZ 351 is 4.0 for residential uses and 6.7 for retail uses. All are more than 15 percent below the regional average VMT per capita or per employee.

TABLE 1
AVERAGE DAILY VEHICLE MILES TRAVELED—EXISTING CONDITIONS

Land Use	Average Daily Vehicle Miles Traveled per Capita or Employee		
	Bay Area Regional Average	Bay Area Regional Average Minus 15%	TAZ 351
Households (residential)	17.2	14.6	4.0
Employment (retail)	14.9	12.6	6.7

Source: San Francisco Planning Department, *San Francisco Transportation Information Map*, 2020.

Project Travel Demand

The proposed project would meet the criteria for map-based screening of residential and retail projects; and proximity to transit stations. Therefore, potential transportation impacts are determined under the VMT analysis. In addition, no improvements are proposed that require an induced automobile travel analysis. The anticipated localized trip generation for the proposed project was calculated using information generated by the City and County of San Francisco Travel Demand Tool, developed by the San

[29] OPR recommends that lead agencies may generally assume that a project would not have significant VMT impacts if the project would generate fewer trips than the level for studying consistency with the applicable congestion management program or, where the applicable congestion management program does not provide such a level, fewer than 100 vehicle-trips per day. The SFCTA's *Congestion Management Program* (December 2015) does not include a trip threshold for studying consistency. Therefore, the Planning Department uses a screening criterion of fewer than 100 vehicle-trips per day for projects that are generally assumed to generate an increase in VMT that is not substantial.

Francisco Planning Department in coordination with MTC.[30] The proposed project would generate an estimated 1,418 person trips (inbound and outbound) on a daily basis, consisting of 280 person trips by auto (which includes TNCs/taxis),[31] 370 transit trips, 716 walk trips, and 52 person trips by other modes, which includes bicycle and private shuttle.[32] This would result in a daily total of 132 private passenger vehicle trips and 47 TNC/taxi trips. During the p.m. peak hour, the proposed project would generate an estimated 12 vehicle trips by private auto, 33 transit trips, 64 walking trips, and 4 vehicle trips by TNCs/taxis.

Transportation Impacts

San Francisco Administrative Code Chapter 31 directs the department to identify environmental effects of a project using as its base the environmental checklist form set forth in Appendix G of the CEQA Guidelines. As it relates to transportation and circulation, Appendix G asks whether the project would:

- Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; and
- Result in inadequate emergency access.

The department uses significance criteria to facilitate the transportation analysis and address the Appendix G checklist. The department separates the significance criteria into construction and operation.

Construction

Construction of the project would have a significant effect on the environment if it would require a substantially extended duration or intense activity; and the effects would create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; or interfere with accessibility for people walking or bicycling or substantially delay public transit.

Operation

The operational impact analysis addresses the following five significance criteria. A project would have a significant effect if it would:

- Create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations;
- Interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access;

[30] San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis, 1580 Pacific Avenue,* June 2020.

[31] A Transportation Network Carrier, also known as TNC, is a company which "hires" people to give rides to others in their own personal cars for a fee, or fare.

[32] San Francisco Planning Department, *San Francisco County Travel Demand Tool Analysis for 1580 Pacific Avenue,* August 2020.

- Substantially delay public transit;
- Cause substantial additional VMT or substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed- flow travel lanes) or by adding new roadways to the network; or
- Result in a loading deficit and the secondary effects would create potentially hazardous conditions for people walking, bicycling, or driving or substantially delay public transit.

Project-Level Transportation Impacts

Impact TR-1: The proposed project would not involve construction that would require a substantially extended duration or intensive activity, the effects of which would create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; or interfere with emergency access or accessibility for people walking or bicycling; or substantially delay public transit. (Less than Significant)

Construction of the proposed project is anticipated to take approximately 18 months. During the construction period, there would be a flow of construction - related vehicles to and from the project site, which could result in a temporary reduction in the capacities of local streets and result in a temporary increase in demand for parking, public transit, and other transportation modes, depending on the travel behaviors of the workers. There is off-street parking available for the construction workforce at the Polk-Bush Garage at 1399 Bush Street, which is approximately 0.4 miles south of the project site. The proposed project may be required to submit an application for a Contractor Parking Plan with the Department of Public Works, as the projects site is located in the Polk Street NCD. The application would be required if more than one on-street parking space is required for three months or longer, and requires proposals to reduce parking demand, among other requirements. The temporary demand for public transit would not exceed the capacity of local or regional transit services. Any temporary traffic lane closures would be coordinated with SFMTA to minimize the impacts on local traffic.

Potential impacts would be considered less than significant due to their temporary and limited duration and the fact that the majority of construction travel would occur during off-peak hours when traffic volumes and the potential for conflicts with other traffic, transit, bicycles and pedestrians is substantially lower. Temporary traffic and transportation changes must be coordinated through the SFMTA's interdepartmental staff committee on traffic and transportation and require a public meeting. SFMTA may review the project's construction management plan. The project construction contractor would be required to follow the Regulations for Working in San Francisco Streets (the "Blue Book").

Considering the duration and magnitude of temporary project-related construction activities, construction would not result in substantial interference with pedestrian, bicycle, or vehicular circulation or the accessibility to adjoining areas. Therefore, the proposed project's construction impacts would be less than significant.

Impact TR-2: Operation of the project would not create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations. (Less than Significant)

The proposed project's new residential and retail uses would add approximately 16 vehicle trips to local roadways during the weekday p.m. peak hour (the peak hour during the 4 to 6 p.m. peak period). The proposed project would result in an increase in vehicle traffic on surrounding streets, including Van Ness Avenue, Pacific Avenue, and Polk Street. Vehicles entering the project site would do so through the proposed below-grade parking garage on Pacific Avenue, the entrance to which is approximately 100 feet east of the intersection of Polk Street and Pacific Avenue. Due to the relatively low number of p.m. vehicle trips associated with the proposed project, and the location of the below-grade parking garage entrance, relatively few turning movements would be expected to occur that would conflict with people walking, bicycling, or driving along Pacific Avenue.

The existing 20-foot-long curb cut on Pacific Avenue would be removed and replaced with a 10-foot-wide curb cut east of the existing curb cut (see Figure 2 above) to provide access for the proposed parking garage. There are two existing yellow curb commercial loading spaces, each approximately 18 feet in length on Polk Street, one of which partially overlaps with the project site frontage. There are two additional commercial loading spaces on the west side of Polk Street immediately north of Pacific Street, across the street from the project site. No loading zones or changes to existing loading zones are proposed as part of the project. Commercial and passenger loading activities could result in occasional disruptions to pedestrian circulation on the adjacent sidewalk (e.g., transport of deliveries and goods to/from the building, passenger queuing for vehicle pick-ups), but these effects would generally be temporary and minor and would not constitute hazards to pedestrians or major obstructions to pedestrian activity. Therefore, the proposed project would not result in significant impacts on pedestrians.

Van Ness Avenue, one block west of the project site is listed in the city's General Plan as part of the Citywide Pedestrian Network and as a street that is important to more than one mode of transportation.[33] No other nearby streets are designated in the City's General Plan as part of the Citywide Pedestrian Network or as part of the city's Congestion Management Plan. The proposed project would not result in any changes to Van Ness Avenue. Passenger and commercial loading are expected to occur on both Pacific Avenue and Polk Street, which are not part of the city's Congestion Management Plan. The proposed project would be adequately served by the two loading spaces on Polk Street, and would not require additional loading spaces.[34] Therefore, the proposed project would not result in hazardous conditions for people walking, bicycling, or driving, or for public transit operations.

No project design features would substantially increase transportation hazards (e.g., sharp curves or dangerous intersections). The proposed project would not change any sidewalk or street configurations or affect any intersections. The project would not introduce any incompatible uses to the local transportation network. The proposed project would not include features that would substantially increase the creation, number, or severity of conflicts between vehicles and the other ways people travel and would not cause or contribute to any significant hazards for people driving. Therefore, transportation hazards impacts would be less than significant. No mitigation measures would be necessary.

[33] *San Francisco General Plan*, Transportation Element, available online at *http://generalplan.sfplanning.org/I4_Transportation.htm#TRA_VC*. Accessed August 2020.

[34] San Francisco Planning Department, *Loading Demand Calculations for 1580 Pacific Avenue*, September 2020.

Impact TR-3: Operation of the proposed project would not interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access. (Less than Significant)

As discussed above, the proposed project's new residential and retail uses result in a total of 132 private passenger vehicle trips and 47 transportation network companies (TNCs)/taxi trips daily, and would add 370 transit trips, 716 walk trips, and 52 person trips by other modes, which includes bicycle and private shuttle on a daily basis. During the p.m. peak hour, the proposed project would generate an estimated 12 vehicle trips by private auto, 33 transit trips, 64 walking trips, and 4 vehicle trips by TNCs/taxis.

Pedestrian Facilities

Existing pedestrian activity in the project vicinity is concentrated on Polk Street and Van Ness Avenue. Walking trips generated by the proposed project would include trips to and from the proposed residential units and retail uses and walking trips to and from transit stops. The proposed project would generate 716 daily pedestrian trips to and from the project site, including approximately 64 pedestrian trips during the weekday p.m. peak hour. Aside from the proposed reduction in the curb cut along Pacific Avenue, no other streetscape features are proposed. Additionally, the anticipated increase in vehicular traffic from the project would not be expected to result in significant impacts or unsafe pedestrian conditions. The project would comply with standard construction practices and would be expected to replace any public sidewalk fronting the project site if necessary following construction.

Based on the above analysis, the proposed project would not result in hazardous conditions for pedestrians or interfere with pedestrian accessibility. Impacts would be less than significant.

Bicycle Facilities

There are multiple bikeways near the project site, including those running north and south along Polk Street, which is where most of the bicycle activity in the immediate vicinity of the project site is concentrated. The proposed project would not involve any changes to the roadway network, and therefore would not directly affect bicycle circulation.

It is anticipated that some of the daily trips to and from the project site would be made by bicycle. The nearest bikeways to the project site are along Polk Street, while the nearest bicycle sharing locations are at Bay Wheels bike share facilities at Jackson and Polk streets, and on Polk Street between Washington and Clay streets. The proposed project would include 54 Class I bicycle parking spaces on the ground level. Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect the use or safety of the nearby bicycle routes serving the project site. As previously discussed, the proposed project would generate 16 p.m. peak hour vehicle trips distributed among the streets in the project vicinity. The 16 p.m. peak hour vehicle trips would not substantially conflict with or result in unsafe conditions to nearby bicycle paths or facilities.

The existing 20-foot-long curb cut on Pacific Avenue would be removed and replaced with a 10-foot-wide curb cut east of its existing location to provide access for the proposed parking garage. Although the new residential units would increase the demand for and use of existing bicycle facilities, the modest increase would not substantially conflict with drivers entering and exiting the garage. While the project would increase the amount of vehicle traffic along Pacific Avenue and Polk Street and other streets in the vicinity of the project site, the expected magnitude of the increase would not be substantial enough to result in conflicts with cyclists or affect overall bicycle safety or circulation. Therefore, the proposed project would

not create potentially hazardous conditions for bicyclists or otherwise interfere with bicycle travel to and from the project site. Impacts would be less than significant.

Emergency Access

Current emergency vehicle access to the project site is from Polk Street and Pacific Avenue. No traffic lanes are expected to be closed during construction. Portions of the sidewalks and parking lane along Polk Street and Pacific Avenue could be temporarily closed; however, this is not expected to affect roadway capacity. Generally, temporary traffic and transportation changes must be coordinated through SFMTA's Interdepartmental Staff Committee on Traffic and Transportation. The project would be required to comply with the Blue Book regulations and Public Works orders to safely maintain travel by all modes, including emergency vehicles, in and around the construction site. Therefore, the project's construction activities would not result in interference with emergency vehicle access.

The proposed project would generate additional traffic on nearby streets; however, the increase in the number of vehicles would not be substantial compared to existing traffic volumes and would not hinder the movement of emergency vehicles in the project vicinity. The residential and commercial uses of the proposed project would be adequately served by the two loading spaces located on Polk Street.[35] Therefore, additional loading spaces would not be required, and loading would not interfere with emergency vehicle access to buildings.

Based on the above analysis, the project's impact on emergency vehicle access would be less than significant. No mitigation measures would be necessary.

Impact TR-4: Operation of the project would not substantially delay public transit. (Less than Significant)

As previously indicated, the project site is well served by public transit. There is a bus stop in front of the project site on Pacific Avenue, and Muni's 19 Polk route operates along Polk Street and the 12 Folsom/Pacific route operates along Pacific Avenue. Within one-quarter mile of the project site, Muni operates the following additional bus lines: the 1 California, 27 Bryant, 47 Van Ness, 45 Union/Stockton, and 49 Van Ness/Mission. In addition, Muni operates the Powell/Hyde Street cable car route along Hyde Street two blocks east of the project site. The Polk Street and Pacific Avenue intersection is signalized with high-visibility crosswalks and pedestrian curb ramps at all four corners. In addition, Golden Gate Transit operates regional transit along Van Ness Avenue, including the 4C, 24C, 30, 54C, 70, 101 and 101X lines with service to Marin County, Sonoma County, and Richmond/East Bay. The proposed project would not result in any changes to existing transit stops or other facilities that would affect transit service. The project would add traffic to local streets, but not in volumes sufficient to result in substantial conflicts with or delay to transit vehicle operations. Therefore, operation of the proposed project would not result in substantial delays in public transit service and would have a less-than-significant impact on transit. No mitigation measures would be necessary.

[35] San Francisco Planning Department, *Loading Demand Calculations for 1580 Pacific Avenue*, September 2020.

Impact TR-5: Operation of the project would not cause substantial additional VMT or substantially induce automobile travel. (Less than Significant)

The existing average daily residential VMT per capita is 4.0 in TAZ 351, the TAZ in which the project site is located. This is 77 percent below the existing regional average daily household VMT per capita of 17.2 (see Table 1: Daily Vehicle Miles Traveled – Existing Conditions, above). The existing average daily work-related VMT per employee for retail uses in TAZ 351 is 6.7, which is 56 percent below the existing regional average daily work-related VMT per employee of 14.9. Because the project site is in an area where the VMT for the land uses in the proposed project are each more than 15 percent below existing regional averages, the proposed project would not result in substantial additional VMT and the impacts would be less than significant. In addition, the project site meets the map-based screening for retail and residential projects criterion and therefore the proposed retail and residential uses would not result in substantial additional VMT.[36]

The proposed project is not a transportation project; however, it would alter the local transportation network by removing an existing curb cut replacing it with a narrower curb cut, thus qualifying the project as an "other minor transportation project." These features fit within the general types of projects that would not substantially induce automobile travel.

Overall, the project would not cause substantial additional VMT, impacts would be less than significant, and no mitigation is required.

Impact TR-6: Operation of the project would not result in a loading deficit such that physical impacts would result. (Less than Significant)

There are two existing yellow curb commercial loading spaces, each approximately 18 feet in length, on Polk Street, one of which partially overlaps with the project site frontage. There are two additional commercial loading spaces on the west side of Polk Street immediately north of Pacific Street, across the street from the project site. No loading zones or changes to existing loading zones are proposed as part of the project. Commercial and passenger loading activities could result in occasional freight and delivery service loading and passenger pick-up and drop-off. No off-street freight loading space is required under planning code section 152.1 for the project, and none is proposed. Polk Street currently has parking meters along the project site frontage, which would not change as a result of the proposed project. There are two parking meters along the eastern edge of the project site along Pacific Avenue, while the remainder of the curb is red for bus loading of the 12 Folsom/Pacific route. The proposed project would be adequately served by the two existing loading spaces on Polk Street, and would not require additional loading spaces to meet project loading demand.[37] Overall, the proposed project's impacts related to freight and delivery service and passenger loading would be less than significant.

Cumulative Transportation Impacts and Projects

The analysis of whether the proposed project would contribute considerably to any significant cumulative impacts takes into account foreseeable changes in the transportation network; land development projects

[36] San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis, 1580 Pacific Avenue*, June 2020.

[37] San Francisco Planning Department, *Loading Demand Calculations for 1580 Pacific Avenue*, September 2020.

within approximately 0.25 mile of the project site that are approved or under review.[38] The main transportation network changes included in the analysis are the Van Ness Improvement Project, the 19 Polk Bus Stop Change Project, the 27 Bryant Transit Reliability Project, and the 12 Folsom/Pacific Rincon Hill Extension Project. Other transportation project either would have a negligible effect on transportation and circulation in the immediate vicinity of the project site or are still in the planning stages and are somewhat speculative.

Impact C-TR-1: The proposed project, in combination with cumulative projects, would not result in significant cumulative construction-related transportation impacts. (Less than Significant)

The analysis of whether the proposed project would contribute considerably to any significant cumulative impacts takes into account foreseeable changes in the transportation network as well as land development projects within approximately 0.25 mile of the project site that are under construction, approved, or under review, as described above in "Cumulative Context." Construction of the proposed project is not expected to overlap substantially with the construction of any of these cumulative projects. None of the proposed land use projects are within a block radius of the project site. The listed projects could be under construction at the same time as the proposed project, and construction traffic associated with the listed projects could use Pacific Avenue or Polk Street as part of their access routes; however, the combined traffic volumes would not be substantial.

Potential cumulative construction traffic impacts would be considered less than significant due to their temporary and limited duration. Temporary traffic and transportation changes would be coordinated through the SFMTA's interdepartmental staff committee on traffic and transportation. The other cumulative development projects are further away and would not have the potential to combine with construction of the proposed project to result in a cumulative construction transportation impacts.

Therefore, the project's construction activities would not have a significant cumulative impact.

Impact C-TR-2: The proposed project, in combination with cumulative projects, would not create potentially hazardous conditions. (Less than Significant)

Cumulative Traffic Hazards

Under cumulative conditions, vehicle activity on the surrounding street network would likely increase as a result of other nearby development projects and background growth elsewhere in the city and the region. This would generally be expected to lead to an increase in the potential for vehicle‐to‐vehicle conflicts (e.g., permitted left‐turn movements), but is unlikely to be substantial enough to constitute a major hazard for motorists. To the extent that many of the transportation network changes described above for the cumulative projects would involve encouraging lower vehicle speeds and include other components to streamline traffic flow (such as reducing or eliminating turning movements, providing dedicated signal phases for turning movements), such changes would generally be expected to improve motorist safety. While the proposed project would contribute to an increase in vehicle activity on surrounding streets, it does not propose any features that would preclude or inhibit the future implementation of the improvements proposed by the cumulative projects on motorist safety, or conflict or combine with other

[38] See the list of development projects in Section B, Project Setting, under "Cumulative Context"

cumulative land use or transportation changes in such a way that could create potentially hazardous conditions for people driving. In addition, the Van Ness Improvement Project would provide more space for transit travel, improving pedestrian safety, and further reduce the potential for conflicts. Therefore, the proposed project, in combination with cumulative project, would result in less-than-significant cumulative traffic hazards.

Cumulative Pedestrian Impacts

Under cumulative conditions, development in the project vicinity would result in increased vehicle, pedestrian, and bicycle activity on the surrounding street network, and could lead to an increase in the potential for vehicle-pedestrian and bicycle-pedestrian conflicts. However, these effects would be balanced by transportation network changes proposed by the Van Ness Improvement Project and other projects that are intended to improve pedestrian safety and access, and other similar plans and projects. Although the proposed project would add pedestrians to nearby sidewalks, it would not include any features that would preclude implementation of these pedestrian safety improvements or cause hazards to or obstructions to pedestrian circulation. Therefore, no significant cumulative impacts on pedestrians would occur.

Cumulative Bicycle Impacts

Under cumulative conditions, bicycle and vehicle activity would be expected to increase with additional development in the surrounding area. This could lead to an increase in the potential for vehicle - bicycle conflicts, particularly at intersections and curb cuts where vehicle traffic makes right turns across bikeways. The improvements proposed under the Van Ness Improvement Project with improved intersections, and other plans and transportation improvement projects would expand the availability of safe and attractive bikeways. The proposed project would contribute to increased vehicle activity on surrounding streets, but it would not preclude future implementation of these improvements to bicycle safety and access or conflict with transportation changes such that new hazards or obstructions would be created. Therefore, no significant cumulative impacts on bicycle travel would occur.

Impact C-TR-3: The project, in combination with cumulative projects, would not interfere with accessibility. (Less than Significant)

Implementation of the proposed project, in combination with cumulative development projects and transportation improvements, would not permanently close any streets or sidewalks or eliminate or interfere with any existing bicycle routes. The transportation network changes proposed under other projects are intended to improve pedestrian and bicycle safety, and would not change the accessibility of the project site or other nearby development. Although portions of the Polk Street and Pacific Avenue sidewalks could be temporarily closed for periods of time during construction, once construction of the proposed project and other nearby development projects is completed, people walking and bicycling would experience unrestricted access to and from the project site and other nearby sites. Therefore, no significant cumulative impacts on accessibility would occur.

Impact C-TR-4: The project, in combination with cumulative projects, would not substantially delay public transit. (Less than Significant)

Traffic volumes would be expected to increase on local streets throughout the downtown with forecast growth in the future. Increased traffic would be expected to lead to increased congestion that could affect

transit travel time. Vehicle traffic generated by the proposed project is not substantial and would be dispersed along various streets in the project vicinity. Therefore, project-generated traffic would not be concentrated on any streets that provide transit service. Thus, the proposed project would not contribute considerably to any significant cumulative impact that may occur in the future on any of the nearby local or regional transit routes.

Impact C-TR-5: The proposed project, in combination with cumulative projects, would not cause substantial additional VMT or substantially induce automobile travel. (Less than Significant)

VMT by its nature is largely a cumulative impact. The amount and distance that cumulative projects might cause people to drive contribute to the physical secondary environmental impacts associated with VMT. It is likely that no single project by itself would be sufficient in size to prevent the region or state from meeting its VMT reduction goals. Instead, a project's individual VMT contributes to cumulative VMT impacts. The VMT and induced automobile travel project-level thresholds are based on levels at which new projects are not anticipated to conflict with state and regional long-term greenhouse gas emission reduction targets and statewide VMT per capita reduction targets set for 2020. Therefore, because the proposed project would not exceed the project-level thresholds for VMT and induced automobile travel (Impact TR-5), the proposed project would not be considered to result in a cumulatively considerable contribution to VMT impacts.

Furthermore, cumulative year 2040 conditions were projected with an SF-CHAMP model run that included residential and job growth estimates and reasonably foreseeable transportation improvements through 2040. The map-based screening analysis for the project under cumulative conditions, including daily average VMT per capita or per employee for the Bay Area region and for the TAZ containing the project site, is summarized in **Table 2, Daily Vehicle Miles Traveled – Cumulative Conditions**. As shown in the table, future daily average VMT per capita or per employee for TAZ 351 is less than the Bay Area regional average minus 15 percent.

The future 2040 average daily residential VMT per capita is 3.5 in TAZ 351. This is 79 percent below the future 2040 regional average daily household VMT per capita of 16.1. For retail uses, the future 2040 daily work-related VMT per employee in TAZ 351 is 6.5, which is 55 percent below the future 2040 regional average daily work-related VMT per employee of 14.6. Because the project site is in an area where the VMT for the land uses in the proposed project are each more than 15 percent below future 2040 regional averages, the proposed project's contribution to any substantial cumulative increase in VMT would be less than considerable.

TABLE 2
DAILY VEHICLE MILES TRAVELED—CUMULATIVE CONDITIONS

Land Use	Daily Vehicle Miles Traveled per Capita or Employee		
	Bay Area Regional Average	Bay Area Regional Average Minus 15%	TAZ 351
Households (residential)	16.1	13.7	3.5
Employment (retail)	14.6	12.4	6.5

Source: San Francisco Planning Department, *San Francisco Transportation Information Map*, 2019.

Impact C-TR-6: The project, in combination with cumulative projects, would not result in significant loading impacts. (Less than Significant)

Loading issues are typically localized and site-specific unless they would result in disrupting travel lanes that might also be affected by other nearby development projects. As discussed above, the project's loading demand would result in a less-than-significant impact. There are two existing yellow curb commercial loading spaces, each approximately 18 feet in length, on Polk Street, one of which partially overlaps with the project site frontage, and the project would not affect these existing commercial loading spaces. Under cumulative conditions, there could be a general increase in localized demand for freight loading/service vehicle and passenger loading areas as a result of the land use changes expected in the vicinity. None of the cumulative projects are on the same block such that they would use the same loading facilities. Transportation network changes, such as the Van Ness Improvement Project changes related to loading along Van Ness Avenue, and development projects that provide new off-street loading facilities and thereby reduce the on-street loading demand, would balance some of the cumulative increase in loading demand. Other projects may replace existing on-street automobile parking with new on-street yellow loading zones. The proposed project, in combination with cumulative projects, would not contribute to a significant cumulative impact related to freight loading or passenger loading.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
6. NOISE.					
Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐	☐
c) For a project located within the vicinity of a private airstrip or 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?	☐	☐	☐	☐	☒

The project site is not located within an airport land use plan area, within two miles of a public airport, or within the vicinity of a private airstrip. Therefore, topic D.6(c) is not applicable to the proposed project.

An environmental noise and vibration analysis was conducted to assess the project's construction noise and vibration impacts. The findings and recommendations are presented in a noise and vibration report and are summarized below.[39]

[39] Shen, Milsom & Wilke, *Construction Noise and Vibration Analysis, SM&W Project #19291, 2030 Polk Street, San Francisco, California*, June 2020.

Noise

Noise is generally defined as unwanted sound that annoys or disturbs people and potentially causes an adverse psychological or physiological effect on human health. Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, hotels, and residences are considered to be more sensitive to noise intrusion than are commercial or industrial activities. Because noise is an environmental pollutant that can interfere with human activities, evaluation of noise is necessary when considering the environmental impacts of a proposed project.

Sound is mechanical energy (vibration) transmitted by pressure waves over a medium such as air or water. Sound is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient (existing) sound level. Although the decibel (dB) scale, a logarithmic scale, is used to quantify sound intensity, it does not accurately describe how sound intensity is perceived by human hearing. The perceived loudness of sound is dependent upon many factors, including sound pressure level and frequency content. The human ear is not equally sensitive to all frequencies in the entire spectrum, so noise measurements are weighted more heavily for frequencies to which humans are sensitive in a process called A-weighting, written as dBA and referred to as A-weighted decibels. There is a strong correlation between A-weighted sound levels and community response to noise. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment.

With respect to how humans perceive and react to changes in noise levels, a 1 dBA increase is imperceptible, a 3 dBA increase is barely perceptible, a 5 dBA increase is clearly noticeable, and a 10 dBA increase is subjectively perceived as approximately twice as loud.[40] These subjective reactions to changes in noise levels were developed on the basis of test subjects' reactions to changes in the levels of steady-state pure tones or broadband noise and to changes in levels of a given noise source. These statistical indicators are thought to be most applicable to noise levels in the range of 50 to 70 dBA, as this is the usual range of voice and interior noise levels.

Because decibels are logarithmic units, sound pressure levels cannot be added or subtracted through ordinary arithmetic. On the dB scale, a doubling of sound energy corresponds to a 3 dB increase. In other words, when two identical sources are each producing sound of the same loudness, their combined sound level at a given distance would be 3 dB higher than one source under the same conditions. For example, if one source produces a sound pressure level of 70 dBA, two identical sources would combine to produce 73 dBA. The combined sound level of any number of sources can be determined using decibel addition.

Noise-Sensitive Receptors

Noise-sensitive receptors around the project site include: 2032 to 2064 Polk Street, a mixed-use building immediately north of the project site; 1461 Broadway, a mixed-use building north of the project site, adjacent to Hellen Wills Park; 1550 Pacific Avenue, a residential building approximately 40 feet east of the project site. Across Pacific Avenue to the south is 1595 Pacific Avenue, a mixed-use building approximately 70 feet from the project site. Across Polk Street to the west of the project site is 2001 to 2021 Polk Street, a mixed-use building approximately 70 feet from the project site.

[40] Egan, David M. 2007. Architectural Acoustics. J. Ross Pub., Pub 2007.

Vibration

Vibration is like noise such that noise involves a source, a transmission path, and a receptor. While related to noise, vibration differs in that noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system that is vibrating.

Vibration can be measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration measures in terms of peak particle velocities in inches per second. Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of PPV.

Vibration-Sensitive Receptors

Historic buildings are more susceptible to vibration as compared to buildings with modern construction. No Class "A" historic buildings are in the vicinity of the proposed project; however, the adjacent buildings were evaluated compared to building damage criteria. The vibration sensitive receptors evaluated include: 1560 Pacific Avenue, an industrial auto repair building immediately east of the project site; 2032 to 2064 Polk Street, a mixed-use building immediately north of the project site; 1461 Broadway, a mixed-use building north of the project site, adjacent to Helen Wills Park; 1550 Pacific Avenue, a residential building approximately 40 feet east of the site; and 2001 to 2021 Polk Street, a mixed-use building approximately 70 feet from the project site.

Ambient Noise Levels

A noise survey was conducted to establish the existing baseline conditions for the project. The survey consisted of two long-term measurements, one along Polk Street and one on the southwest corner of Polk Street and Pacific Avenue. The calculated day-night levels ranged from 67.8 dBA to 71.1 dBA and peak-hour Leq ranged from 66.0 dBA to 69.8 dBA. The lowest 1-hour Average (Leq) during typical daytime hours ranged from 63 dBA to 65 dBA as a measure of ambient conditions in the site vicinity.

Analytic Methodology

In accordance with the requirements of CEQA, the noise analysis evaluates the project's noise sources to determine the impact of the proposed project on the existing ambient noise environment. This analysis does not analyze the impact of the existing ambient noise environment on the proposed project's residents.

Results from the site measurements were used to provide baseline noise conditions at nearby sensitive receptors and within the project site vicinity. For the purpose of this analysis, potential sensitive receptors were determined by reviewing current aerial and street-level photography.

Construction Noise

Article 29 of the San Francisco Police Code regulates noise. Section 2907 of article 29 provides the following limitations for construction equipment:

> "(a) Except as provided for in Subsections (b), (c), and (d) hereof, it shall be unlawful for any person to operate any powered construction equipment if the operation of such equipment emits noise at a level in excess of 80 dBA when measured at a distance of 100 feet from such equipment, or an equivalent sound level at some other convenient distance."

However, the police code does not specify quantitative noise limits for impact equipment or combined noise impacts from the simultaneous operation of multiple pieces of construction equipment. Therefore, the quantitative evaluation of daytime construction noise effects is based on criteria in the Federal Transit Administration (FTA) guidelines for residential land uses which is 90 dBA Leq.[41] The planning department also evaluates whether construction noise would result in an increase of 10 dBA over existing noise levels ("Ambient + 10 dBA") at sensitive receptors, which generally represents a perceived doubling of loudness. The quantitative analysis typically evaluates the noise levels from the simultaneous operation of multiple pieces of construction equipment. The quantitative criteria above are only part of the evaluation of construction noise. The evaluation also considers the duration and intensity of any quantitative noise exceedance. In addition, nighttime construction noise is assessed to determine whether sleep disturbance would occur (if construction noise would exceed 45 dBA at residential interiors, assuming windows closed, for prolonged periods of time). The nighttime construction noise analysis also considers the frequency and duration of nighttime construction activities. All of the above factors are evaluated to determine whether a significant construction noise impact would occur.

The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used to determine noise generated from construction activities. The RCNM is used as the FHWA's national standard for predicting construction noise. The RCNM analysis includes the calculation of noise levels (Lmax and Leq) at incremental distances for a variety of construction equipment. The spreadsheet inputs include acoustical use factors, Lmax values, and Leq values at various distances depending on the ambient noise measurement location. Construction noise levels were calculated for each phase of construction based on the equipment list provided by the project sponsor. Given the limited extent and duration of nighttime construction activities, the potential for nighttime construction noise to result in sleep disturbance is analyzed qualitatively.

Construction Vibration

Vibration from construction equipment is analyzed at the surrounding buildings and compared to the applicable Caltrans building damage criteria to determine whether construction activities would generate vibration at levels that could result in building damage. Given that nighttime construction activities would not occur, the potential for vibration effects to result in sleep disturbance was not analyzed.

Operational Noise

Project-generated traffic would result in a significant noise impact if the proposed project increases the ambient noise levels by 5 dBA Ldn where noise levels are within the city's "Satisfactory" category per the general plan's land use compatibility chart for community noise, which is 60 dBA Ldn. If existing or resulting with project noise levels are above the "Satisfactory" category, project-generated traffic noise that

[41] Federal Transit Administration (FTA).2018. Transit Noise and Vibration Impact Assessment Manual. Available: *https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf*. Accessed September 2020.

results in an increase of 3 dBA Ldn would be considered significant. Because the ambient noise levels near the project site exceed 60 dBA Ldn, the significance threshold used to analyze project-generated traffic noise for this project is 3 dBA.

Noise from the proposed project's mechanical and HVAC systems would operate regularly and are therefore analyzed for compliance with sections 2909(a) and (d) of the noise ordinance. Section 2909 "Noise Limits" states the following:

> "(a) Residential Property Noise Limits.
>
> > (1) No person shall produce or allow to be produced by any machine, or device, music or entertainment or any combination of same, on residential property over which the person has ownership or control, a noise level more than five dBA above the ambient at any point outside of the property plane.
>
> (d) Fixed Residential Interior Noise Limits. In order to prevent sleep disturbance, protect public health and prevent the acoustical environment from progressive deterioration due to the increasing use and influence of mechanical equipment, no fixed noise source may cause the noise level measured inside any sleeping or living room in any dwelling unit located on residential property to exceed 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. or 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. with windows open except where building ventilation is achieved through mechanical systems that allow windows to remain closed."

The proposed project would not include sources of vibration during operations. Therefore, no operational vibration assessment is required.

Impact NO-1: Construction of the proposed project would generate substantial temporary or periodic increases in ambient noise levels in the project vicinity. (Less than Significant with Mitigation)

Construction noise is regulated by the City of San Francisco Municipal Code (sections 2907 and 2908 of the police code). Section 2907 of the police code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools are not subject to the equipment noise limit provided that impact tools and equipment have intake and exhaust mufflers recommended by the manufacturers thereof and are approved by the Director of Public Works or the Director of Building Inspection as best accomplishing maximum noise attenuation, and that pavement breakers and jackhammers are also equipped with acoustically attenuating shields or shrouds recommended by the manufacturers thereof and approved by the Director of Public Works or the Director of Building Inspection as best accomplishing maximum noise attenuation. Section 2908 of the police code prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works or the Director of Building Inspection. In addition to the construction noise regulations promulgated in the city's noise ordinance (sections 2907 and 2908), additional criteria of 10 decibels (dB) above the ambient noise level and noise level greater than 90 dBA are also used by the planning department to assess substantial temporary ambient noise level increases. These criteria apply at the property lines of the nearest sensitive receptors.

Demolition, site preparation, grading excavation, building construction and paving from construction of the proposed project would cause a temporary increase in noise levels within the project vicinity. Construction equipment and activities would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. The construction period for the proposed project would last approximately 18 months. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and affected receptor, and the presence (or absence) of barriers. Additionally, the project sponsor is not proposing construction during nighttime hours (8:00 p.m. to 7:00 a.m. the following morning), and therefore, this assessment only considers construction during daytime hours. Impacts would generally be limited to periods during which demolition occurs, grading and excavation occurs, new foundations are installed, and exterior structural and facade elements are constructed. Additionally, no pile-driving would be required to construct the project.[42]

Anticipated construction noise levels were estimated using industry standard methodology from the FHWA RCNM computer software. This model combines noise reference levels for various equipment items as provided by the project sponsor and estimates the project-level combined noise levels out to set receptor distances. To determine whether construction would result in a substantial temporary increase in noise levels, the estimated construction noise levels resulting from the proposed project at the nearby sensitive receptors were analyzed against the city's noise ordinance; general assessment criteria of the FTA of exceedances of 90 dBA $Leq_{1\text{-}Hr}$; and an increase of 10 dBA over existing noise levels, which would represent a perceived doubling of loudness.

According to section 2907 of the city's noise ordinance, it is prohibited to operate any powered construction equipment (non-impact), regardless of age or date of acquisition, if the operation of such equipment emits noise at a level in excess of 80 dBA when measured at a distance of 100 feet from such equipment. Table 3, Noise Levels from Construction Equipment, below, shows the estimated construction noise for each type of construction equipment expected to be used for project construction. Noise levels measured at 100 feet from individual pieces of equipment would exceed the 80 dBA threshold only for concrete saws, hoe ram, and jackhammers. For concrete saws, noise is typically considered intermittent and temporary typically used for short durations over specific targeted areas of the site as opposed to generally throughout (such as demolition and grading equipment, trucks, etc.). Hoe ram and jackhammers are considered impact equipment and are therefore exempt from the 80 dBA limit per section 2907, as described above.

Beyond the requirements of city's noise ordinance, the impact of combined construction noise on the surrounding area was also assessed against relevant FTA Guidelines. This screening process considered the combined noise of the two loudest pieces of equipment in each project phase at the range of neighboring uses, if the equipment were operating simultaneously in the center of the project site. The analysis is summarized in Table 4, Construction Noise of Two Loudest Pieces of Equipment by Phase**,** below. The FTA criterion of 90 dBA $Leq_{1\text{-}Hr}$ at the nearest sensitive receptors is not exceeded during any construction phase.

[42] Shen, Milsom & Wilke, *Construction Noise and Vibration Analysis, SM&W Project #19291, 2030 Polk Street, San Francisco, California*, June 2020.

TABLE 3
NOISE LEVELS FROM CONSTRUCTION EQUIPMENT AT 100 FEET BY PHASE

Construction Equipment	Noise Level at 100 Feet (dBA, L_{max})	Construction Phase			
		Demolition	Site Preparation	Grading & Excavation	Building Construction
Air Compressor	72	X			X
Concrete/Industrial Saws	**84**	X			X
Excavators	75	X	X	X	
Hoe Ram	**84**	X	X	X	
Jackhammer	**83**	X			
Loaded Trucks	68	X	X	X	
Rough Terrain Forklifts	78	X			X
Generator Sets	75				X
Sweepers/Scrubbers	76	X	X		
Bore/Drill rigs	78		X		
Welders	68		X		X

SOURCE: Shen, Milsom & Wilke, *Construction Noise and Vibration Analysis, SM&W Project #19291, 2030 Polk Street, San Francisco, California*, June 2020.

TABLE 4
CONSTRUCTION NOISE OF TWO LOUDEST PIECES OF EQUIPMENT BY PHASE

Phase	Two Loudest Pieces of Equipment	North Property Line (2032 Polk Street)			West Property Line (2021 Polk Street)		
		Distance[1]	Combined $Leq_{1\text{-}Hr}$	Increase over Ambient	Distance	Combined $Leq1_{\text{-}Hr}$	Increase over Ambient
Demolition	Concrete Saw, Hoe Ram	63 feet	84 dBA	**21 dB**	140 feet	77 dBA	**14 dB**
Site Prep & Grading	Hoe Ram, Excavators	63 feet	82 dBA	**19 dB**	140 feet	75 dBA	**12 dB**
Building Construction	Concrete Saw, Rough Terrain Forklifts	63 feet	81 dBA	**18 dB**	140 feet	74 dBA	**11 dB**

[1]Distance between the center of the site and the receiving property line per 2018 FTA Transit Noise and Vibration Impact Assessment Manual Equation 7-1

Construction noise was also assessed against the local ambient noise conditions with a criterion of 10 dB above the existing ambient,[43] or 73 dBA. This assessment compares construction noise to the lowest daytime 1-hour average noise level (Leq) since this would include the average contributions of noise common to this area prior to construction (traffic, pedestrians, building equipment, etc.) in accordance with industry standards. Construction noise during all phases would exceed this limit by 1 to 11 dB. Due to the

[43] Per the noise study, the lowest daytime ambient noise levels were measured as 63 dBA.

exceedances of the 80 dBA threshold at 100 feet, and the increases of greater than 10 dB over ambient, construction of the proposed projects would result in a potentially significant impact.

Implementation of **Mitigation Measure M-NO-1, Construction Noise Control**, would reduce construction noise resulting from the proposed project. The construction noise control plan would be prepared and implemented to reduce construction noise and its effects on nearby sensitive land uses by requiring measures to control noise for the duration of construction activities. Measures in the noise control plan would reduce quantitative increases in noise through direct mitigation related to equipment noise, such as measures to ensure that equipment is maintained in a manner that reduces noise, installation of temporary sound barriers, and measures for notifying the public of construction activities. These increases would occur under a worst-case scenario, which would involve simultaneous operation of the two loudest pieces of equipment and is a conservative estimate of the maximum amount of noise that would occur. Noise levels would vary throughout the 18 month construction period and these construction noise reduction measures would serve to mitigate noise increases at sensitive receptor locations during the noisiest construction activities. Therefore, implementation of **Mitigation Measure M-NO-1** would reduce the impact to a less-than-significant level.

Mitigation Measure M-NO-1: Construction Noise Control

Prior to issuance of any demolition or building permit, the project sponsor shall submit a project-specific construction noise control plan to the ERO or the officer's designee for approval. The construction noise control plan shall be prepared by a qualified acoustical engineer, with input from the construction contractor, and include feasible measures to reduce construction noise.

The project sponsor shall ensure that requirements of the construction noise control plan are included in contract specifications. The plan shall also include measures for notifying the public of construction activities, complaint procedures, and a plan for monitoring construction noise levels in the event complaints are received. The construction noise control plan shall include the following measures to the degree feasible and required to reduce construction noise levels:

- Use construction equipment that is in good working order, and inspect mufflers for proper functionality;
- Select "quiet" construction methods and equipment (e.g., improved mufflers, use of intake silencers, engine enclosures);
- Use construction equipment with lower noise emission ratings whenever possible, particularly for air compressors;
- Prohibit the idling of inactive construction equipment for more than five minutes;
- Locate stationary noise sources (such as compressors) as far from nearby sensitive receptors as possible, muffle such noise sources, and construct barriers around such sources and/or the construction site. Avoid placing stationary noise-generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (as determined by the acoustical engineer) from immediately adjacent neighbors. Enclose or shield stationary noise sources from neighboring noise-sensitive properties with noise barriers to the extent

feasible. To further reduce noise, locate stationary equipment in pit areas or excavated areas, if feasible; and

- Install temporary barriers, barrier-backed sound curtains and/or acoustical panels around working powered impact equipment and, if necessary, around the project site perimeter. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that completely closes the gaps, and dense enough to attenuate noise.

The construction noise control plan shall include the following measures for notifying the public of construction activities, complaint procedures and monitoring of construction noise levels:

- Designation of an on-site construction noise manager for the project;

- Notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of high-intensity noise-generating activities (activities that generate noise levels greater than 90 dBA) about the estimated duration of the activity;

- A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall always be answered during construction;

- A procedure for notifying the planning department of any noise complaints within one week of receiving a complaint;

- A list of measures for responding to and tracking complaints pertaining to construction noise. Such measures may include the evaluation and implementation of additional noise controls at sensitive receptors (residents, hospitals, convalescent homes, schools, churches hotels and motels, and sensitive wildlife habitat); and

- Conduct noise monitoring (measurements) to determine the effectiveness of noise attenuation measures and, if necessary, implement additional feasible noise control measures. The duration and number of locations required for monitoring will be defined and coordinated in the construction noise control plan.

Impact NO-2: Construction of the proposed project would not generate excessive groundborne vibration or groundborne noise levels. (Less than Significant with Mitigation)

The proposed project would not include the types of construction activities that could produce substantial groundborne vibration such as blasting or pile-driving. However, construction equipment used for demolition, site preparation, and excavation activities, such as hoe rams and excavators, could generate varying degrees of temporary groundborne vibration, with the highest levels expected during demolition and excavation. Additionally, construction-related vibration impacts depend on the proximity of construction activities to sensitive receptors, the presence of intervening barriers, the number and types of construction equipment, and duration of construction equipment use. Therefore, the potential for

construction-related vibration on structures and people (receptors), including cosmetic damage effects on structures was evaluated. Sleep disturbance and associated health effects on people was not evaluated because nighttime construction is not proposed. For building damage, the threshold limit depends on the architectural characteristics of the potentially affected structure, including for modern residential, industrial and commercial buildings.

The latest Caltrans guidance manual *Transportation and Construction Vibration Guidance Manual*, dated September 2013, includes guidelines to use in construction projects to address the potential for building damage as summarized in Table 5, Caltrans Vibration Damage Potential Threshold Criteria, below. This report uses the "continuous" threshold for "older residential structures" for all the adjacent structures based on a conservative estimate of the surrounding structure types and construction. 2032 Polk Street (block 0573/lot 012, adjacent to the project site) was identified in the Neighborhood Commercial Survey as a potential individual historic resource and therefore a more stringent limit of 0.25 PPV (peak-particle velocity) in/sec was used in the assessment. Additionally, 1560 Pacific Avenue does not meet the definition of a historic resource, and is an industrial auto repair business, but is an older building and was assessed as an "older residential structure" to provide a conservative estimate of vibration effects.

TABLE 5
CALTRANS VIBRATION DAMAGE POTENTIAL THRESHOLD CRITERIA

Structure and Condition	Maximum PPV (in/sec)	
	Single-Event Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	**0.25**
Older residential structures	0.5	**0.3**
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

SOURCE: Caltrans, *Transportation and Construction Vibration Guidance Manual*, September 2013.

NOTES: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack and seat[a] equipment, vibratory pile drivers, and vibratory compaction equipment.

[a] Crack and seat method of pavement rehabilitation is the process of cracking concrete pavement into pieces and firmly seating the pieces into the subgrade prior to overlaying with asphalt concrete.

Anticipated construction vibration levels were estimated using industry standard methodology as documented by Caltrans in the *Transportation and Construction Vibration Guidance Manual* and other relevant authorities. This analysis predicts construction vibration levels at the nearest sensitive receptors, conservatively assuming construction equipment is operating directly at (within 5 feet of) the nearest property line as summarized in the Table 6, below. Anticipated construction activities are limited to general earthmoving, light demolition, and other activities that produce relatively low levels of vibration. High vibration producing activities such as blasting or pile-driving would not be part of the proposed project. The only exception would be pavement breaking used during demolition phase to remove existing concrete.

TABLE 6
PREDICTED CONSTRUCTION VIBRATION LEVELS AT RECEIVER

Equipment	Relevant Construction Phases	(PPV in/sec)				Minimum Safe Setback
		2032 Polk Street (5 ft Setback)	1560 Pacific Ave (5 ft Setback)	1461 Broadway & 1550 Pacific (35-40 ft setback)	2001 to 2021 Polk St, 1595 Pacific Ave (65-68 ft setback)	
Hoe Ram	1-3	**0.52**	**0.52**	0.06	0.03	10 ft
Excavators (Large Bulldozer)	1-3	**0.52**	**0.52**	0.06	0.03	10 ft
Bore/Drill Rigs (Caisson drilling)	2	**0.52**	**0.52**	0.06	0.03	10 ft
Loaded trucks	1-3	**0.45**	**0.45**	0.05	0.03	9 ft
Jackhammer	1	0.21	0.21	0.02	0.01	5 ft

NOTES:
1. PPV refers to Peak Particle Velocity in inches/second
2. **Bold** values exceed the relevant Caltrans criteria for building damage of 0.3 PPV for "*Older residential structures*"
3. I*talics* values exceed the relevant Caltrans criteria for building damage of 0.25 PPV for "*Historic and some old buildings"*
4. Other equipment in provided list (such as air compressors, concrete saws, etc.) do not produce vibration levels in the range where building damage is a concern and has not been included in this analysis.

As shown in Table 4, a screening threshold of 0.25 PPV would be met for most of the adjacent properties due to large setbacks. Vibration-producing construction activities at the buildings directly adjacent to the project site (2032 Polk Street and 1560 Pacific Avenue) would exceed the screening threshold of 0.25 PPV since there would be very limited setback (possibly none for short periods of time). However, vibration levels would quickly attenuate with increased setback from the property line and the table above outlines the minimum safe setback where the screening threshold would be met. Given that vibration levels would be exceeded at 2032 Polk Street and 1560 Pacific Avenue, project construction could result in a potentially significant impact. To reduce vibration impacts from project construction activities to a less-than-significant level, the project sponsor would be required to implement **Mitigation Measure M-NO-2, Construction Vibration Control,** which would require the project sponsor to incorporate all feasible means to avoid damage to potentially affected building, which may include maintaining buffer distances, using alternative construction equipment, and undertaking a monitoring plan, among other requirements. These construction vibration reduction measures combined with the limited duration of construction (18 months) would serve to mitigate vibration increase at adjacent and nearby buildings. Therefore, implementation of **Mitigation Measure M-NO-2** would reduce the impact to a less-than-significant level.

Mitigation Measure M-NO-2: Construction Vibration Control

Construction Specifications. The property owner shall incorporate into construction specifications for the project a requirement that the construction contractor(s) use all feasible means to avoid damage to potentially affected buildings at 2032 Polk Street and 1560 Pacific Avenue. Such methods may include:

- *Maintaining Buffer Distances.* Maintain a safe distance between the operation of vibration-generating construction equipment and 2032 Polk Street and 1560 Pacific Avenue to avoid damage to the extent possible, based on site constraints.

- *Alternative Construction Equipment.* The construction contractor shall use saw-cut methods as an alternative method to the hoe ram when within set-back zone to 2032 Polk Street and 1560 Pacific Avenue.

Monitoring Plan. The property owner shall undertake a monitoring program to avoid or reduce project-related construction vibration damage to adjacent buildings and/or structures and to ensure that any such damage is documented and repaired. The monitoring program shall apply to all potentially affected buildings and/or structures at 1560 Pacific Avenue and 2032 Polk Street. Prior to issuance of any demolition or building permit, the property owner shall submit the construction vibration monitoring plan to the Environmental Review Officer (ERO) or the officer's designee for approval. The monitoring plan shall include, at a minimum, the following components, as applicable:

- *Pre-construction Survey.* Prior to the start of any ground-disturbing activity, the property owner shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of potentially affected historic buildings and/or structures on adjacent properties identified by the San Francisco Planning Department. If the nearby affected buildings are potentially historic, the historic architect or qualified historic preservation professional shall document and photograph the existing conditions of the building(s) and/or structure(s). If nearby affected buildings and/or structures are not potentially historic, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of potentially affected buildings and/or structures. The property owner shall submit the pre-construction survey to the ERO prior to the start of vibration-generating construction activity.

- *Maximum Vibration Level.* Based on the anticipated construction and condition of the affected buildings and/or structures on adjacent properties, a qualified acoustical consultant in coordination with a structural engineer (or professional with similar qualifications) and, in the case of potentially affected historic buildings/structures, a historic architect or qualified historic preservation professional, shall establish a maximum vibration level that shall not be exceeded at each building/structure on adjacent properties, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (common standards are a peak particle velocity [PPV] of 0.25 inch per second for historic and some old buildings, a peak particle velocity [PPV] of 0.3 inch per second for older residential structures, and a peak particle velocity [PPV] of 0.5 inch per second for new residential structures and modern industrial/commercial building).

- *Vibration Monitoring.* To ensure that construction vibration levels do not exceed the established standard, the acoustical consultant shall monitor vibration levels at each affected building and/or structure on adjacent properties and prohibit vibratory construction activities that generate vibration levels in excess of the standard. The duration, number of monitors, and other specifics of the monitoring should be defined and coordinated in a construction vibration monitoring plan.

- *Alternative Construction Techniques.* Should construction vibration levels be observed in excess of the established standard, the contractor(s) shall halt construction and put alternative construction techniques into practice, to the extent feasible. Following incorporation of the alternative construction techniques, vibration monitoring shall recommence to ensure that vibration levels at each affected building and/or structure on adjacent properties are not exceeded.

- *Periodic Inspections.* The historic architect or qualified historic preservation professional (for effects on historic buildings and/or structures) and/or structural engineer (for effects on non-historic buildings and/or structures) shall conduct regular periodic inspections as specified in the vibration monitoring plan of each affected building and/or structure on adjacent properties during vibration-generating construction activity on the project site. Should damage to any building and/or structure occur, the building(s) and/or structure(s) shall be remediated to their pre-construction condition at the conclusion of vibration-generating activity on the site.

Impact NO-3: Operation of the proposed project would not result in a substantial periodic or permanent increase in ambient noise levels. (Less than Significant)

Project-Induced Traffic Noise

Vehicular traffic makes the largest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic would have to double in volume to produce a noticeable 3 dBA increase in the ambient noise level in the project vicinity.[44] The proposed project would generate approximately 16 vehicle trips during p.m. peak hour.[45] This increase in vehicle trips would not cause p.m. traffic volumes to double on nearby streets and as a result, project-generated traffic noise would not have a noticeable effect on ambient noise levels in the project site vicinity. Therefore, this impact would be less than significant.

Fixed Mechanical Equipment Noise

Mechanical building equipment, such as elevators and heating, ventilation and air conditioning (HVAC) systems, would also create operational noise. These noise sources would be subject to the San Francisco Noise Ordinance (Article 29 of the Police Code). Section 2909(d) of the noise ordinance establishes maximum noise levels for fixed noise sources (e.g., mechanical equipment) of 55 dBA (from 7:00 a.m. to 10:00 p.m.) and 45 dBA (from 10:00 p.m. to 7:00 a.m.) inside any sleeping or living room in any dwelling unit located on residential property to prevent sleep disturbance. Furthermore, section 2909 of the noise ordinance regulates noise levels at residential and commercial properties. Noise at residential properties are limited to no more than 5 dBA above the ambient noise level at the property plane[46] per noise ordinance section 2909(a).

The proposed project would introduce new stationary noise sources as there would be HVAC equipment provided on the roof of the building, which would include an enclosure to help shield the noise from nearby

[44] United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available: http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf, Accessed: June 2020.

[45] San Francisco Planning Department, *San Francisco County Travel Demand Tool Analysis for 1580 Pacific Avenue,* August 2020.

[46] Property plane means a vertical plane including the property line that determines the property boundaries in space.

properties. No new emergency generators would be required. The project's mechanical and ventilation equipment would be subject to Section 2909. The proposed project's mechanical and HVAC systems would be required to meet those noise standards. Given that the proposed mechanical and ventilation equipment would be shielded in an enclosed room and required to comply with the Noise Ordinance operational noise standards, the project would not result in a noticeable increase in ambient noise levels. Therefore, this impact would be less than significant.

Impact C-NO-1: Implementation of the proposed project, in combination with cumulative projects, would not result in a significant cumulative noise or vibration impacts. (Less than Significant)

Project construction-related noise would result in temporary and intermittent noise levels but would not substantially increase ambient noise levels at the site with implementation of **Mitigation Measure NO-1, Construction Noise Control**. Vibration impacts would be reduced to a less-than-significant level with implementation of **Mitigation Measure NO-2, Construction Vibration Control**. The identified cumulative projects are not close enough to the project site to combine with the proposed project and result in any cumulative construction noise and vibration impacts. Furthermore, the cumulative projects are separated from the proposed project by multiple buildings and varying topography; thus, is unlikely to noticeably combine with proposed project's construction noise and vibration effects even if all were constructed simultaneously. The construction noise and vibration impacts associated with the proposed project are not anticipated to combine with other proposed and ongoing projects located near the project site. Therefore, cumulative construction-related noise and vibration impacts would be less than significant.

The proposed project, along with the other cumulative projects in the vicinity, would not result in a doubling of traffic volumes along nearby streets. The proposed project would add approximately 16 vehicle trips during the p.m. peak hour. The cumulative projects would incrementally increase vehicle trips during the p.m. peak hour. Cumulative vehicles trips would be distributed along Van Ness Avenue and Broadway, and other local roadways. In combination with reasonably foreseeable cumulative projects, the project would not result in significant cumulative traffic noise impacts. Moreover, the proposed project's mechanical equipment and mechanical equipment from reasonably foreseeable cumulative projects would be required to comply with the Noise Ordinance and less than significant impacts would result. As such, the proposed project in combination with reasonably foreseeable projects would result in less than significant cumulative impacts related to noise and vibration.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
7. AIR QUALITY. **Would the project:**					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) 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?	☐	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐	☐

Overview

The Bay Area Air Quality Management District (air district) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (air basin), which includes: San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties, and portions of Sonoma and Solano Counties. The air district is responsible for attaining and maintaining air quality in the air basin within federal and state air quality standards, as established by the federal Clean Air Act (federal clean air act) and the California Clean Air Act (clean air act), respectively. Specifically, the air district has the responsibility to monitor ambient air pollutant levels throughout the air basin and to develop and implement strategies to attain the applicable federal and state standards. The federal clean air act and the clean air act require plans to be developed for areas that do not meet air quality standards, generally.

The most recent air quality plan, the *2017 Clean Air Plan*, was adopted by the air district in April 2017. The *2017 Clean Air Plan* updates the most recent Bay Area ozone plan, the *2010 Clean Air Plan*, in accordance with the requirements of the state Clean Air Act to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases (GHGs) in a single, integrated plan; and establish emission control measures to be adopted or implemented. The *2017 Clean Air Plan* contains the following primary goals:

- Protect air quality and health at the regional and local scale: Attain all state and national air quality standards, and eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Protect the climate: Reduce Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The *2017 Clean Air Plan* contains 85 measures to address the reduction of several pollutants: ozone precursors, particulate matter, air toxics, and/or GHGs. Other measures focus on potent GHGs such as methane and black carbon, or harmful fine particles that affect public health. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

Criteria Air Pollutants

In accordance with the state and federal clean air acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the air basin experiences low concentrations of most pollutants when compared to federal or state standards. The air basin is designated as either in attainment[47] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}, which are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is "considerable," then the project's impact on air quality would be considered significant.[48]

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 7, Criteria Air Pollutant Significance Thresholds, identifies air quality significance thresholds for construction-related criteria pollutant emissions followed by a discussion of each threshold. Projects that would result in construction-related criteria air pollutant emissions below these significance thresholds would not result in a cumulatively considerable net increase in non-attainment criteria air pollutants within the air basin.

TABLE 7
CRITERIA AIR POLLUTANTS SIGNIFICANCE THRESHOLDS

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

Ozone Precursors. As discussed previously, the air basin is currently designated as non-attainment for ozone. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in non-attainment criteria air pollutants are based on the state and federal Clean Air Act's emissions limits for stationary sources. The

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

[48] Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, May 2017, p. 2-1.

federal New Source Review program was created by the federal clean air act to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, air district Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds [lbs.] per day).[49] These levels represent emissions below which new sources are not anticipated to contribute considerably to non-attainment criteria air pollutants.

Although this regulation applies to new or modified stationary sources, the proposed project would result in ROG and NO_x emissions during construction. Therefore, the above thresholds can be applied to the construction phase of the proposed project to determine whether the project would result in a considerable net increase in ROG and NO_x emissions.

Particulate Matter (PM_{10} and $PM_{2.5}$). The air district has not established an offset limit for $PM_{2.5}$. However, the emissions limit in the federal New Source Review for stationary sources in nonattainment areas is an appropriate significance threshold. For PM_{10} and $PM_{2.5}$, the emissions limit under New Source Review is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.[50] Similar to ozone precursor thresholds identified above, the proposed project would result in increases in particulate matter emissions during construction. Therefore, the above thresholds can be applied to the construction phase of the proposed project.

Fugitive Dust. Fugitive dust emissions are typically generated during construction. Studies have shown that the application of best management practices at construction sites significantly controls fugitive dust.[51] Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.[52] The air district has identified a number of best management practices to control fugitive dust emissions from construction activities.[53] The city's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The best management practices employed in compliance with the city's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust. The ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or expose or disturb more than 10 cubic yards, or

[49] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17, *http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en,* accessed February 9, 2016.

[50] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

[51] Western Regional Air Partnership. *WRAP Fugitive Dust Handbook.* September 7, 2006. Available: *http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf.* Accessed February 9, 2016.

[52] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

[53] Bay Area Air Quality Management District, *CEQA Air Quality Guidelines,* May 2017. Available: *http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en*. Accessed December 20, 2017.

500 square feet, of soil comply with specified dust control measures, whether or not the activity requires a permit from the building department.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO_2 concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO_2 emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-wide CO emissions. The Bay Area is in attainment for both CO and SO_2. Furthermore, the air district has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status, the proposed project would not result in a cumulatively considerable net increase in CO or SO_2, and a quantitative analysis is not required.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. TACs are defined in California Health and Safety Code section 39655 as air pollutants which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the air district using a risk-based approach. This approach uses a health risk assessment to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.[54]

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

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

Exposures to fine particulate matter ($PM_{2.5}$) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.[55] In addition to $PM_{2.5}$, diesel particulate matter is also of concern. The California Air Resources Board (air resources board) identified diesel particulate matter as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.[56] The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the air district to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on health-protective criteria that consider estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is located within the Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

Excess Cancer Risk. The 100 per one million persons (100 excess cancer risk) criterion is based on United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.[57] As described by the air district, the USEPA considers a cancer risk of 100 per million or less to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants rulemaking,[58] the USEPA states that it "…strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on the air district regional modeling.[59]

Fine Particulate Matter. In April 2011, the USEPA published the Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards. In this document, USEPA staff concludes that the current federal annual $PM_{2.5}$ standard of 15 $\mu g/m^3$ should be revised to a level within the range of 13 to 11 $\mu g/m^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu g/m^3$. The Air Pollutant Exposure Zone for San Francisco are based on the health protective $PM_{2.5}$ standard of 11 $\mu g/m^3$,

[55] San Francisco Department of Public Health, Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review, May 2008.

[56] California Air Resources Board, Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

[57] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 67, *http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en,* accessed February 9, 2016.

[58] 54 Federal Register 38044, September 14, 1989.

[59] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 67, *http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en,* accessed February 9, 2016.

as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 μg/m^3 to account for error in emissions modeling programs.

Proximity to Freeways. According to the air resources board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,[60] lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

Health Vulnerable Locations. Based on the Department of Public Health's Community Health Needs Assessment and an evaluation of health vulnerability in San Francisco, the zip codes (94102, 94103, 94110, 94124, and 94134) with the highest vulnerability as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) $PM_{2.5}$ concentrations in excess of 9 μg/m^3.[61]

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

Construction Air Quality Impacts

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

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

Construction activities (short-term) typically result in emissions of ozone precursors and particulate matter in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone

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

[61] San Francisco Planning Department and San Francisco Department of Public Health, *Draft San Francisco Citywide Health Risk Assessment :Technical Support Documentation*, February 2020. Available: *https://www.sfdph.org/dph/files/EHSdocs/AirQuality/Air_Pollutant_Exposure_Zone_Technical_Documentation_2020.pdf*, Accessed June 8, 2020.

precursors and particulate matter are primarily a result of the combustion of fuel from on-road and off-road vehicles and other construction equipment. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. During the proposed 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and particulate matter, as discussed below.

Fugitive Dust

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the air resources board, reducing particulate matter $PM_{2.5}$ concentrations to state and federal standards of 12 $\mu g/m^3$ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.[62]

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil. In response, the San Francisco Board of Supervisors approved amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (ordinance no. 176-08, effective August 29, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the building department.

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

In compliance with the Construction Dust Control Ordinance, the project sponsor and the construction contractor would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated

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

material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10-millimeter (0.01-inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. San Francisco ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission. Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

Compliance with the regulations and procedures set forth by the Dust Control Ordinance including the implementation of a dust control plan reviewed by the health department would ensure that potential dust-related air quality impacts would be less than significant.

Construction-Related Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown above, the air district, in its *CEQA Air Quality Guidelines* (May 2017), developed screening criteria. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield[63] sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project would construct a six-story, 65-foot-tall (exclusive of the mechanical penthouse) mixed-use residential and commercial building with 53 dwelling units and 7,000 square feet of ground-level retail space. The size of proposed construction activities would be below the criteria air pollutant construction screening sizes for mid-rise apartment (240 units) identified in the air district's *CEQA Air Quality Guidelines.* Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

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

The project site is located within the Air Pollutant Exposure Zone as described above. Therefore, the existing health risks from air pollution for sensitive receptors in the vicinity of the project site are high. The

[63] A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

closest sensitive receptors to the project site include residential units located at 2032 Polk Street, 1461 Broadway, 1550 Pacific Avenue, 2001 Polk Street and 1594 Pacific Avenue.

Regarding construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to diesel particulate matter emissions in the State of California, although since 2007, the air resources board has found the emissions to be substantially lower than previously expected.[64] Newer and more refined emission inventories have substantially lowered the estimates of diesel particulate matter emissions from off-road equipment such that off-road equipment is, as of 2010, considered the sixth largest source of diesel particulate matter emissions in California.[65] This reduction in emissions is due, in part, to refined emissions estimation methodologies. For example, revised particulate matter emission estimates for the year 2010, for which diesel particulate matter is a major component of total particulate matter, have decreased by 83 percent from previous 2010 emissions estimates for the air basin.[66] Approximately half of the reduction in emissions can be attributed to the economic recession at that time and half to updated methodologies used to better assess construction emissions.[67]

Additionally, a number of federal and state regulations are mandating cleaner off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines were phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the EPA estimates that by implementing the federal Tier 4 standards, NO_x and particulate matter emissions will be reduced by more than 90 percent.[68] Emission modeling conducted for the proposed project assumes the off-road construction fleet predicted by the air resources board for the construction years of 2019-2021, which is a composite of equipment with Tier 0 through Tier 4 Final engines.

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

> "Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet … In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate

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

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

[66] ARB, In-Use Off-Road Equipment, 2011 Inventory Model, Query accessed online, April 2, 2012, *http://www.arb.ca.gov/msei/categories.htm#inuse_or_category*.

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

[68] USEPA, Clean Air Nonroad Diesel Rule: Fact Sheet, May 2004.

well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."[69]

Therefore, project-level analyses of construction activities have a tendency to overestimate assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities over an approximate 18-month construction period. The proposed project construction activities would result in short-term emissions of diesel particulate matter and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of **Mitigation Measure M-AQ-2, Clean Off-road Construction Equipment**, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public, and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS.[70] Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines. Therefore, implementation of **Mitigation Measure M-AQ-2, Clean Off-road Construction Equipment**, would reduce construction emissions impacts on nearby sensitive receptors to a less-than-significant level.

Mitigation Measure M-AQ-2: Clean Off-road Construction Equipment

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

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted

[69] Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2012, page 8-6.

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

with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.

3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

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

B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

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

Table A– Off-Road Equipment Compliance Step-down Schedule

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

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

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

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.

3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Operational Air Quality Impacts

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

As discussed above under Impact AQ-1, the air district, in its *CEQA Air Quality Guidelines* (May 2017), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project, which includes 53 dwelling units and 7,000 square feet of retail uses, is expected to generate 179 net new daily vehicle trips to and from the project site. The proposed project would be below the criteria air pollutant operational screening criteria for the mid-rise apartment land use type (494 dwelling units) and the retail land use type (83,000 sf) identified in the air district's *CEQA Air Quality Guidelines*. Thus, quantification of project-generated criteria air pollutant emissions is not required. The proposed project would not exceed any of the significance thresholds for criteria air pollutants and would result in a less-than-significant impact related to criteria air pollutants.

Impact AQ-4: The proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan. (Less than Significant)

The most recently adopted air quality plan for the air basin is the *2017 Clean Air Plan*. The *2017 Clean Air Plan* is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the *2017 Clean Air Plan*, this analysis considers whether the project would: (1) support the primary goals of the plan, (2) include applicable control measures from the *2017 Clean Air Plan*, and (3) avoid disrupting or hindering implementation of control measures identified in the *2017 Clean Air Plan*.

The primary goals of the *2017 Clean Air Plan* are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the *2017 Clean Air Plan* recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The *2017 Clean Air Plan* recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2017 Clean Air Plan* contains 85 measures to reduce several pollutants: ozone precursors, particulate matter, air toxics, and GHGs in the air basin.

The measures most applicable to the proposed project are transportation control measures and climate control measures. The proposed project's impact with respect to GHGs are discussed in Section D.8, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the city's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 179 daily net new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *San Francisco General Plan*, as discussed in Section C, Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the *2017 Clean Air Plan* are implemented by the *San Francisco General Plan* and the *Planning Code*, for example, through the

city's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the *2017 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the *2017 Clean Air Plan* to the meet the *2017 Clean Air Plan's* primary goals.

Examples of a project that could cause the disruption or delay of *2017 Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add 53 units and 7,000 square feet of ground-level retail space in a mixed-use building to a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the *2017 Clean Air Plan*.

For the reasons described above, the proposed project would not interfere with implementation of the *2017 Clean Air Plan*, and because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be less than significant.

Impact AQ-5: The proposed project would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people. (Less than Significant)

Typical odor sources of concern include: wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The proposed project would construct a mixed-use residential and commercial building with 53 dwelling units and 7,000 square feet of ground-level retail space, and therefore would not create a significant source of new odors. Therefore, odor impacts from the proposed project would be less than significant.

Impact C-AQ-1: Construction of the proposed project, in combination with cumulative development in the project area would result in significant cumulative air quality impacts. (Less than Significant with Mitigation)

Regional air pollution is, by its very nature, largely a cumulative impact. Emissions from cumulative projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.[71] The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project

[71] BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 2-1.

would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. Therefore, cumulatively significant health risk impacts already exist at and near the project site. The project would add new sources of TACs (e.g., construction emissions) within an area already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement **Mitigation Measure M-AQ-2, Clean Off-road Construction Equipment**, which could reduce construction period diesel particulate matter and $PM_{2.5}$ emissions by as much as 95 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative air quality impacts to a less-than-significant level.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
8. 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 adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

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

The air district has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared Strategies to Address Greenhouse Gas Emissions which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA Guidelines.[72] These GHG reduction actions have resulted in a 35 percent reduction in GHG emissions in 2017 compared to 1990

[72] San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, July 2017, *http://sf-planning.org/strategies-address-greenhouse-gas-emissions*.

levels, exceeding the year 2020 reduction goals outlined in the air district's 2017 Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 (also known as the Global Warming Solutions Act).[73,74]

Given that the city has met the state and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under order S-3-05,[75] order B-30-15,[76,77] and Senate Bill 32,[78,79] the city's GHG reduction goals are consistent with order S-3-05, order B-30-15, Assembly Bill 32, Senate Bill 32 and the 2017 Clean Air Plan. Therefore, proposed projects that are consistent with the city's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on the global climate, this analysis is in a cumulative context, and this section does not include an individual project-specific impact statement.

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

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions

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73 San Francisco Department of the Environment, San Francisco's Carbon Footprint, *https://sfenvironment.org/carbon-footprint*, accessed May 20, 2020.

74 Executive Order S-3-05, Assembly Bill 32, and the air district's 2017 Clean Air Plan (continuing the trajectory set in the 2010 Clean Air Plan) set a target of reducing GHG emissions to below 1990 levels by year 2020.

75 Office of the Governor, Executive Order S-3-05, June 1, 2005, *http://static1.squarespace.com/static/549885d4e4b0ba0bff5dc695/t/54d7f1e0e4b0f0798cee3010/1423438304744/California+Executive+Order+S-3-05+(June+2005).pdf*. Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents [$MTCO_2e$]); 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 $MTCO_2e$). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

76 Office of the Governor, Executive Order B-30-15, April 29, 2015, *https://www.gov.ca.gov/news.php?id=18938*, accessed March 3, 2016. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million $MTCO_2e$).

77 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 (iv) by 2050, reduce GHG emissions by 80 percent below 1990 levels.

78 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.

79 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.

from electricity providers; energy required to pump, treat, and convey water; and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the intensity of use of the site by constructing a six-story, 65-foot-tall (exclusive of the mechanical penthouse) building mixed-use residential and commercial building with 60,000 square feet of residential space with 53 units, 7,000 square feet ground-level of retail space, 4,000 square feet of open space, and 27 vehicle parking spaces. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below and as further outlined in the Greenhouse Gas Analysis Compliance Checklist prepared for the proposed project,[80] compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Ordinance, Transportation Management Programs, Transportation Sustainability Fee, Jobs-Housing Linkage Program, and Bicycle Parking, Showers, and Lockers in New and Expanded Buildings requirements would reduce the proposed project's transportation-related emissions.[81] These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements, commissioning of building energy and water systems requirements, and water use reduction requirements of the City's Green Building Code, Stormwater Management Ordinance, Commercial Water Conservation Ordinance, and Water Efficient Irrigation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.[82]

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[83] and reducing the energy required to produce new materials.

Other regulations, including those limiting refrigerant emissions, would reduce emissions of GHGs. Regulations requiring low-emitting finishes would reduce *volatile organic compounds*.[84] The proposed project

[80] San Francisco Planning Department, *Compliance Checklist: Greenhouse Gas Analysis: 1580 Pacific Avenue (2030 Polk Street)*, November 9, 2018.

[81] Ibid.

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

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

[84] While not a GHG, volatile organic compounds 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 volatile organic compound emissions would reduce the anticipated local effects of global warming.

would also implement best management practices (BMPs) to prevent illicit discharge into the sewer system. Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.[85]

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the 2017 Clean Air Plan GHG reduction goals for the year 2020. Furthermore, the city has met its 2017 GHG reduction goal of reducing GHG emissions to 25 percent below 1990 levels by 2017. Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project's contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-term GHG reduction goals of Executive Order S-3-05, Executive Order B-30-15, Assembly Bill 32, Senate Bill 32 and the 2017 Clean Air Plan. Therefore, because the proposed project is consistent with the City's GHG reduction strategy, it is also consistent with the GHG reduction goals of Executive Order S-3-05, Executive Order B-30-15, Assembly Bill 32, Senate Bill 32 and the 2017 Clean Air Plan, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
9. WIND. **Would the project:**					
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	☐	☐	☒	☐	☐

Impact WI-1: The proposed project would not create wind hazards in publicly accessible areas of substantial pedestrian use. (Less than Significant)

A proposed project's wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. The proposed project would vary in the number of stories with six stories along Pacific Avenue, to seven stories on the northernmost portion of Polk Street, but the roof height would remain constant throughout the project site at or below the 65-foot height limit (exclusive of the mechanical penthouse). Adding the additional height from the mechanical penthouse, which is compromised of the stair bulkhead and elevator bulkhead would add approximately 16 feet to the height of the building, which would result in a height of approximately 81 feet, which would still be below the 85 foot height that has little potential to cause substantial changes to ground-level wind conditions.

[85] San Francisco Planning Department, *Compliance Checklist: Greenhouse Gas Analysis: 1580 Pacific Avenue (2030 Polk Street)*, November 9, 2018.

The proposed project would not be substantially taller than existing buildings in the project vicinity and would have little potential to intercept overhead winds and redirect them down to the sidewalks surrounding the project site. Given its height and surrounding development context, the proposed project would not cause substantial changes to ground-level wind conditions adjacent to and near the project site. For these reasons, the proposed project would not create wind hazards in publicly accessible areas of substantial pedestrian use. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-WI-1: The proposed project, in combination with cumulative projects, would not result in a cumulative wind impact. (Less than Significant)

As discussed above, buildings shorter than 85 feet have little potential to cause substantial changes to ground-level wind conditions. None of the nearby cumulative development projects involves construction of buildings or structures that would be tall enough to combine with the proposed project to create wind hazards in publicly accessible areas of substantial pedestrian use. For this reason, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative wind impact.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
10. SHADOW. **Would the project:**					
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	☐	☐	☒	☐	☐

Impact SH-1: The proposed project would not create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces. (Less than Significant)

In 1984, San Francisco voters approved an initiative known as "Proposition K, The Sunlight Ordinance," which was codified as Planning Code Section 295 in 1985. 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. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code section 295.

Implementation of the proposed project would result in the construction of a building exceeding 40 feet in height. The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast shadow on nearby parks or open spaces. The shadow fan analysis determined that the proposed project would cast shadow on Helen Wills Park,[86] located immediately northeast of the project site, and under jurisdiction of the Recreation and Park Commission. Helen Wills Park is subject to Planning Code Section 295; therefore, a detailed shadow analysis was prepared to determine if the project would create new shadow that would have an adverse impact on Helen Wills Park, a summary of the shadow analysis follows.[87] The proposed project does not have the potential to affect any other public parks or open spaces or privately-owned public open spaces.

Helen Wills Park is located on the block bounded by Broadway to the north, Larkin Street to the east, 1463 Broadway to the west and properties 1925-1929 Larkin Street and 1524-1560 Pacific Avenue to the south. It is a highly developed 0.83-acre urban park. The park is enclosed by a fence, and the official hours of operation are from 5 a.m. to midnight (see Figure 14 below). There are two pedestrian entrances: the principal entry is on Broadway near the corner at Larkin Street, with a secondary entry/exit near the southeast corner on Larkin Street. The park is divided into three main areas: the western portion contains a full size tennis court enclosed by high fencing along with two benches, the eastern portion contains a full size basketball court and a multi-use court, two benches, and a water fountain, and the central portion contains two separate children's play areas: one for toddlers and the other for children ages 5 to over 12, with slides and other play equipment integrated with an elevated walkway. The park also contains two buildings: a multi-purpose clubhouse and bathrooms which are in the mid-southern edge of the park. The elevated walkway connects to a raised picnic area between the two buildings, as well as an elevated path leading to the secondary entry/exit on Larkin Street.

Figure 13 depicts the full-year shadow fan, which depicts all areas of the park which would receive net new shadow, factoring in the presence of current, intervening shadow from existing buildings. Existing shadow patterns include more substantial shadow cast on the park during early morning or late afternoon, with the park being less shaded in the middle of the day. Existing levels of shadow are greater during fall and winter months as compared to spring and summer. The proposed project would result in net new shadow on the park. Currently, the park is shaded 41.33 percent of the time; with implementation of the proposed project, the park would be shaded 41.94 percent of the time, and increase of 0.61 percent in annual net new shading.

Net new shadow from the proposed project would occur on Helen Wills Park between approximately August 3 and May 9 annually, for roughly nine months throughout the year. Figure 15 shows the times that the park would be in shadow and the amount of sunlight by season, and the increase in shading that would be caused by the project. The times this park would be most affected by net new project shadow would occur over fall and winter afternoons, with lesser shading also being present in the later afternoons during the late summer as well as the spring. At various times throughout the affected period, shadows would fall across the southern portion of the tennis court, both children's play areas, the picnic area and elevated walkway, and portions of the basketball and multi-use courts.

[86] San Francisco Planning Department, *Shadow Fan Analysis for 2030 Polk Street*, March 2019.

[87] Prevision Design, *Shadow Analysis for the Proposed 1580 Pacific Avenue/2030 Polk Street Project Per San Francisco Planning Standards,* July 13, 2020.

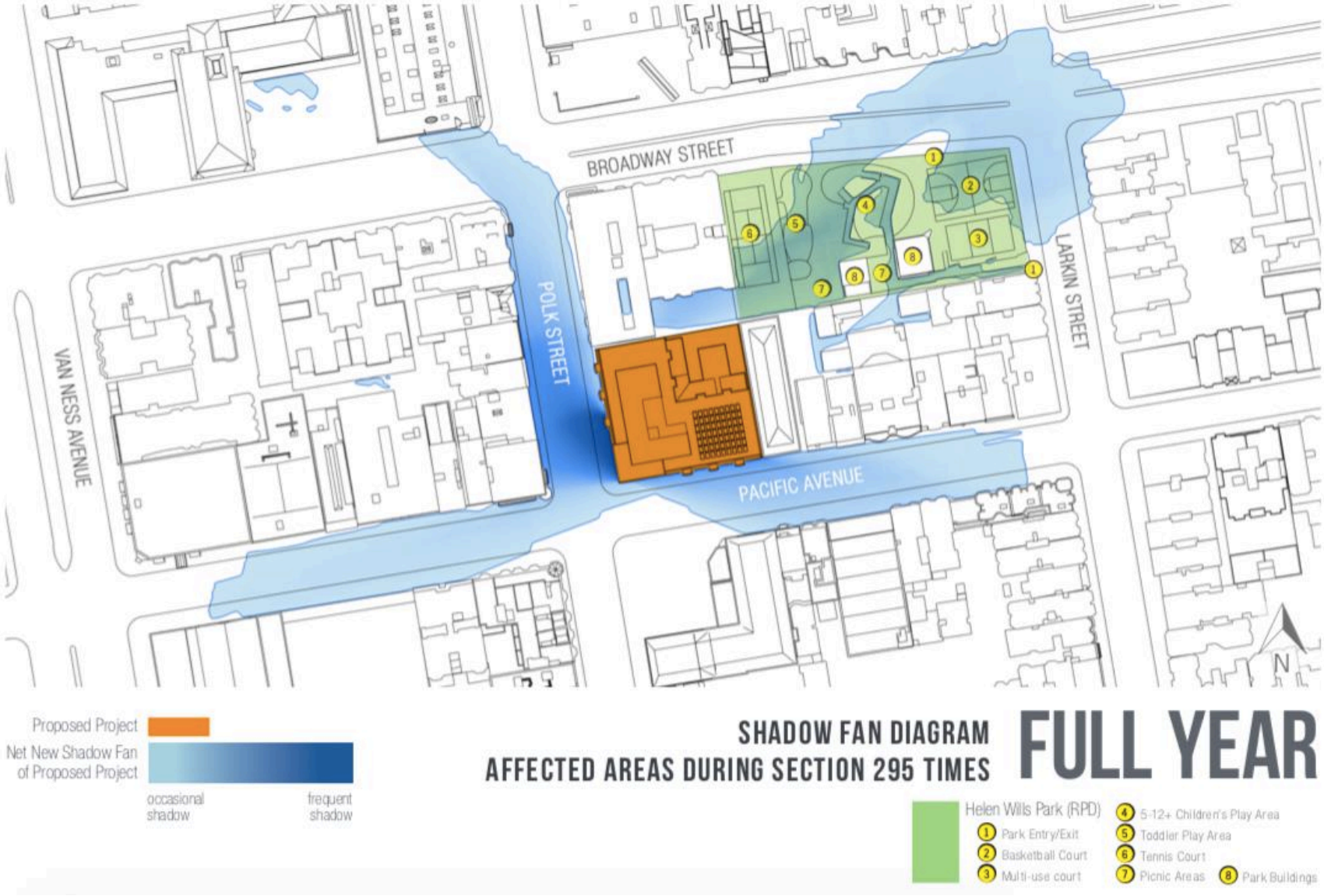


Figure 14 Shadow Fan

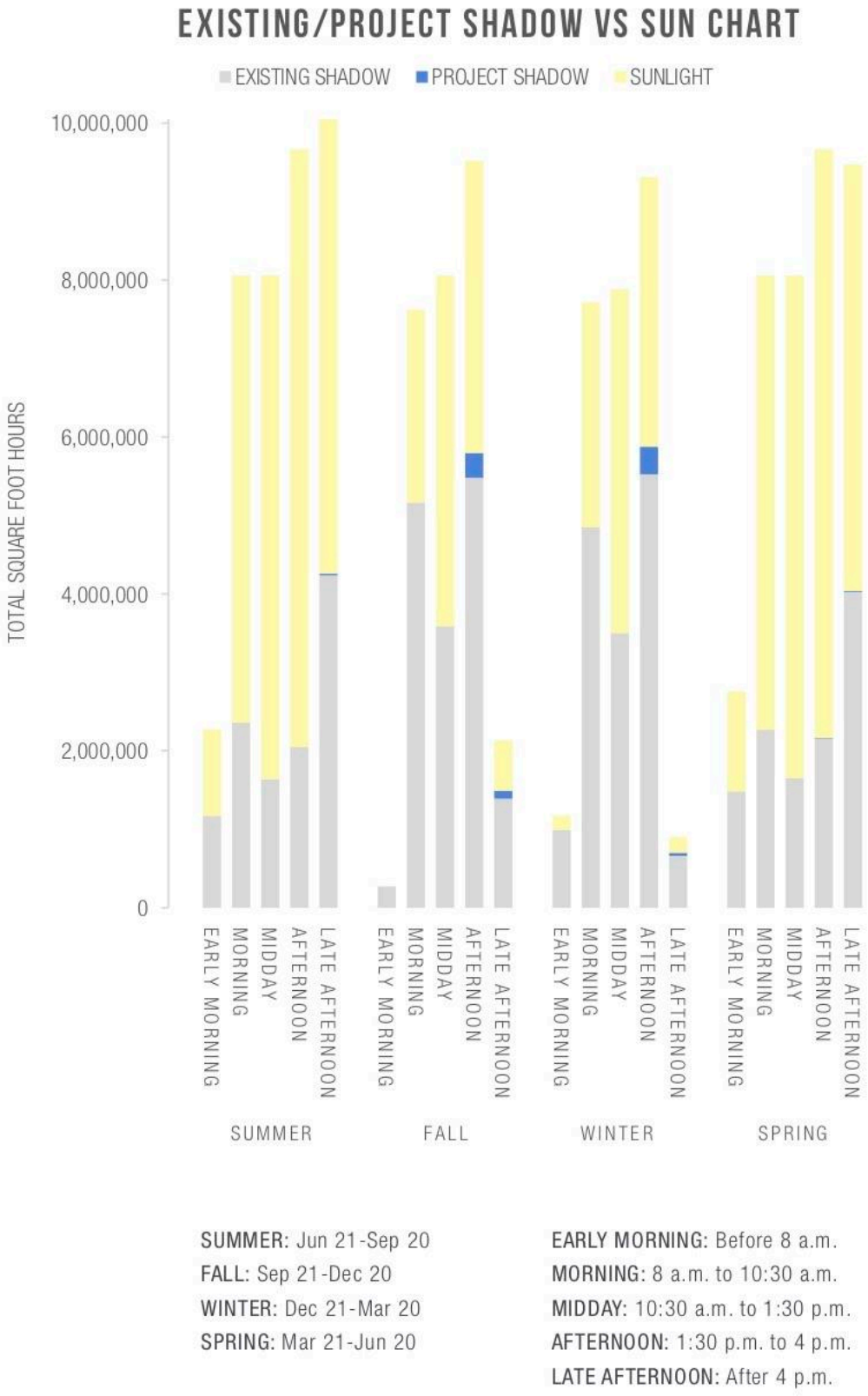


Figure 15 Existing/Project Shadow Vs. Sun Chart

The added shade would increase in duration throughout the fall and winter, until the two days of maximum net new shadow on the park due to the proposed project, which would occur on December 20 and 21. On those days, the proposed project would shade portions of the tennis court starting at just before 11:45 a.m. and move from west to east shading portions of the toddler's play area, children's play area, and basketball court, overall being present for just over four hours until the end of the daily analysis period[88] at 3:54 p.m. The duration of project-generated net new shadow would vary throughout the year, with net new shadow ranging between zero and 269 minutes (about four-and-a-half hours), with the average duration being approximately 121 minutes across between August 3 and May 9 (the time period in which there would be shading).

An observation study consisting of six separate 30-minute observation periods[89] was conducted in order to determine which areas of the park had the highest levels of active use. Two site visits were performed in the morning, two at midday, and two late in the day, with one visit from each pair on a weekday and one on a weekend. The children's play area was observed to consistently have the highest level of active use, with between eight and 23 users observed to be using this feature across all six visits. The toddler play area was also well used, with between five and 19 users seen during the observation periods. Other park features were used by fewer users or less consistently during the observations. Active sport activity spaces such as the tennis and basketball courts were observed to be in use at times but unused during other times, as were areas like the picnic area and the park's fixed benches.

Net new project shadows would affect the park primarily in the second half of the day (no morning shadow) and would additionally not affect the park at any time between May 10 and August 2 (most of the summer). During the period of the year affected, shadows would first fall on the park between midday and early afternoon affecting features on the western side of the park (tennis court, toddler play area) before extending across the children's play area, basketball court, and park entry areas. This pattern of encroaching shadow mirrors the existing pattern of shadow moving from west to east throughout the afternoon, but due to the project development, shadow in some areas of the park would begin earlier and would cover larger park areas than under existing conditions.

Based on use observations, the two children's play areas (one for toddlers and the other for non-toddlers) are the most frequently used with a concentration of users in these park areas during midday and afternoon hours. These areas would not be affected throughout the summer but would receive increasing amounts of project-related net new shadow starting in mid-October until December 21, with the amount of new shadow then decreasing until these spaces would not be affected by late February. Users of these portions of the park during the fall and winter afternoons may be affected by the earlier arrival (by 15-30 minutes) of project-related net new shadow on portions of these play areas between mid-October and December 21.

Other park features such as the tennis and basketball courts, seating areas and park entries were observed to have overall lower levels of use as compared to the above-noted play areas but would still be affected by the proposed project's shadow. The use of the fixed benches and seating areas in this park, while not observed to be highly used across the observation visits, could be potentially affected in the afternoons with the earlier arrival of net new shadow due to the project.

[88] Between one hour after sunrise through one hour before sunset.
[89] The site visits occurred on February 26 and 29, 2020.

Overall, the majority of net new project shadow would occur during portions of the fall and winter afternoons when shadows cast by existing conditions would already be substantial. As such, users of the park would experience this project-related net new afternoon shadow in areas of the park approximately 15-30 minutes sooner than they do by the encroaching existing shadow under current conditions. As the shading on Helen Wills Park would occur during times when the park is already shaded, and overall would increase the proportion of shading by less than one percent (0.61 percent) throughout the year, the impact would be less than significant, and no mitigation measures would be required.

The proposed project also would shade portions of streets, sidewalks, and private properties in the project vicinity at various times of the day throughout the year. Shadows on 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, shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For these reasons, the proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-SH-1: The proposed project, in combination with cumulative projects, would not result in a cumulative shadow impact. (Less than Significant)

As discussed above, the proposed project would result in a less-than-significant impact on Helen Wills Park, and not shade any other nearby public parks or open spaces. The shadow study evaluated cumulative projects in the vicinity of the project site and found the project at 1469 Pacific Avenue may have the potential to contribute shadow to Helen Wills Park. With use of the 3D content model to generate the full-year shadow fan diagram, the project at 1469 Pacific Avenue was found to not contribute any shadow to Helen Wills Park. Therefore, there would be no cumulative impact due to shading on Helen Wills Park.

With respect to other publicly accessible spaces in the project vicinity, the sidewalks are already shadowed for much of the day by multi-story buildings. Although implementation of the proposed project and nearby cumulative development projects would add new shadow to the sidewalks in the project vicinity, these shadows would be transitory in nature, would not substantially affect the use of the sidewalks, and would not increase shadows above levels that are common and generally expected in a densely developed urban environment. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative shadow impact.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
11. 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?	☐	☐	☒	☐	☐

Impact RE-1: The proposed project would not 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. (Less than Significant)

The neighborhood parks or other recreational facilities closest to the project site are Helen Wills Park (adjacent to the project site on the northeast, approximately 0.1-mile walking distance), Broadway Tunnel West Mini Park (0.3 miles east), Lafayette Park (0.4 miles southwest), and Allyne Park (0.4 miles northwest).

The proposed project would increase the population on the project site by about 122 residents, which represents an increase of approximately one-half of one percent of the 2016 neighborhood population. This residential population growth would incrementally increase the demand for recreational facilities. The proposed project would partially offset the demand for recreational facilities by providing on-site open space for the project residents in the form of a courtyard and private open space in the rear yard on the second floor, private balconies on the sixth floor, and common open space on the roof. Although the project residents may use parks, open spaces, and other recreational facilities in the project vicinity, the additional use of these recreational facilities is expected to be modest in light of the small population increase that would result from the proposed project.

On a citywide/regional basis, the increased demand on recreational facilities from 122 new residents would be negligible considering the number of people living and working in San Francisco and the region as well as the number of existing and planned recreational facilities. For these reasons, implementation of the proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. This impact would be less than significant, and no mitigation measures are necessary.

Impact RE-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. (Less than Significant)

The proposed project would provide on-site open space for project residents in the form of an approximately 4,300 square foot shared courtyard and private open space in the rear yard on the second floor, private balconies on the sixth floor, and common open space on the roof. In addition, the project site is within 0.5 mile of four parks as discussed above. It is anticipated that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the project

residents. For these reasons, the construction of new or the expansion of existing recreational facilities, both of which might have an adverse physical effect on the environment, would not be required. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-RE-1: The proposed project, in combination with cumulative projects, would not result in cumulative recreation impacts. (Less than Significant)

Implementation of the proposed project, in combination with cumulative development in the project vicinity, would result in an incremental increase in population and demand for recreational facilities and resources. The City has accounted for such growth as part of the Recreation and Open Space Element of the general plan.[90] In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of City recreational resources. For these reasons, the proposed project would not combine with reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational facilities or resources.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
12. UTILITIES AND SERVICE SYSTEMS. **Would the project:**					
a) Require or result in the relocation or construction of new or expanded, water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

Impact UT-1: The proposed project would not exceed the wastewater treatment capacity of the provider that would serve the project and would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities. (Less than Significant)

Most of San Francisco, including the project site, is served by a combined wastewater system. Under such a system, sewage and stormwater flows are captured by a single collection system and the combined flows are treated through the same wastewater treatment plants. The San Francisco Public Utilities Commission

[90] San Francisco Planning Department, *San Francisco General Plan, Recreation and Open Space Element*, April 2014, pp. 20–36, *http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf*, accessed July 2, 2019.

(SFPUC) provides and operates water supply and wastewater treatment facilities for the city. Pacific Gas and Electric Company provides electricity and natural gas to the project site, and various private companies provide telecommunications facilities.

The proposed project would construct a six-story mixed-use residential and commercial building with 53 dwelling units and 7,000 square feet of ground-level retail space on the project site, which currently contains commercial uses; this would result in an incremental increase in the demand for water and wastewater treatment, but not in excess of amounts expected and provided for in the project area by the SFPUC. Further, the proposed project would be required to incorporate water-conserving design features, such as low- flush toilets and showerheads, which would reduce both water demand and wastewater production. Wastewater and water lines that serve the project site have sufficient capacity to serve the population added to the area by the project. The SFPUC's treatment facilities have adequate capacity to serve the growth anticipated in the general plan. The project would not cause collection treatment capacity of the sewer system in the city to be exceeded.

The project would result in an incremental increase in the demand for electricity, natural gas, and telecommunications, which is not in excess of amounts expected and provided for in the project area by utility service providers.

For the reasons discussed above, the utilities demand associated with the project-related residential population increase would not exceed the service capacity of the existing providers and would not require the construction of new facilities or expansion of existing facilities. Therefore, this impact would be less than significant.

Impact UT-2: Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented; in that event, the SFPUC may develop new or expanded water supply facilities to address shortfalls in single and multiple dry years, but this would occur with or without the proposed project. Impacts related to new or expanded water supply facilities cannot be identified at this time or implemented in the near-term; instead, the SFPUC would address supply shortfalls through increased rationing, which could result in significant cumulative effects, but the project would not make a considerable contribution to impacts from increased rationing. (Less than Significant)

The SFPUC adopted the 2015 Urban Water Management Plan for the City and County of San Francisco.[91] The plan estimates that current and projected water supplies will be sufficient to meet future retail demand[92] through 2035 under normal year, single dry-year and multiple dry- year conditions; however, if a multiple dry-year event occurs, the SFPUC would implement water use and supply reductions through its drought response plan and a corresponding retail water shortage allocation plan.

[91] San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, June 2016, *https://sfwater.org/index.aspx?page=75*. Accessed: September 2020.

[92] "Retail" demand represents water the SFPUC provides to individual customers within San Francisco. "Wholesale" demand represents water the SFPUC provides to other water agencies supplying other jurisdictions.

In December 2018, the State Water Resources Control Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, which establishes water quality objectives to maintain the health of our rivers and the Bay-Delta ecosystem (the Bay-Delta Plan Amendment). 93 The state water board has stated that it intends to implement the Bay-Delta Plan Amendment by the year 2022, assuming all required approvals are obtained by that time. Implementation of the Bay-Delta Plan Amendment would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed during dry years, requiring rationing to a greater degree in San Francisco than previously anticipated to address supply shortages not accounted for in the 2015 Urban Water Management Plan.

The SFPUC has prepared a memorandum discussing future water supply scenarios given adoption of the Bay-Delta Plan Amendment.94 As discussed in the SFPUC memorandum, implementation of the plan amendment is uncertain for several reasons and whether, when, and the form in which the Bay-Delta Plan Amendment would be implemented, and how those amendments could affect SFPUC's water supply, is currently unknown. The SFPUC memorandum estimates total shortfalls in water supply (that is, total retail demand minus total retail supply) to retail customers through 2040 under three increasingly supply-limited scenarios:

1. Without implementation of the Bay‐Delta Plan Amendment wherein the water supply and demand assumptions contained in the 2015 Urban Water Management Plan and the 2009 Water Supply Agreement as amended would remain applicable
2. With implementation of a voluntary agreement between the SFPUC and the State Water Resources Control Board that would include a combination of flow and non‐flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay‐Delta Plan Amendment
3. With implementation of the Bay‐Delta Plan Amendment as adopted.

As estimated in the SFPUC memorandum, water supply shortfalls during dry years would be lowest without implementation and highest with implementation of the Bay‐Delta Plan Amendment. Shortfalls under the proposed voluntary agreement would be between those with and without implementation of the Bay-Delta Plan Amendment.[95]

[93] State Water Resources Control Board Resolution No.2018-0059, *Adoption of Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Final Substitute Environmental Document*, December 12, 2018, Available: *https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf.*

[94] Memorandum from Steven R. Ritchie, SFPUC, to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department, Environmental Planning Division, May 31, 2019.

[95] On March 26, 2019, the SFPUC adopted Resolution No.19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency. The SFPUC submitted a proposed project description that could be the basis for a voluntary agreement to the state water board on March 1, 2019. As the proposed voluntary agreement has yet to be accepted by the state water board as an alternative to the Bay-Delta Plan Amendment, the shortages that would occur with its implementation are not known with certainty; however, if accepted, the voluntary agreement would result in dry year shortfalls of a lesser magnitude than under the Bay-Delta Plan Amendment.

Under these three scenarios, the SFPUC would have adequate water to meet total retail demands through 2040 in normal years.[96] For single dry and multiple (years 1, 2 and 3) dry years of an extended drought, the SFPUC memorandum estimates that shortfalls of water supply relative to demand would occur both with and without implementation of the Bay-Delta Plan Amendment. Without implementation of the plan amendment, shortfalls would range from approximately 3.6 to 6.1 million gallons per day (mgd) or 5 to 6.8 percent shortfall during dry years through the year 2040.

With implementation of the Bay-Delta Plan Amendment, shortfalls would range from 12.3 mgd (15.6 percent) in a single dry year to 36.1 mgd (45.7 percent) in years seven and eight of the 8.5-year design drought based on 2025 demand levels and from 21 mgd (23.4 percent) in a single dry year to 44.8 mgd (49.8 percent) in years seven and eight of the 8.5-year design drought based on 2040 demand.

The proposed project does not require a water supply assessment under the California Water Code. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large "water demand" projects, as defined in CEQA Guidelines section 15155.[97] The proposed mixed-use residential project would result in 53 units and 7,000 square feet of retail/commercial land use; as such, it does not qualify as a "water demand" project as defined by CEQA Guidelines section 15155(a)(1) and a water supply assessment is not required and has not been prepared for the project.

While a water supply assessment is not required, the following discussion provides an estimate of the project's maximum water demand in relation to the three supply scenarios. No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth through 2040 would require new or expanded water supply facilities, the construction or relocation of which could have significant cumulative impacts on the environment. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco

[96] Based on historic records of hydrology and reservoir inflow from 1920 to 2017, current delivery and flow obligations, and fully implemented infrastructure under the 2018 Phased Water System Improvement Program Variant, normal or wet years occurred 85 out of 97 years. This translates into roughly nine normal or wet years out of every 10 years. Conversely, system-wide rationing is required roughly one out of every 10 years. This frequency is expected to increase as climate change intensifies.

[97] Pursuant to CEQA Guidelines section15155(1), "a water-demand project" means:
(A) A residential development of more than 500 dwelling units.
(B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
(C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area.
(D) A hotel or motel, or both, having more than 500 rooms.
(E) An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
(F) A mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.
(G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project.

could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Based on guidance from the California Department of Water Resources and a citywide demand analysis, the SFPUC has established 50,000 gallons per day as an equivalent project demand for projects that do not meet the definitions provided in CEQA Guidelines section 15155(a)(1).[98] The development proposed by the project would represent 10.6 percent of the 500 dwelling unit hotel room limit provided in section 15155(1)(D), and total commercial space would represent 1.4 percent of the 500,000 square feet of commercial space provided in section 15155(1)(B). In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city's Green Building Ordinance. It is therefore reasonable to assume that the proposed project would result in an average daily demand of less than 50,000 gallons per day of water.

The SFPUC has prepared estimates of total retail demand in five-year intervals from 2020 through 2040.[99] Assuming the project would demand no more than 50,000 gallons of water per day (or 0.05 mgd), the maximum demand would represent a small fraction of the total projected retail water demand, ranging from 0.07 to 0.06 percent between 2020 and 2040. As such, the project's water demand is not substantial enough to require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects.

Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented. As indicated above, the proposed project's maximum demand would represent less than 0.06 percent of the total retail demand in 2040 when implementation of the Bay-Delta Plan Amendment would result in a retail supply shortfall of up to 49.8 percent in a multi-year drought. The SFPUC has indicated that it is accelerating its efforts to develop additional water supplies and explore other projects that would increase overall water supply resilience in the case that the Bay-Delta Plan Amendment is implemented. The SFPUC has identified possible projects that it will study, but it has not determined the feasibility of the possible projects, has not made any decision to pursue any particular supply projects, and has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement. The potential impacts that could result from the construction and/or operation of any such water supply facility projects cannot be identified at this time. In any event, under such a worst-case scenario, the demand for the SFPUC to develop new or expanded dry-year water supplies would exist regardless of whether the proposed project is constructed.

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. As discussed in the SFPUC memorandum, the SFPUC has established a process through its Retail Water Shortage Allocation Plan for actions it would take under circumstances requiring rationing. The level of rationing that would be required of the proposed project is unknown at this time. Both direct and indirect

[98] Memorandum from Steven R. Ritchie, SFPUC, to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department, Environmental Planning Division, May 31, 2019.

[99] San Francisco Public Utilities Commission, 2015 Urban Water Management Plan for the City and County of San Francisco, June 2016, *https://sfwater.org/index.aspx?page=75*. Accessed September 2020.

environmental impacts could result from high levels of rationing. However, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Therefore, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta Plan Amendment.

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

In September 2015, the city approved an agreement with Recology, Inc. for the transport and disposal of the city's municipal solid waste at the Recology Hay Road Landfill in Solano County. The city began disposing its municipal solid waste at Recology Hay Road Landfill in January 2016, and that practice is expected to continue for approximately nine years, with an option to renew the agreement thereafter for an additional six years. The Hay Road Landfill has a maximum permitted capacity of 37 million cubic yards; it is permitted to accept up to 2,400 tons per day and has a remaining capacity of 30.4 million cubic yards.[100] The Hay Road Landfill is expected to continue to receive waste approximately through the year 2077.[101]

Over the 18-month duration of the proposed project construction stages, construction and demolition activities would generate construction debris at the project site, which would require disposal. Waste materials associated with the project would consist of approximately 3,500 cubic yards of excavated material and construction debris from asphalt and concrete demolition. In addition, the proposed project's residential and commercial uses would generate solid waste.

The city has adopted a number of policies to promote zero-waste practices, and project applicant would be subject to the city's various solid waste diversion requirements. The San Francisco Construction and Demolition Debris Recovery Ordinance (ordinance no. 27-06) requires that at least 65 percent of construction and demolition debris be recycled or diverted from landfills.[102] The ordinance also requires mixed construction and demolition debris to be transported by a registered transporter to a registered facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. The San Francisco Green Building Code requires certain projects to submit a recovery plan to the San Francisco Department of the Environment demonstrating recovery or diversion of at least 75 percent of all demolition debris. The San Francisco Mandatory Recycling and Composting Ordinance requires all properties and everyone in San Francisco to separate solid waste into recyclables, compostables, and landfill trash. The proposed project would be subject to these ordinances and all other applicable statutes and regulations related to solid waste. This impact would be less than significant, and no mitigation measures are necessary.

[100] San Francisco Planning Department, Preliminary Negative Declaration for the Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County, Case No 2014.0653E, March 4, 2015.

[101] California Department of Resources Recycling and Recovery (CalRecycle), Solid Waste Information System Facility Detail, *https://www2.calrecycle.ca.gov/swfacilities/Directory/48-AA-0002/*, accessed June 24, 2019.

[102] City and County of San Francisco Department of the Environment, San Francisco Ordinance No. 27-06, Environment Code Chapter 14: Construction and Demolition Debris Recovery Ordinance, 2006.

Impact C-UT-1: The proposed project, in combination with cumulative projects, would not result in a cumulative impact on utilities and service systems. (Less than Significant)

Implementation of the proposed project in combination with cumulative development in the project vicinity would result in an incremental increase in population, water consumption, and wastewater and solid waste generation. The SFPUC has accounted for such growth in its water demand and wastewater service projections, and the City has implemented various programs to divert solid waste from landfills. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact on utilities and service systems.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
13. PUBLIC SERVICES. Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 of the public services such as fire protection, police protection, schools, parks, or other public facilities?	☐	☐	☒	☐	☐

The proposed project's impacts on parks are discussed under Section D.11, Recreation. Impacts on other public services are discussed below.

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

The San Francisco Police Department and San Francisco Fire Department provide emergency services in the project area. The project site is located in the Northern Police District, which covers the Marina, Pacific Heights, Russian Hill and Nob Hill areas of San Francisco. The Northern Station is located at 1125 Fillmore Street, which is located about 1.7 miles southwest of the project site.[103]

The San Francisco Fire Department provides fire protection, responds to other emergency situations, including hazardous materials incidents, and provides medical aid and fire prevention and safety training. San Francisco Fire Department stations within one mile of the project site include Station No. 41 at 1325 Leavenworth Street, Station No. 2 at 1340 Powell Street, Station No. 3 at 1067 Post Street, and Station No. 38 at 2150 California Street.[104]

Implementation of the proposed project would add about 122 residents and 20 employees on the project site, which would increase the demand for fire protection, emergency medical, and police protection services. This

[103] San Francisco Police Department, Police District Maps, *https://www.sanfranciscopolice.org/station-finder*, accessed June, 2020.

[104] San Francisco Fire Department, Fire Station Locations, Available: https://sf-fire.org/FIRE-STATION-LOCATIONS. Accessed: June 2020.

increase in demand would be marginal given the overall demand for such services on a citywide basis. Fire protection, emergency medical, and police protection resources are regularly redeployed based on need in order to maintain acceptable service ratios. Moreover, the proximity of the project site to Fire Station No. 41 and Northern Station would help minimize Fire Department and Police Department response times should incidents occur at the project site. For these reasons, implementation of the proposed project would not require the construction of new or alteration of existing fire and police facilities. This impact would be less than significant, and no mitigation measures are necessary.

Impact PS-2: The proposed project could increase the population of school-aged children and demand for school services, but not to the extent that would require new or physically altered school facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

The San Francisco Unified School District (SFUSD) maintains a property and building portfolio that has capacity for 63,400 students.[105] Between 2000 and 2010, overall enrollment in the SFUSD experienced a large decline but the district has experienced a gradual increase in enrollment during the past decade.[106] Total enrollment in the district increased to about 52,763 in the 2017–2018 school year.[107] In addition, for the 2018–2019 school year, approximately 4,502 students enrolled in public charter schools that are operated by other organizations but located in school district facilities.[108] Thus, even with increasing enrollment, the SFUSD currently has more classrooms district-wide than needed.[109] However, the net effect of housing development across San Francisco is expected to increase enrollment by 5,000 students by 2030 with an estimated increase of up to 5,000 more public school students by 2040.[110] Therefore, eventually enrollment is likely to exceed the capacity of current SFUSD facilities.[111]

Student generation rates vary by the characteristics of housing, and analysis prepared for SFUSD assumes different student yields for different types of units to develop projections for enrollment. The analysis prepared for the SFUSD used data from recently built housing to determine student generation for market rate units (0.1 student per unit) as well as for inclusionary affordable units (0.25 per unit).[112] Applying these

[105] This analysis was informed, in part, by a Target Enrollment Survey the San Francisco Unified School District performed of all schools in 2010.

[106] San Francisco Unified School District, San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools, August 31, 2016. Online at: https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf, accessed April 8, 2020.

[107] Lapkoff & Gobalet Demographics Research, Inc., *Demographic Analyses and Enrollment Forecasts, San Francisco Unified School District,* January 2020.

[108] Ibid.

[109] San Francisco Unified School District, *San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools*, August 31, 2016. Online at: https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf, accessed April 8, 2020.

[110] The enrollment forecast prepared for SFUSD notes that there is greater certainty regarding the estimate of 5,000 more students by 2030 than the increase between 2030 and 2040 of an additional 5,000, due to the lack of details in the data regarding the type of anticipated housing during this period.

[111] Lapkoff & Gobalet Demographics Research, Inc., *Demographic Analyses and Enrollment Forecasts, San Francisco Unified School District,* January 2020.

[112] Ibid.

rates to the proposed project's 53 dwelling units could result in an enrollment increase in the SFUSD of approximately 7 public school students. Therefore, existing public schools would be able to accommodate this minor increase in demand. Furthermore, the proposed project would be required to pay a school impact fee based on the construction of net new residential square footage to fund district facilities and operations.

For these reasons, implementation of the proposed project would not result in a substantial unmet demand for school facilities and would not require the construction of new or alteration of existing school facilities. This impact would be less than significant, and no mitigation measures are necessary.

Impact PS-3: The proposed project would increase demand for other public services, but not to the extent that would require new or physically altered governmental facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

Implementation of the proposed project would add about 122 residents and 20 employees on the project site, which would increase the demand for other public services such as libraries. This increase in demand would not be substantial given the overall demand for library services on a citywide basis. The San Francisco Public Library operates the main library and 27 branches throughout San Francisco.[113] It is anticipated that the Chinatown Branch (0.7 mile east of the project site) and the North Beach Branch (one mile northeast) would be able to accommodate the minor increase in demand for library services generated by the proposed project. For these reasons, implementation of the proposed project would not require the construction of new or alteration of existing governmental facilities. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-PS-1: The proposed project, in combination with cumulative projects, would not have a significant cumulative impact on public services. (Less than Significant)

The geographic contexts for cumulative fire, police, and library impacts are the police, fire, and library service areas, while the geographic context for cumulative school impacts is the school district citywide. Implementation of the proposed project, in combination with cumulative development in the project vicinity, would result in an incremental increase in population and demand for fire protection, police protection, school services, and other public services. The Fire Department, the Police Department, and other City agencies have accounted for such growth in providing public services to the residents of San Francisco. In addition, fire protection, emergency medical, and police protection resources are regularly redeployed based on need in order to maintain acceptable service ratios.

With respect to schools, as stated above the SFUSD currently has capacity for additional students anticipated through 2035. SFUSD works with the planning department and other city agencies to develop public school student enrollment projections and inform its facility planning. As SFUSD teaching and learning evolves beyond 20th-century teaching methods and utilization, historical capacities will need updating to reflect new standards. SFUSD is currently assessing how best to incorporate the education field's best practices in terms of space utilization for 21st-century education. This assessment will inform how to accommodate the

[113] San Francisco Public Library, Library Locations, Available: http://sfpl.org/pdf/libraries/sfpl421.pdf. Accessed: June 2020.

anticipated future school population and whether new or different types of facilities are needed. Should additional capacity be required to meet the updated educational space standards and projected public school student population, SFUSD is considering several options. A new school anticipated to have capacity for 500 students is under development in Mission Bay located at the corner of Owens Street and Nelson Rising Lane. In addition, in the near term, there is an existing school site on Treasure Island that will be leased by SFUSD.[114] There is also a project planned for the replacement, renovation, and expansion of the district's 135 Van Ness property for the Arts Center Campus. SFUSD could also renovate and reconfigure other existing school facilities and assets owned by SFUSD but not currently in school use, as necessary. However, it is too speculative to conduct a meaningful environmental review or identify significant cumulative impacts at this time without more information regarding what action or actions the SFUSD would take to accommodate the additional students. SFUSD may choose to accommodate the additional students in a manner that would result in physical changes to the environment, but it is not possible to identify exactly where those actions would occur. The SFUSD has identified options for accommodating anticipated future public student population, as described above. The additional seven public school students as a result of the project would not contribute considerably to a significant public service impact related to the provision of new school facilities, and no mitigation is necessary.

Nearby cumulative development projects would be subject to many of the same development impact fees applicable to the proposed project. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact on public services.

[114] Renovation and expansion of that school site was studied in the Treasure Island / Yerba Buena Island Redevelopment Project Draft EIR. For more information, please see *Treasure Island / Yerba Buena Island Redevelopment Project Draft EIR*, Planning Case No. 2007.0903E.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
14. 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 Wildlife 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	☒

The project site is not located in an area covered by an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. The project site is not located within a federally protected wetland, as defined by section 404 of the Clean Water Act and does not contain riparian habitat or other sensitive natural communities. Therefore, topics D.14(b), D.14(c), and D.14(f) are not applicable to the proposed project.

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status species. (No Impact)

The project site and surrounding area are in an urban environment with high levels of human activity. The project site has been developed for over 100 years and adjacent sites are currently developed; thus, any special-status species have been previously extirpated from the area. The project site is covered by impervious surfaces (i.e., existing sidewalk and paved roadway). The project site does not provide suitable habitat for any rare or endangered plant or wildlife species and only common bird species are likely to nest in the vicinity. Therefore, the proposed project would have no impact on special-status species.

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

Structures in an urban setting may present risks for birds as they traverse their migratory paths due to building location and/or features. The City has adopted guidelines to address this issue and provided

regulations for bird-safe design within the City.[115] The regulations establish bird-safe standards for new building construction, additions to existing buildings, and replacement façades to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." The two circumstances regulated are: 1) location-related hazards where the siting of a structure (defined as inside or within 300 feet of an Urban Bird Refuge (open spaces that are 2 acres and larger and dominated by vegetation or open water) creates an increased risk to birds, and 2) feature-related hazards, which may increase risks to birds regardless of where the structure is located. For new building construction where the location-related standard would apply, the façade requirements include no more than 10 percent untreated glazing and minimal lighting. Any lighting that is used must be shielded and prevented from resulting in any uplighting. Feature-related hazards include free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 square feet or larger in size. Any structure that contains these elements must treat 100 percent of the glazing.

The project site is not located within 300 feet of an Urban Bird Refuge. The standards for location-related hazards would therefore not apply. The project would not include features on rooftops that would have unbroken glazed segments 24 square feet or larger in size, nor would the project include bird hazards related to building features.

The project would also be required to comply with the California Fish and Game Code and the Migratory Bird Treaty Act (MBTA), which protect special-status bird species. Existing street trees could support native nesting birds that are protected under the California Fish and Game Code or the MBTA. Although the existing trees on Polk Street would not be directly affected by construction activities, the activities could occur during the breeding season. However, compliance with the requirements of the Fish and Game Code and the MBTA would ensure that there would be no loss of active nests or bird mortality. The requirements include one or more of the following for construction that takes place during the bird nesting season (January 15–August 15):

- Preconstruction surveys will be conducted by a qualified biologist no more than 15 days prior to the start of work during the nesting season to determine if any birds are nesting in or in the vicinity of any vegetation that is to be removed for the construction to be undertaken.

- Any nests that are identified will be avoided, and the qualified biologist will establish a construction-free buffer zone, which is to be maintained until the nestlings have fledged.

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

Impact BI-3: The proposed project would not conflict with the city's local tree ordinance. (Less than Significant)

The city's Urban Forestry Ordinance, Public Works Code, sections 801 et seq., requires a permit from San Francisco Public Works (public works) to remove any protected trees. Protected trees include landmark

[115] San Francisco Planning Department, Standards for Bird Safe Buildings, *https://sfplanning.org/standards-bird-safe-buildings*, accessed May 20, 2020.

trees and significant trees. Significant trees are street trees or trees located on property under the jurisdiction of public works, or trees located on private property subject to location and size criteria as defined in Public Works Code section 810A within the territorial limits of the City and County of San Francisco. There are no landmark or significant trees along Polk Street and Pacific Avenue in the project vicinity.[116]

The proposed project does not involve the removal of existing trees. The proposed project would retain the existing street trees in front of the project site on Polk Street, and would plant three new street trees on Polk Street and six new street trees along Pacific Avenue. Because the proposed project would not conflict with the City's local tree ordinance, this impact would be less than significant.

Impact C-BI-1: The proposed project, in combination with cumulative projects in the vicinity of the site, would not have a significant cumulative impact on biological resources. (Less than Significant)

The project vicinity does not currently support any candidate, sensitive, or special-status species, any riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. As with the proposed project, nearby cumulative development projects would also be subject to federal, state, and local regulations related to biological resources. As with the proposed project, compliance with these ordinances would reduce the effects of development projects to less-than-significant levels.

The proposed project would not modify any natural habitat and would not have a substantial adverse effect on any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community; and/or would not conflict with any local policy or ordinance protecting biological resources or an approved conservation plan. For these reasons, the proposed project would not have the potential to combine with reasonably foreseeable future projects in the project vicinity to result in a significant cumulative impact related to biological resources. Therefore, there would be no cumulative impacts on biological resources. Therefore, cumulative impacts to biological resources would be less than significant.

[116] City and County of San Francisco, Significant and Landmark Trees, *https://sfpublicworks.org/services/significant-and-landmark-trees*, accessed May 20, 2020.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
15. GEOLOGY AND SOILS. **Would the project:**					
a) Directly or indirectly cause 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 (1994), creating substantial direct or indirect 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 waste water?	☐	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☐

The proposed project would not include the use septic tanks or alternative wastewater disposal systems; it would be connected to the existing wastewater disposal system. For these reasons, topic D.15(e) is not applicable to the proposed project.

CEQA does not require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except where the project would significantly exacerbate an existing environmental hazard. Accordingly, hazards resulting from a project that places development in an existing or future seismic hazard area or an area with unstable soils are not considered impacts under CEQA unless the project would significantly exacerbate the seismic hazard or unstable soil conditions. Thus, the analysis below evaluates whether the proposed project would exacerbate future seismic hazards or unstable soils at the project site and result in a substantial risk of loss, injury, or death. The impact is considered significant if the proposed project would exacerbate existing or future seismic hazards or unstable soils by increasing the severity of these hazards that would occur or be present without the project.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project, and relies on the information and findings provided in a *geotechnical investigation* that was conducted for the project site and proposed project.[117] The geotechnical investigation included performing three cone penetration tests (in which an instrumented cone is pushed into the ground at a controlled rate), a review of available geologic and geotechnical data for the site vicinity, and performing

[117] Rockridge Geotechnical, *Preliminary Geotechnical Investigation: Proposed Residential Building, 2030 Polk Street, San Francisco, California*, August 2018.

engineering analyses to develop conclusions and recommendations regarding: soil and groundwater conditions, site seismicity and seismic hazards, the most appropriate foundation type for the proposed structure, and construction considerations, among other topics.

The project site is in a former drainage swale which was filled with artificial fill. The southeast corner of the site is just outside the mapped zone of fill and is underlain by quaternary-age beach and dune sand. Near the center of the site, there was a depth of 16 feet of artificial fill with 13 feet of loose to medium dense sand underlain by an approximately three-foot-thick layer of medium stiff clay. Beneath the fill is a medium dense to very dense dune sand that extends to depths ranging from approximately 34 feet to 44 feet. The dune sane is underlain by an ancient topsoil layer consisting of loose to medium dense silty sand and medium to stiff sandy silt that is about three to four feet thick. Beneath the topsoil layer is very stiff sandy clay and dense to very dense silty sand and clayey sand of the Colma formation that extends to the maximum depth explored (50 feet). Groundwater was encountered at a depth of approximately 44 feet below ground surface.[118] Depending on the amount of rainfall, groundwater levels at the project site are expected to fluctuate seasonally and annually.

Impact GE-1: The proposed project would not directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. (Less than Significant)

The project site is not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults that run underneath the project site or in the project vicinity. The closest active fault to the project site is the San Andreas Fault, which is about 7.5 miles to the west.

To ensure that the potential for adverse effects related to geology and soils are adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code and the San Francisco Building Code, which is the state building code plus local amendments that supplement the state code, including the building department's administrative bulletins. The building department also provides its implementing procedures in information sheets. The project is required to comply with the building code, which ensures the safety of all new construction in the city. The building department would review the project structural construction documents for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site-specific report(s) through the building permit application process and its implementing procedures, as needed. The building department's requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the building code would ensure that the proposed project would ensure that the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure would be low. Therefore, the project would not result in any significant impacts related to soils, seismicity, or other geological hazards.

[118] *Ibid.*

The project site is not in a landslide hazard zone, so the potential for risk of loss, injury, or death related to landslides would be low.[119] The project site is not in a liquefaction hazard zone.[120] The geotechnical investigation evaluated the liquefaction potential of soil encountered at the site, and considering the deep groundwater table and the presence of dense silty and clayey sand below the estimated groundwater level, found that the potential for liquefaction and liquefaction-induced ground failures to occur at the site is very low.

For these reasons, the proposed project would not cause potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, liquefaction, or landslides. This impact would be less than significant, and no mitigation measures are necessary.

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

The project site is entirely paved and is currently developed with a building and a surface parking lot. For these reasons, construction of the proposed project would not result in the loss of topsoil. Site preparation and excavation activities would disturb soil to a depth of up to 5 feet below ground surface, creating the potential for windborne and waterborne soil erosion. Sloping terrain is more susceptible to soil erosion than flat terrain. The project site slopes down from the southeast (Pacific Avenue) to the northwest (Polk Street). The elevation at the project site's southeastern corner is approximately 18 feet higher than the elevation at the northwestern corner. Construction of the proposed project would require excavation to a depth of up to 5 feet below ground surface and the removal of about 3,500 cubic yards of soil from the project site. Pursuant to Section 146 et seq. of the San Francisco Public Works Code, any construction project that disturbs more than 5,000 sf of ground surface requires the development and implementation of an erosion and sediment control plan. The proposed project is subject to this requirement, and compliance with this requirement would ensure that the proposed project would not result in substantial soil erosion. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the project, resulting in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse. (Less than Significant)

As discussed under Impact GE-1, the potential for landslide, liquefaction, or lateral spreading at the project site is low. In addition, the proposed project is required to comply with the provisions of the California Building Code and the San Francisco Building Code that address issues related to seismic safety and unstable soil. The geotechnical report includes recommendations related to the following aspects of construction: site preparation and grading; foundations; basement walls; underpinning (including permeation grouting and underpinning piers; temporary shoring (including cantilevered soldier pile and lagging shoring systems and construction monitoring); and seismic design. Implementation of these recommendations would ensure that

[119] San Francisco Planning Department, *Property Information Map, 2030 Polk Street*, Available: *https://sfplanninggis.org/pim/*, Accessed: June 2020.

[120] *Ibid.*

the proposed project would not cause the soil underlying the project site to become unstable and result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-4: The proposed project would not create substantial risks to life or property as result of being located on expansive soil. (Less than Significant)

Expansive soils expand and contract in response to changes in soil moisture, most notably when nearby surface soils change from saturated to a low-moisture-content condition and back again. The expansion potential of the soil underlying the project site, as measured by its plasticity index, has not yet been determined. As part of the design-level geotechnical report prepared for the proposed project, the San Francisco Building Code requires an analysis of the project site's potential for impacts related to soil expansion and, if applicable, the implementation of measures to address any impacts. For this reason, the proposed project would not create substantial risks to life or property as a result of being located on expansive soil. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-5: The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. (Less than Significant)

Paleontological resources, or fossils, are the remains, imprints, or traces of mammals, plants, and invertebrates from a previous geological period. Such fossil remains as well as the geological formations that contain them are also considered a paleontological resource. Together, they represent a limited, non-renewable scientific and educational resource. The potential to affect fossils varies with the depth of disturbance, construction activities, and previous disturbance.

The project site is underlain by a former drainage swale which was filled with artificial fill. The southeast corner of the site is just outside the mapped zone of fill and is underlain by quaternary-age beach and dune sand. The proposed project excavation would occur in artificial fill material and beach and dune sand. Due to the shallow excavation depth and the lack of fossils contained in artificial fill material and beach and dune sand, the possibility that fossils would be encountered is low. Based on the underlying site conditions and the depth of excavation, construction of the proposed project would not affect a unique paleontological resource or site. This impact would be less than significant, and no mitigation measures are necessary.

A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. The project site is entirely paved and is currently developed with a building and a surface parking lot. No unique geologic features exist at the project site. Therefore, the proposed project would have no impact on unique geologic features.

Impact C-GE-1: The proposed project, in combination with cumulative projects would not result in a significant cumulative impact related to geology, soils, seismicity, and paleontological resources. (Less than Significant)

Environmental impacts related to geology and soils are generally site-specific. Nearby cumulative development projects would be subject to the same seismic safety standards and design review procedures applicable to the proposed project. For these reasons, the proposed project would not combine with

cumulative projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
16. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	☐	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or offsite;	☐	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☐	☒	☐
iii) 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; or	☐	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒	☐

The project site is not located within a 100-year flood risk zone identified by the SFPUC.[121] In addition, the project site is not within a dam failure area,[122] or a tsunami hazard area or seiche zone.[123] For these reasons, topic D.16(d) is not applicable to the proposed project.

Impact HY-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. (Less than Significant)

Construction Dewatering and Stormwater Runoff

The proposed project would involve excavation to a depth of five feet. As discussed under Section D.15, Geology and Soils, groundwater is approximately 44 feet below ground surface and would likely not be encountered at the planned excavation depth. Any groundwater encountered during construction would be subject to the requirements of article 4.1 of the San Francisco Public Works Code (Industrial Waste

[121] San Francisco Public Utilities Commission, 100-Year Storm Flood Risk Map, *https://www.sfwater.org/index.aspx?page=1229*, accessed May 26, 2020.

[122] San Francisco Planning Department, San Francisco General Plan, Community Safety Element, Map 6, October 2012, *http://generalplan.sfplanning.org/index.htm*, accessed May 26, 2020.

[123] Ibid, Map 5.

Ordinance), requiring groundwater meet specified water quality standards before it is discharged into the sewer system. The SFPUC must be notified regarding projects that necessitate dewatering and obtain a Batch Wastewater Discharge Permit from the SFPUC Wastewater Enterprise Collection System Division prior to any dewatering activities. The SFPUC may require additional water analysis prior to permit approval.

During construction, the proposed project would be required to comply with article 4.2 of the San Francisco Public Works Code. Specifically, the proposed project would comply with section 146 by implementing an erosion and sediment control plan. The erosion and sediment control plan would identify the best management practices and erosion and sedimentation control measures to prevent sediment from entering the city's combined sewer system. The construction best management practices that would most likely be implemented as part of the proposed project would address inspection and maintenance, water conservation, spill prevention and control, street cleaning, and prevention of illicit connection and discharge. These best management practices would minimize disturbance to the project site, adjacent areas, and storm drains and would retain sediment. The SFPUC's Construction Runoff Control Program staff enforces this requirement through periodic and unplanned site inspections. In addition, prior to the commencement of any land-disturbing activities, the project sponsor would be required to obtain a construction site runoff control permit.

Construction stormwater discharged to the city's combined sewer system would be subject to the requirements of article 4.1, which incorporates the requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit and the federal Combined Sewer Overflow Control Policy. Stormwater drainage during construction would flow to the city's combined sewer system, where it would receive treatment at the Southeast Plant and would be discharged through an existing outfall or overflow structure in compliance with the existing pollutant discharge permit. Therefore, the project's compliance with applicable permits and regulatory requirements would reduce water quality impacts during construction and dewatering activities.

Operational Wastewater and Stormwater Discharges

During operation, wastewater discharges would be related to the proposed residential and commercial uses. Stormwater discharges would include runoff from streets, sidewalks, and other impervious surfaces. Wastewater and stormwater generated at the project site would be directed to the city's combined sewer system and treated to the standards of the NPDES permit for the Southeast Water Pollution Control Plant prior to discharge to the Pacific Ocean.

The proposed project would be required to implement a stormwater control plan in accordance with the city's stormwater management ordinance. The project sponsor would be required to submit a stormwater control plan for approval by SFPUC that complies with the Stormwater Design Guidelines to ensure the proposed project meets performance measures set by SFPUC related to stormwater runoff rate and volume. To meet the SFPUC's requirements, low-impact development features are proposed and would include vegetated sidewalk planting areas, permeable pavement, steel planter areas, and a rainwater cistern. These features would be designed to reduce the stormwater peak flow and volume from a two-year, 24-hour storm event by at least 25 percent, as required, which would reduce peak flows entering the combined sewer system during wet-weather events and minimize the potential for downstream or localized

flooding.[124] Compliance with San Francisco's Stormwater Design Guidelines would reduce the quantity and rate of stormwater runoff to the city's combined sewer system and improve the water quality of those discharges.

In summary, the proposed project's construction and operational activities would not result in significant water quality impacts or obstruct implementation of a water quality control plan. Furthermore, the proposed project would not violate water quality standards or release substantial additional sources of polluted runoff. This impact would be less than significant.

Impact HY-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. (Less than Significant)

As discussed under Impact HY-1, groundwater is located between at approximately 44 below ground surface and would likely not be encountered at the planned excavation depth of five feet. Should dewatering be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources. The proposed project would not interfere with groundwater recharge because no new impervious surfaces would be created, as the site is currently covered with impervious surfaces. After project construction is completed, the project site would be covered with the same amount of impervious surfaces as under existing conditions. Project operation would not result in the use of groundwater, and the project would not otherwise be expected to adversely affect groundwater supplies or quality. For these reasons, impacts related to the depletion of groundwater resources and interference with groundwater recharge would be less than significant.

Impact HY-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river through the addition of impervious surfaces, in a manner that would result in substantial erosion, siltation, or flooding on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or 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. (Less than Significant)

The project site is currently covered with impervious surfaces, as it is currently developed with a building and surface parking lot. The proposed project, which would construct a six-story, 65-foot-tall (exclusive of the mechanical penthouse) mixed-use residential and commercial building, would not expand any existing impervious surfaces; therefore, site drainage would remain generally the same as existing conditions. The project would incrementally reduce the amount of impervious surface on the project site through implementation of low-impact design measures as required by the city's Stormwater Management Ordinance and Stormwater Management Requirements and Design Guidelines. Specifically, the proposed project would be required to reduce the existing stormwater rate and volume at the project site by 25 percent for a two-year 24-hour design storm with the implementation of low impact design measures.

[124] SFPUC. 2016. Stormwater Management Requirements and Design Guidelines. Available https://sfwater.org/Modules/ShowDocument.aspx?documentID=9026. Accessed August 2020.

The proposed project would meet this requirement by planting three new street trees on Polk Street and six new street trees along Pacific Avenue and the flow-through planter in the rear yard. Therefore, the proposed project would not be expected to result in substantial erosion or flooding associated with changes in drainage patterns. The impact of the proposed project related to potential erosion or flooding would be less than significant.

Impact HY-4: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. (No Impact)

As discussed under Impact HY-1, project-related wastewater and stormwater would flow into the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. Groundwater is unlikely to be encountered during construction or operation of the proposed project. As discussed under Impact HY-2, the proposed project would not permanently or substantially deplete groundwater resources. For these reasons, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-HY-1: The proposed project, in combination with cumulative projects in the site vicinity, would not have a significant cumulative impact on hydrology and water quality. (Less than Significant)

Cumulative development in the project vicinity would result in an intensification of land uses, a cumulative increase in water consumption, and a cumulative increase in wastewater generation. The SFPUC has accounted for such growth in its service projections. Nearby cumulative development projects would be subject to the same water conservation, stormwater management, and wastewater discharge ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to hydrology and water quality.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
17. HAZARDS AND HAZARDOUS MATERIALS.					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☐	☒

The project site is not located on a list of hazardous materials sites compiled pursuant to Government Code section 65932.5; therefore, topic D.17(d) is not applicable. The nearest public use airport to the project site is San Francisco International Airport, which is approximately 12 miles to the south of the site. The project site is not located within an airport land use plan area; therefore, topic D.17(e) is not applicable. In addition, the project site is not located within or adjacent to a wildland area; as a result, topic D.17(g) is not applicable.

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

Project construction would require the routine use of hazardous materials such as fuels, lubricants, paints, and solvents for construction vehicles and equipment. The proposed project would be required to comply with a number of federal, state, and local laws and regulations regarding the storage, use, transport, and disposal of hazardous materials. The construction contractor would be required to comply with the federal Occupational Safety and Health Administration (OSHA), Title 29 of the Code of Federal Regulations (CFR), section 1910. The contractor would also be required to comply with the California Occupational Safety and Health Administration (Cal/OSHA) under California Code of Regulations (CCR) Title 8, which specifies requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings. Cal/OSHA requirements include safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. CCR Title 8 also includes hazard communication program regulations that contain worker safety training and hazard information requirements, procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparing health and safety plans to protect workers.

Hazardous wastes that may be generated during project construction could include but are not limited to: (1) excavated soil that is considered hazardous under federal and state regulations, (2) spent and unspent hazardous materials use from construction. (Note: Handling, and disposal of potential contaminated soil is addressed below in Impact HZ-2. Handling, and disposal of potential contaminated groundwater generated from dewatering operation are addressed in Section D.16, Hydrology and Water Quality). The management, transport, and disposal of these hazardous wastes would be conducted in compliance with all applicable federal, state, and local regulations to ensure: (1) proper excavation and dust control procedures, (2) compliance with air emissions standards, as described in Section D.8, Air Quality, (3) compliance with worker protection and safety, and (4) proper waste storage, management, transportation, and disposal of hazardous wastes.

The proposed project's residential and retail uses would involve the use of relatively small quantities of hazardous materials such as cleaners and disinfectants for routine purposes. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. For these reasons, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This impact would be less than significant, and no mitigation measures are necessary. With implementation of the protocols on the proper use, transport, and disposal of the hazardous materials in accordance with above-mentioned regulatory requirements, the project would result in a less-than-significant impact with respect to the transport, use, and disposal of the hazardous materials.

Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant)

The project site is not on a list of hazardous materials site compiled by the California Department of Toxic Substance Control pursuant to Government Code section 65962.5. However, the project site is located in an area subject to Health Code Article 22A (also known as the Maher Ordinance), meaning that it is known or suspected to contain contaminated soil and/or groundwater. If a proposed project were to disturb at least 50 cubic yards of soil, and the site history indicated that hazardous substances may be present, the proposed project would be required to enroll in the Maher program.

As previously stated, the proposed project would result in the excavation of up to 3,500 cubic yards of soil. Therefore, the proposed project would be subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health (public health department). The results of the Phase I Site Assessment Report indicated one Recognized Environmental Condition, a former 3,000 gallon Underground Storage Tank associated with the former paint store.[125] The tank likely stored solvent use to make paint onsite, and although it was removed in 1991-1992, the subsurface conditions around the tank are unknown. Pursuant to the Maher Ordinance, the health department has determined that the project sponsor would need to submit a Phase II Subsurface Investigation and a Phase II Work Plan for review and approval[126] for construction at the project site. The plan would provide a decision framework to manage soil excavated for construction of the foundation, and unanticipated suspect conditions (i.e., unknown

[125] PII Environmental, *Phase I Environmental Site Assessment: 2030 Polk Street, San Francisco, California,* May 29, 2018.

[126] Department of Public Health, *Phase Two Work Plan RQST, 1580 Pacific Avenue, EHB-SAM No. SMED: 1791*, April 4, 2019.

structures), if any, encountered during construction. The plan additionally describes residual chemicals of potential concern detected in soil and ground water beneath the site during prior investigations, and protocol to address these chemicals of concern during construction.

Asbestos-Containing Materials

The project site is occupied by a building that was constructed in 1964, which would be demolished by the proposed project. Based on the date of construction of the building, asbestos-containing materials (ACMs) may still be present in building materials that could become airborne as a result of demolition disturbance.

The California Department of Toxic Substance Control considers asbestos hazardous, and removal of ACMs is required prior to demolition or construction activities that could result in disturbance of these materials. Asbestos-containing materials must be removed in accordance with local and state regulations, Bay Area Air Quality Management District (air district), the California Occupational Safety and Health Administration (occupational safety and health administration), and California Department of Health Services requirements.

Specifically, section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the air district with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the air district is to be notified 10 days in advance of any proposed demolition or abatement work. Any asbestos-containing material disturbance at the project site would be subject to the requirements of air district Regulation 11, Rule 2: Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of the occupational safety and health administration must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in Title 8 of California Code of Regulations section 1529 and sections 341.6 through 341.14, where there is asbestos related work involving 100 gsf or more of asbestos-containing material. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, the building department would not issue the required permit until the applicant has complied with the requirements described above.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level.

Lead-Based Paint

Similar to ACMs, lead-based paint could be present at the site, based on the age of the building. Work that could result in disturbance of lead paint must comply with section 3426 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, section 3426 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Section 3426 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the director of the building department, of the address and location of the project; the scope of work, including specific location within the site; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a Posted Sign notifying the public of restricted access to the work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Notice of Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3426 contains provisions regarding inspection and sampling for compliance by the San Francisco Department of Building Inspection, as well as enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

The proposed partial demolition would also be subject to the occupational safety and health administration's Lead in Construction Standard (8 CCR section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. The occupational safety and health administration would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

Implementation of procedures required by section 3426 of the building code and the Lead in Construction Standard would ensure that potential impacts of demolition or renovation of structures with lead-based paint would be less than significant.

Based on mandatory compliance with existing regulatory requirements and the Maher Ordinance, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and/or groundwater, asbestos, or lead-based paint, and the proposed project would result in a less-than-significant impact with respect to these hazards, and no mitigation measures are necessary.

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

A single school, Spring Valley Elementary School, a public school located at 1451 Jackson Street, is located within a quarter mile of the project site. Two daycare centers—City Kids Day School, located at 1424 Vallejo Street, and Tiny Giants, located at 1748 Clay Street—are within a quarter mile of the project site.

As stated above, the proposed project would construct a six-story, 65-foot-tall (exclusive of the mechanical penthouse) building mixed-use residential and commercial building with 53 dwelling units and 7,000 square feet of ground-level retail space. Ground-disturbing activities would be limited to the 18-month construction period. The proposed project would require the appropriate handling and transport of hazardous wastes, as described in Impacts HZ-1 and HZ-2. The project sponsor would be required to comply with regulations described in Impacts HZ-1 and HZ-2, which would ensure that hazardous materials are handled safely and would not be released within one-quarter mile of schools. In particular, as discussed above in Impact HZ-2, a site mitigation plan would be prepared and reviewed by the health department to minimize hazardous emissions during construction. In addition, as discussed in Impact HZ-1 and under Section D.17, Hydrology and Water Quality, the project would comply with requirements for the handling and disposal of contaminated groundwater. Therefore, there would be limited potential for such materials to affect schools in the vicinity, and the proposed project would have a less than significant impact with respect to the handling of hazardous materials within one-quarter mile radius of an existing or proposed school. No mitigation measures are required. Impacts related to emissions from construction vehicles are discussed in Section D.8, Air Quality.

Impact HZ-4: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

San Francisco ensures fire safety primarily through provisions of the Building and Fire Codes. Final building plans would be reviewed and approved by the San Francisco Fire Department (as well as the Department of Building Inspection), to ensure conformance with these provisions. In this way, potential fire hazards, including those associated with hydrant water pressures and emergency access, would be addressed during the permit review process. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

Implementation of the proposed project could add incrementally to transportation conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-HZ-1: The proposed project, in combination with cumulative projects in the site vicinity, would result in less than significant impacts related to hazards and hazardous materials. (Less than Significant)

Impacts from hazards and hazardous materials are generally site-specific. Nearby cumulative projects would be subject to the same city, regional, state, and federal regulations designed to protect the public and the environment from risks associated with hazards and hazardous materials, and to ensure that emergency access routes are maintained. Any future development in the project vicinity would be subject to these same laws and regulations. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Topics	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Not Applicable*
18. MINERAL 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?	☐	☐	☐	☐	☒

Pursuant to the Surface Mining and Reclamation Act of 1975, the California Division of Mines and Geology has designated all land in San Francisco, including the project site, as Mineral Resource Zone 4 (MRZ-4).[127] This designation indicates that inadequate information is available to assign the site to any other MRZ, and thus the project site is not a designated area of significant mineral deposits. No sites in San Francisco, including the project site, are designated areas of significant mineral deposits. Therefore, topics D.18(a) and 18(b) are not applicable to the proposed project.

[127] California Department of Conservation, Division of Mines and Geology, *Update on Mineral Land Classification: Aggregate Materials in the South San Francisco Bay Production-Consumption Region*. DMG Open-File Report 96-03, 1996.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
19. ENERGY.					
Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒	☐

Impact EN-1: The proposed project would not encourage activities which result in the use of fuel, water, or energy in a wasteful or inefficient manner or conflict with or obstruct a plan for renewable energy or energy efficiency. (Less than Significant)

The proposed project would result in increased energy consumption as it would intensify development at the site. Title 24 of the California Code of Regulations regulates energy consumption in buildings and includes standards that regulate energy consumption for the heating, cooling, ventilation, and lighting of residential and nonresidential buildings. In San Francisco, documentation demonstrating compliance with Title 24 standards is required to be submitted with a building permit application. The San Francisco Department of Building Inspection enforces compliance with Title 24 standards. The proposed project would comply with the standards of Title 24 and the requirements of the San Francisco Green Building Ordinance, and be built to Leadership in Energy and Environmental Design gold standards, thus minimizing the amount of fuel, water, or energy used. The proposed project would not encourage activities that result in the use of large amounts of fuel, water, or energy, or use them in a wasteful manner. The project site is in a fully developed urban area and would not affect any plans for renewable energy facilities. Nor would it conflict with any plans related to renewable energy or energy efficiency. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-EN-1: The proposed project, in combination with cumulative projects, would not result in significant cumulative impacts on energy resources. (Less than Significant)

Implementation of nearby cumulative development projects would result in increased energy consumption, but all would also be subject to the same energy conservation, water conservation, recycling and composting, and construction demolition and debris ordinances applicable to the proposed project. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco, the greater Bay Area, and the state, and would not in and of itself require any expansion of power facilities. The city has reduced GHG emissions to 25 percent below 1990 levels as of 2017 and ultimately plans to reduce GHG emission to 80 percent below 1990 levels by 2050, which would be achieved through a number of different strategies, including energy efficiency. Therefore, the energy demand associated with the proposed project would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact on energy resources.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
20. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
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)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☒
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 project site is located in an urban area in San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as Urban and Built-Up Land, which is defined as "… land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes." In addition, no land within the city is zoned for forest uses. Because the project site does not contain agricultural or forest uses and is not zoned for such uses, the proposed project would not: convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses; conflict with existing zoning for agricultural land or a Williamson Act contract; or involve any changes to the environment that could result in the conversion of farmland to non-agricultural use or forest land to non-forest use. Therefore, topics D.20(a), D.20(b), D.20(c), D.20(d), and D.20(e) are not applicable to the proposed project.

Topics	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	Not Applicable
21. WILDFIRE.					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	☐	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☐	☒
d) Expose people or structure to significant risks including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☐	☒

The City and County of San Francisco does not contain any state responsibility areas for fire prevention or lands classified as very high fire hazard severity zones.[128] There are no landslide-prone areas in the immediate vicinity of the site.[129] Therefore, topics D.21(a), D.21(b), D.21(c) and D.21(d) are not applicable.

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

The proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

[128] California Department of Forestry and Fire Protection (CAL FIRE), *San Francisco County Fire Hazard Severity Zone (FHSZ) Map*, 2019, *https://egis.fire.ca.gov/FHSZ/*, accessed July, 8, 2019.

[129] City and County of San Francisco, *San Francisco General Plan*, Community Safety, an Element of the General Plan of the City and County of San Francisco, October 2012.

As described in Section D.3, Cultural Resources, construction activities associated with the proposed project could result in potential impacts on unknown archeological resources, human remains, and tribal cultural resources. These impacts would be less than significant with implementation of **Mitigation Measure M-CR-2, Accidental Discovery**.

Section D of the initial study has addressed cumulative impacts under each environmental topic and determined that the proposed project, in combination with reasonably foreseeable projects, would not result in significant cumulative impacts.

As described in Section D.6, Noise, the proposed project would result in substantial temporary noise level increases in excess of established standards and groundborne vibration impacts on sensitive receptors. These impacts would be less than significant with implementation of **Mitigation Measures M-NO-1, Construction Noise Control**, and **M-NO-2, Construction Vibration Control**. As described in Section D.7, Air Quality, the proposed project would result in potentially significant impacts related to health risk. These impacts would be less than significant with implementation of **Mitigation Measure M-AQ-2, Clean Off-road Construction Equipment**. Therefore, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly, with the implementation of the mitigation measures.

E. MITIGATION MEASURES

The following mitigation measures have been identified in this initial study to reduce potentially significant impacts resulting from the proposed project to less-than-significant levels. The project sponsor has agreed to implement all mitigation measures identified in the initial study.

Mitigation Measure M-CR-2: Accidental Discovery

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and on human remains and associated or unassociated funerary objects. The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. The ERO may also determine that the archeological resource is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; an archeological testing program; archeological data recovery excavations, and/or an interpretative program. If an archeological monitoring program, archeological testing program, archeological data recovery program or an interpretative program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs and reviewed and approved by the ERO. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource may be at risk from vandalism, looting, or other damaging actions.

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 Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.

The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archaeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.

Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated

or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance (Public Resources Code section 5097.98).

Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archaeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.

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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 and one unlocked, searchable PDF copy on CD of the FARR along with GIS shapefiles of the site and feature locations and 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.

Mitigation Measure M-NO-1: Construction Noise Control

Prior to issuance of any demolition or building permit, the project sponsor shall submit a project-specific construction noise control plan to the ERO or the officer's designee for approval. The construction noise control plan shall be prepared by a qualified acoustical engineer, with input from the construction contractor, and include feasible measures to reduce construction noise.

The project sponsor shall ensure that requirements of the construction noise control plan are included in contract specifications. The plan shall also include measures for notifying the public of construction activities, complaint procedures, and a plan for monitoring construction noise levels in the event complaints are received. The construction noise control plan shall include the following measures to the degree feasible and required to reduce construction noise levels:

- Use construction equipment that is in good working order, and inspect mufflers for proper functionality;
- Select "quiet" construction methods and equipment (e.g., improved mufflers, use of intake silencers, engine enclosures);

- Use construction equipment with lower noise emission ratings whenever possible, particularly for air compressors;

- Prohibit the idling of inactive construction equipment for more than five minutes;

- Locate stationary noise sources (such as compressors) as far from nearby sensitive receptors as possible, muffle such noise sources, and construct barriers around such sources and/or the construction site. Avoid placing stationary noise-generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (as determined by the acoustical engineer) from immediately adjacent neighbors. Enclose or shield stationary noise sources from neighboring noise-sensitive properties with noise barriers to the extent feasible. To further reduce noise, locate stationary equipment in pit areas or excavated areas, if feasible; and

- Install temporary barriers, barrier-backed sound curtains and/or acoustical panels around working powered impact equipment and, if necessary, around the project site perimeter. When temporary barrier units are joined together, the mating surfaces shall be flush with each other. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, shall be closed with material that completely closes the gaps, and dense enough to attenuate noise.

The construction noise control plan shall include the following measures for notifying the public of construction activities, complaint procedures and monitoring of construction noise levels:

- Designation of an on-site construction noise manager for the project;

- Notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of high-intensity noise-generating activities (activities that generate noise levels greater than 90 dBA) about the estimated duration of the activity;

- A sign posted on-site describing noise complaint procedures and a complaint hotline number that shall always be answered during construction;

- A procedure for notifying the planning department of any noise complaints within one week of receiving a complaint;

- A list of measures for responding to and tracking complaints pertaining to construction noise. Such measures may include the evaluation and implementation of additional noise controls at sensitive receptors (residents, hospitals, convalescent homes, schools, churches hotels and motels, and sensitive wildlife habitat); and

- Conduct noise monitoring (measurements) to determine the effectiveness of noise attenuation measures and, if necessary, implement additional feasible noise control measures. The duration and number of locations required for monitoring will be defined and coordinated in the construction noise control plan.

Mitigation Measure M-NO-2: Construction Vibration Control

Construction Specifications. The property owner shall incorporate into construction specifications for the project a requirement that the construction contractor(s) use all feasible means to avoid damage to potentially affected buildings at 2032 Polk Street and 1560 Pacific Avenue. Such methods may include:

- *Maintaining Buffer Distances.* Maintain a safe distance between the operation of vibration-generating construction equipment and 2032 Polk Street and 1560 Pacific Avenue to avoid damage to the extent possible, based on site constraints.

- *Alternative Construction Equipment.* The construction contractor shall use saw-cut methods as an alternative method to the hoe ram when within set-back zone to 2032 Polk Street and 1560 Pacific Avenue.

Monitoring Plan. The property owner shall undertake a monitoring program to avoid or reduce project-related construction vibration damage to adjacent buildings and/or structures and to ensure that any such damage is documented and repaired. The monitoring program shall apply to all potentially affected buildings and/or structures at 1560 Pacific Avenue and 2032 Polk Street. Prior to issuance of any demolition or building permit, the property owner shall submit the construction vibration monitoring plan to the Environmental Review Officer (ERO) or the officer's designee for approval. The monitoring plan shall include, at a minimum, the following components, as applicable:

- *Pre-construction Survey.* Prior to the start of any ground-disturbing activity, the property owner shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of potentially affected historic buildings and/or structures on adjacent properties identified by the San Francisco Planning Department. If the nearby affected buildings are potentially historic, the historic architect or qualified historic preservation professional shall document and photograph the existing conditions of the building(s) and/or structure(s). If nearby affected buildings and/or structures are not potentially historic, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of potentially affected buildings and/or structures. The property owner shall submit the pre-construction survey to the ERO prior to the start of vibration-generating construction activity.

- *Maximum Vibration Level.* Based on the anticipated construction and condition of the affected buildings and/or structures on adjacent properties, a qualified acoustical consultant in coordination with a structural engineer (or professional with similar qualifications) and, in the case of potentially affected historic buildings/structures, a historic architect or qualified historic preservation professional, shall establish a maximum vibration level that shall not be exceeded at each building/structure on adjacent properties, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (common standards are a peak particle velocity [PPV] of 0.25 inch per second for historic and some old buildings, a peak particle velocity [PPV] of 0.3 inch per second for older residential structures, and a peak

particle velocity [PPV] of 0.5 inch per second for new residential structures and modern industrial/commercial building).

- *Vibration Monitoring*. To ensure that construction vibration levels do not exceed the established standard, the acoustical consultant shall monitor vibration levels at each affected building and/or structure on adjacent properties and prohibit vibratory construction activities that generate vibration levels in excess of the standard. The duration, number of monitors, and other specifics of the monitoring should be defined and coordinated in a construction vibration monitoring plan.

- *Alternative Construction Techniques.* Should construction vibration levels be observed in excess of the established standard, the contractor(s) shall halt construction and put alternative construction techniques into practice, to the extent feasible. Following incorporation of the alternative construction techniques, vibration monitoring shall recommence to ensure that vibration levels at each affected building and/or structure on adjacent properties are not exceeded.

- *Periodic Inspections.* The historic architect or qualified historic preservation professional (for effects on historic buildings and/or structures) and/or structural engineer (for effects on non-historic buildings and/or structures) shall conduct regular periodic inspections as specified in the vibration monitoring plan of each affected building and/or structure on adjacent properties during vibration-generating construction activity on the project site. Should damage to any building and/or structure occur, the building(s) and/or structure(s) shall be remediated to their pre-construction condition at the conclusion of vibration-generating activity on the site.

Mitigation Measure M-AQ-2: Clean Off-road Construction Equipment

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

E. *Engine Requirements.*

5. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

6. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.

7. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment

(e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

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

F. *Waivers.*

3. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

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

Table A– Off-Road Equipment Compliance Step-down Schedule

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

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

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

4. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage

and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

5. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.

6. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

H. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

F. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 14, 2019 to owners and occupants of the affected property and within 300 feet of the project site, neighborhood groups and interested parties in the project vicinity, and public agencies. In addition, this notice was sent to people who requested to receive notice regarding this project. Five comment letters were received in response to the notification. The following concerns were expressed by members of the public:

- Overall size of project relative to existing building;
- Increase in housing density in the neighborhood;
- Impacts on traffic and parking;
- Construction noise impacts; and
- Construction dust.

These concerns were incorporated into the environmental review of the proposed project and addressed in Section D.2, Population and Housing, Section D.6, Transportation and Circulation, Section D.7, Noise, and Section D.8, Air Quality. Additional comments were requesting more information about the project plans, which were sent to the requestor.

G. DETERMINATION

On the basis of this Initial Study:

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

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

☐ I find that the proposed project MAY have a significant effect on the environment, and an environmental impact report is required.

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

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

DATE: October 21, 2020

Devyani Jain for

Lisa Gibson
Environmental Review Officer
for
Rich Hillis
Director of Planning

H. INITIAL STUDY PREPARERS

San Francisco Planning Department

Planning Department, City and County of San Francisco
Environmental Planning Division
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

- Environmental Review Officer: Lisa Gibson
- Deputy Environmental Review Officer: Devyani Jain
- Principal Environmental Planner: Debra Dwyer
- Senior Environmental Planner: Josh Pollak
- Archeologist: Sally Morgan
- Shadow: Rachel Schuett and Michael Li
- Noise and Vibration: Chelsea Fordham

Environmental Consultants

Noise
Shen, Milsom & Wilke LLC
351 California Street, Suite 810
San Francisco, CA 94104

Shadow
Prevision Design
1806 Belles Street, Suite 6B
San Francisco, CA 94129

Project Sponsor

JS Sullivan Development
2044 Fillmore Street, 3rd Floor
San Francisco, CA 94115

Exhibit D

Land Use Data

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

EXHIBIT D - LAND USE DATA

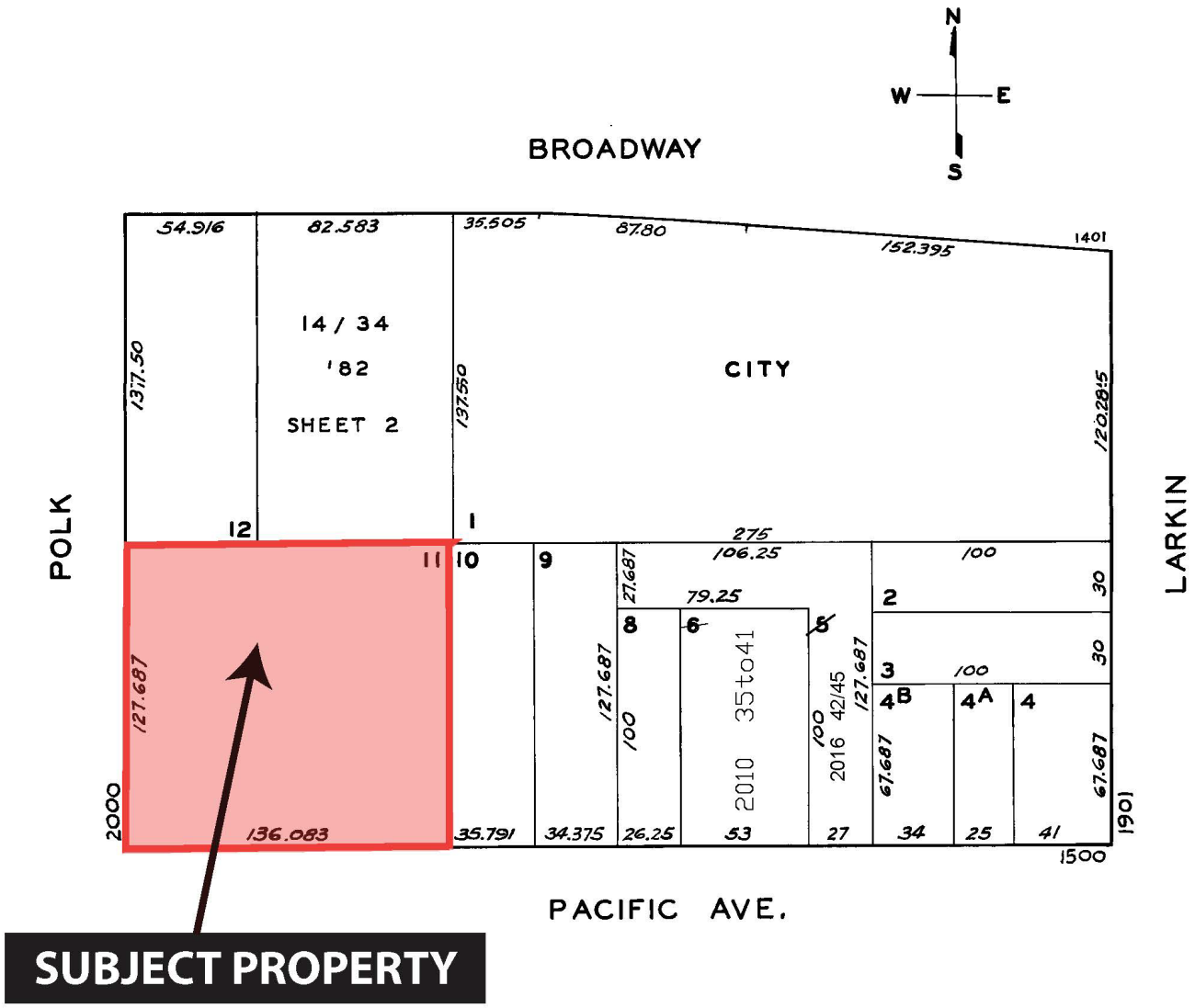
PROJECT ADDRESS: 2030 POLK STREET (AKA 1580 PACIFIC AVENUE)
RECORD NO.: 2018-008259PRJ

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	8,600	8,220	(- 380)
Residential GSF	0	59,894	59,894
Retail/Commercial GSF	8,366	7,264	(- 1,102)
Office GSF	0	0	0
Industrial/PDR GSF *Production, Distribution, & Repair*	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	5,509	5,509
Public Open Space	0	0	0
Other ( )			
TOTAL GSF	16,966	75,378	58,412
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	9	9
Dwelling Units - Market Rate	0	44	44
Dwelling Units - Total	0	53	53
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	1	5	6
Parking Spaces	23	8	31
Loading Spaces	0	0	0
Bicycle Spaces	0	60	60
Car Share Spaces	0	1	1
Other ( )			

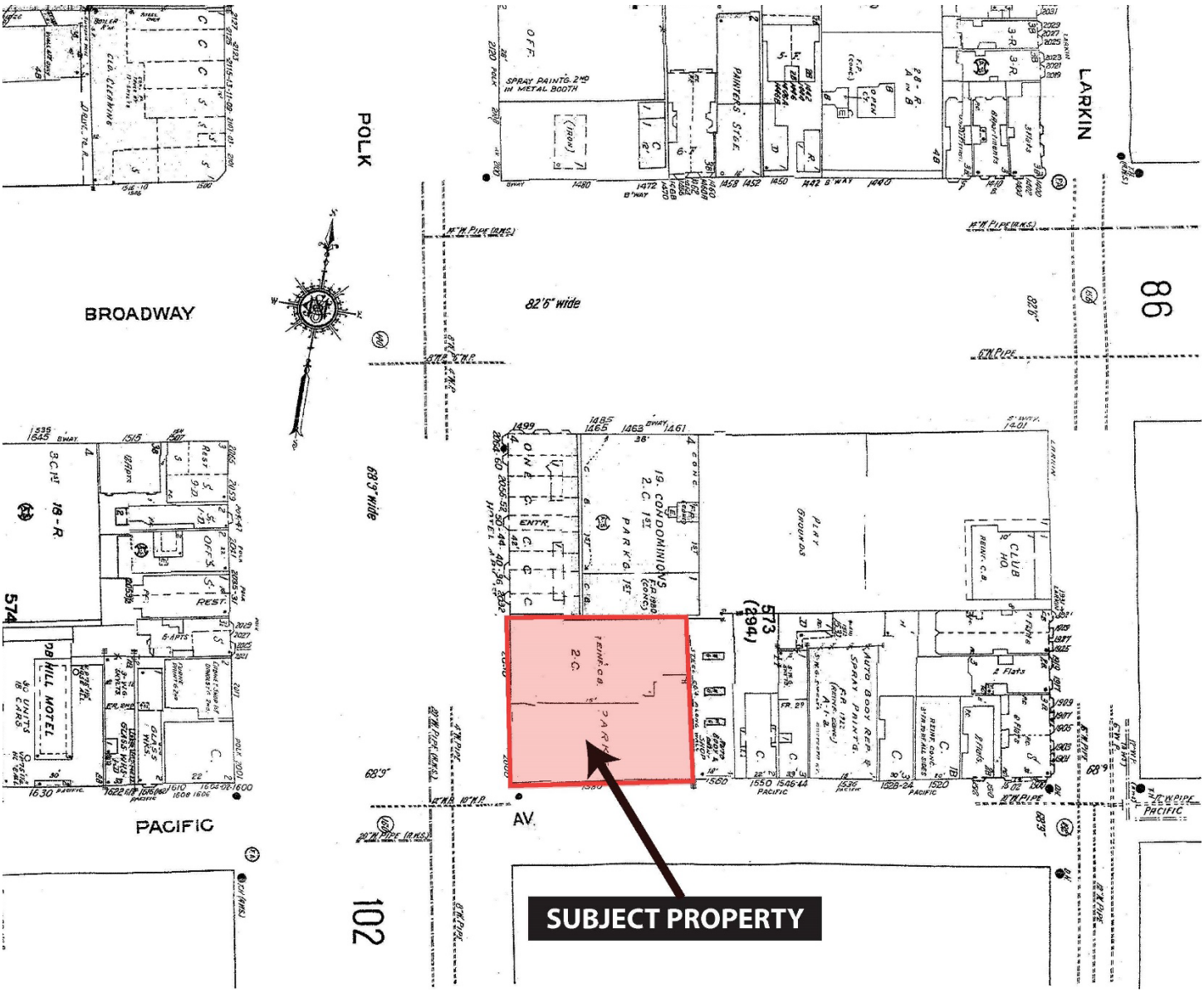
	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	1	1
One Bedroom Units	0	27	27
Two Bedroom Units	0	21	21
Three Bedroom (or +) Units	0	4	4
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

Exhibit E – Maps and Context Photos

Block Book Map

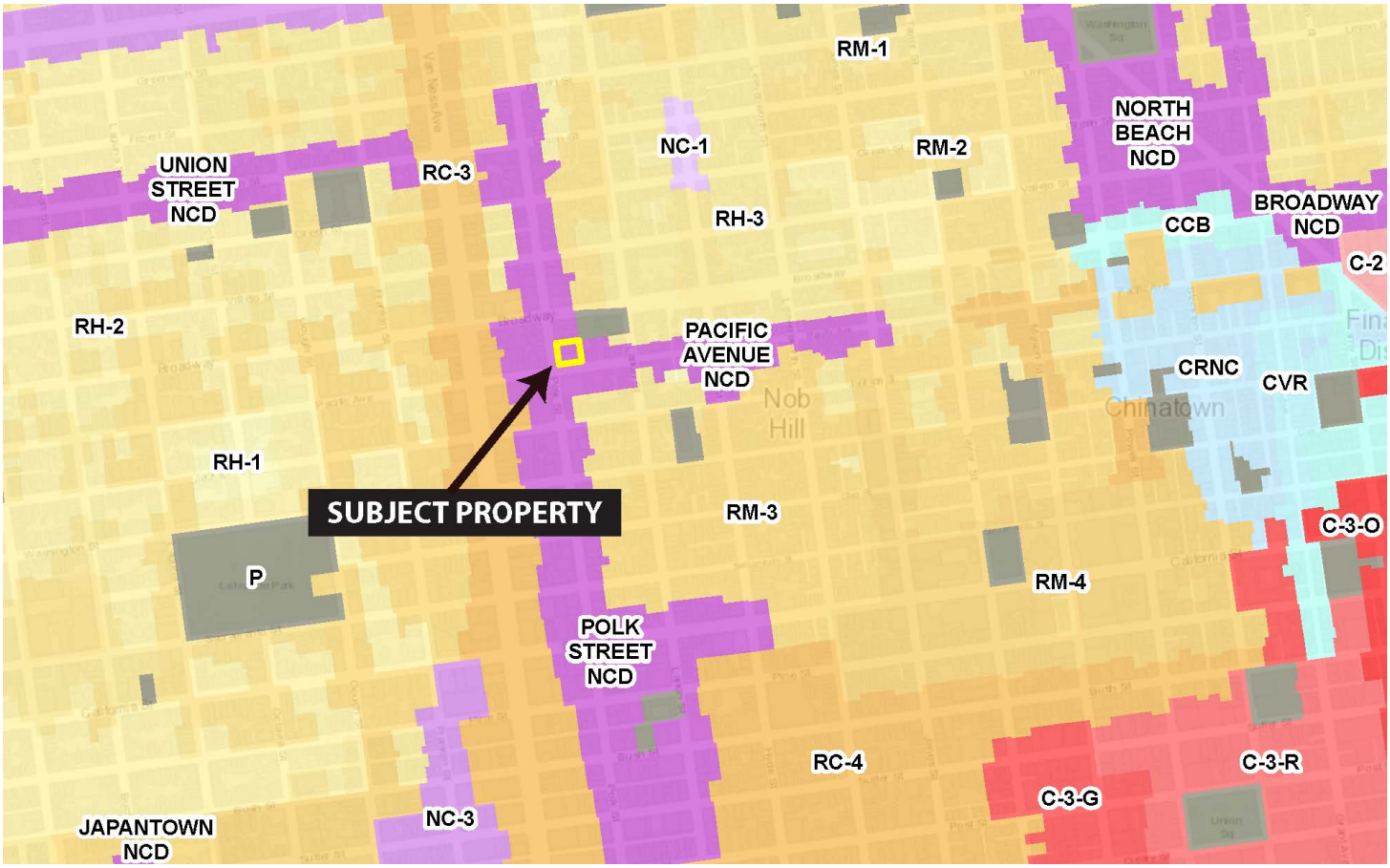


Sanborn Map*

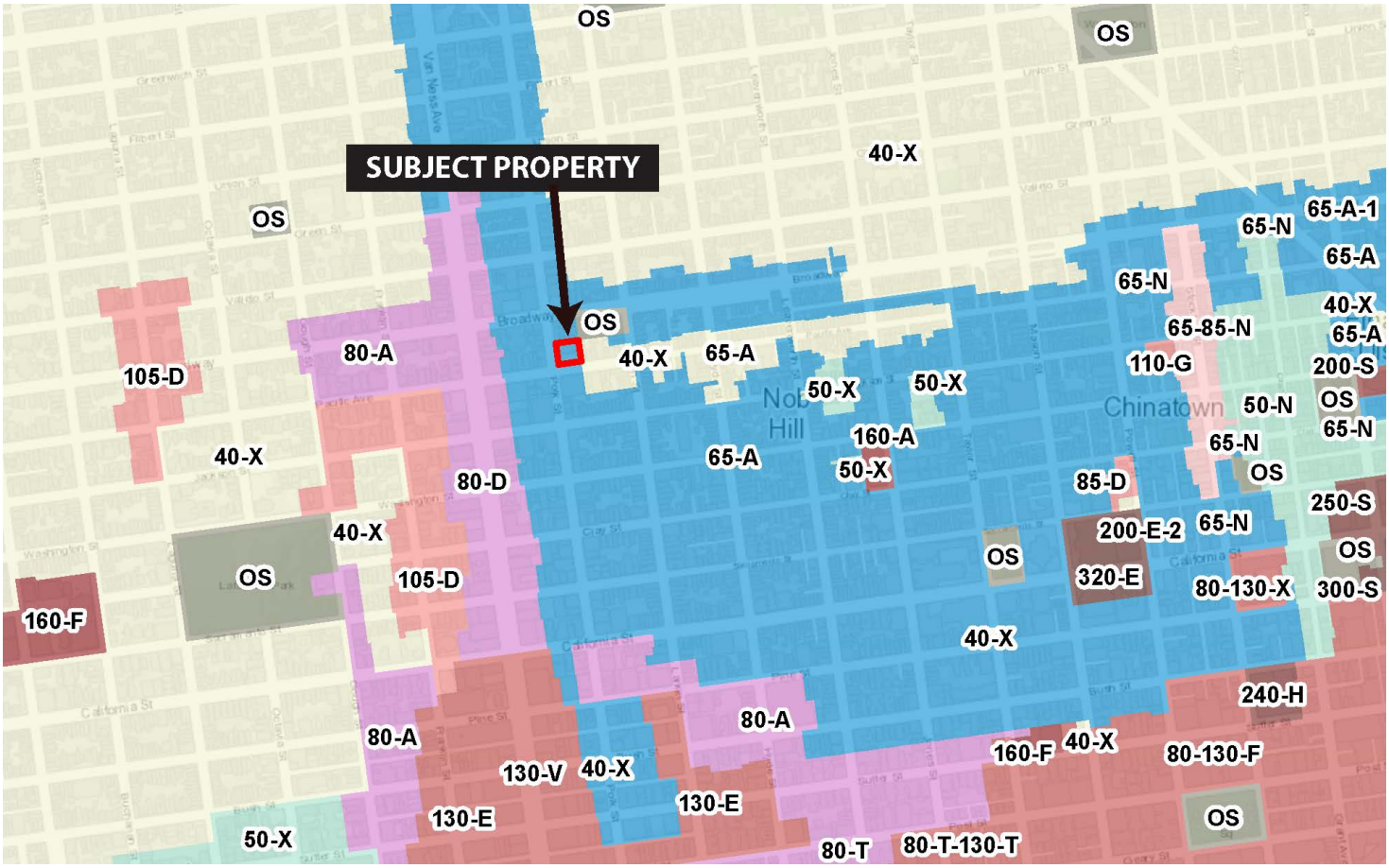


** The Sanborn Maps in San Francisco hae not been updated since 1998, and this map may not accurately reflect existing conditions.*

Zoning Map


RM-1
NORTH BEACH NCD
NC-1
RM-2
UNION STREET NCD
RC-3
RH-3
CCB
BROADWAY NCD
C-2
RH-2
PACIFIC AVENUE NCD
CRNC
CVR
Nob Hill
Chinatown
RH-1
SUBJECT PROPERTY
RM-3
C-3-O
P
RM-4
POLK STREET NCD
RC-4
C-3-R
C-3-G
NC-3
JAPANTOWN NCD

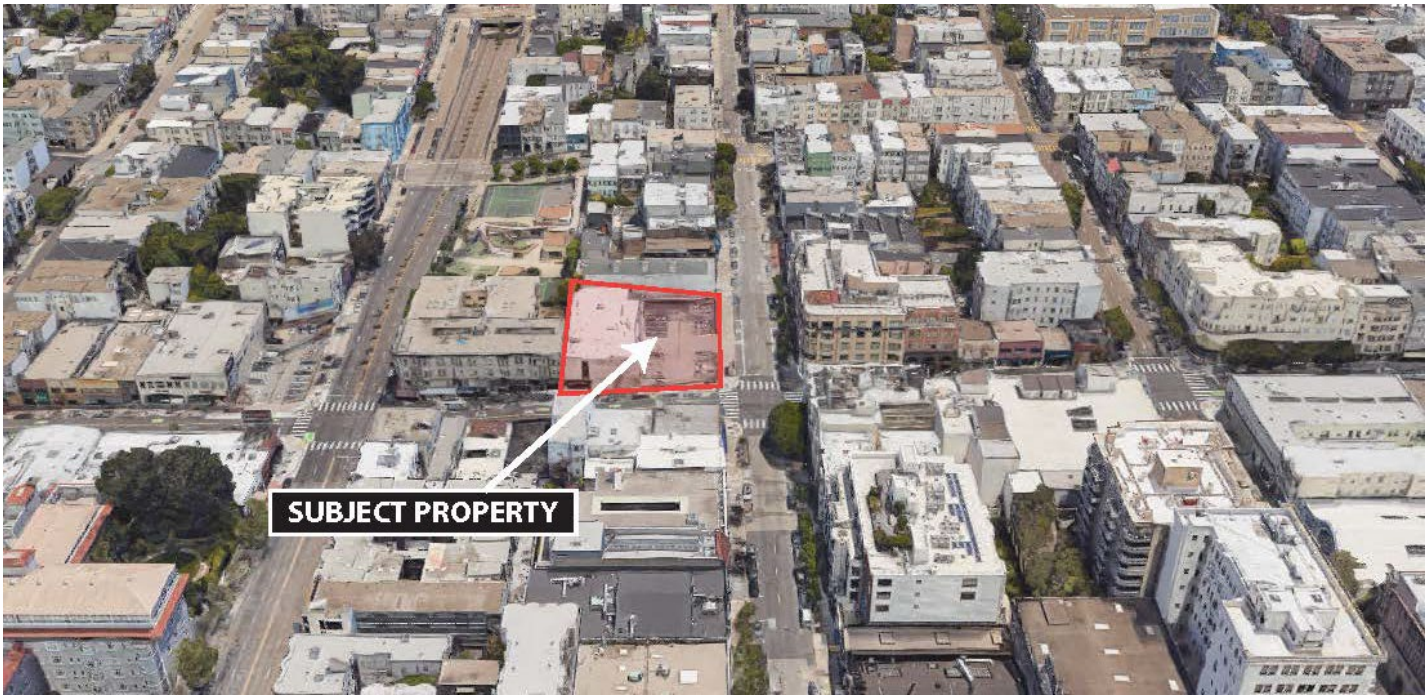
Height and Bulk Map



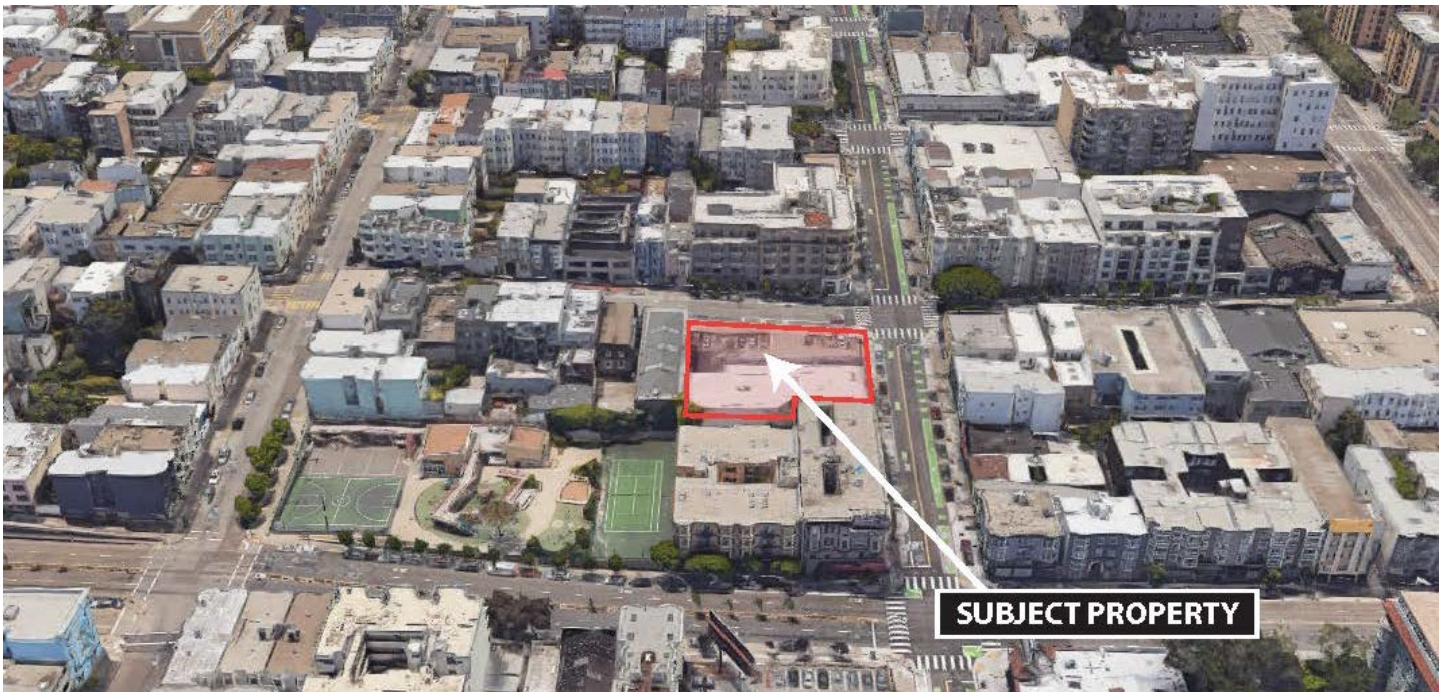
Aerial Photos
(oriented north)

Aerial Photos

(oriented east)



(oriented south)



Aerial Photos
(oriented west)

Context Photos

(Pacific Avenue looking west toward project site)

(Pacific Avenue looking east away from project site)

Context Photos

(Pacific Avenue across from project site)

(At Intersection of Polk & Pacific looking toward project site)

Context Photos

(At Intersection looking west on Pacific away from project site)

(At Intersection looking south on Polk away from project site)

Context Photos

(Polk Street looking south toward project site)

(Polk Street looking north away from project site)

Exhibit F

Project Sponsor Brief

JS SULLIVAN
DEVELOPMENT

1580 Pacific Avenue
Project Sponsor Statement

1580 Pacific Avenue is a project we are proud to present to the Commission and one in which we believe will contribute to the built environment of the city while also providing many community benefits. The project is the result of an extensive collaborative effort between various designers, city agencies, local groups, and JS Sullivan's internal construction professionals.

The project designer in collaboration with the city design team have taken great pains in developing a design that fits within the architectural context of the neighborhood. A major goal of the design was creating a project that both stood out for the quality of its design while at the same time complementing its immediate context. The mass of the building is broken up with material changes, bay windows and building setbacks. There are four commercial entries and the residential lobby entry along Polk street, this will create an active street level with multiple possible uses. Along Pacific we have reinforced the residential feel of the street by including ground level town home units with prominent entries at street level.

The project will provide much needed housing stock to the city, including 9 affordable units. The Polk Street commercial corridor will be improved by an additional 3 commercial units along Polk Street. The projects strong corner presence will complete the intersection of Polk and Pacific.

As part of the design process we conducted extensive outreach to the community, and we have received substantial support for the proposed project. Highlights of the neighborhood outreach and responses received from neighborhood organizations are set forth below:

Van Ness Corridor Neighborhoods Coalition:	JS Sullivan & the Project Architect met with the Van Ness Neighborhood Coalition on February 4, 2020, where we were able to present the project. Of primary concern to the Coalition was the commercial spaces along Polk Street. The VNCNC is in support of the project and has provided a letter of support (See Attachment A)
Russian Hill Neighbors:	JS Sullivan presented to the Russian Hill Neighbors on July 21, 2020. As for the other groups their main concern was the commercial spaces along Polk Street and what kind of businesses would inhabit them. Russian Hill Neighbors reviewed the project again at their monthly meeting on October 20th, 2020 with updated plans. Russian Hill neighbors is in support of the project and has provided a letter of support. (See Attachment B)
Lower Polk Neighbors:	Lower Polk Neighbors attended the VNCNC presentation where they reviewed the project. JS Sullivan has a long working relationship with Lower Polk Neighbors where we have collaborated on number of projects, they have also provided a letter of support. (See Attachment C)

JS SULLIVAN DEVELOPMENT

Discover Polk CBD: JS Sullivan met with Ben Bleiman, executive management of Discover Polk CBD on February 19, 2020 to introduce the project and discuss the CBD. The DPCBD board has reviewed the project has voted unanimously to support the project, and have provided a letter of support (See Attachment D)

The Jug Shop: The Jug Shop is a legacy business that is a tenant of the existing building on our project site. They have a strong desire to take over the corner commercial location of our new project. We have been working extensively with them to ensure they are a future tenant.

Attachment 'A'

V N C N C

VAN NESS CORRIDOR NEIGHBORHOODS COUNCIL

*Cathedral Hill Neighbors Association * Golden Gate Valley Neighborhood Association * Hayes Valley Neighborhood Association * Lower Polk Neighbors* Middle Polk Neighborhood Association * Pacific Heights Residents Association * Russian Hill Community Association* Russian Hill Neighbors* Western SoMa Voice*

November 19, 2020

President Joel Koppel
SF Planning Commission

Re: 1580 Pacific Avenue

Dear President Koppel and Commissioners:

The ***Van Ness Corridor Neighborhoods Coalition*** *(VNCNC)* is again writing in support of the mixed used project at 1580 Pacific Avenue.

This appropriately scaled, attractive building will provide much needed housing over ground floor retail on Polk Street. The design reflects our organizational goals for liveably sized units without nested bedrooms, and BMR units on site. And with the minor change of moving the transformer room into a sidewalk vault, the new project will now provide a highly desirable location for the **Jug Shop,** a fifty year legacy business moving from the current site to the new project.

The **1580 Pacific** project will revitalize the corner of Polk and Pacific and provide new residents with desirable housing near major transit corridors and neighborhood services.

We urge you to support the project at 1**580 Pacific Avenue**.

Best regards,

Marlayne Morgan
Jim Warshell, Co-Chairs

c. Director Hillis

Attachment 'B'

Russian Hill Neighbors

November 3, 2020

1819 Polk Street #221
San Francisco CA 94109
415.993.1808
www.rhnsf.org

Commission President Joel Koppel
Commission Vice President Kathrin Moore
Commissioners Chan, Diamond, Fung and Imperial
San Francisco Planning Commission
Commissions.Secretary@sfgov.org

RE: 1580 Pacific Site - Letter of Support - 2018-008259CUA Conditional Use Authorization

Dear Commissioners:

Based on the latest plans received on October 20, 2020, Russian Hill Neighbors supports the Conditional Use Authorization for the above referenced 53-unit residential, and 4-unit ground-floor retail project. We believe this new 6-story mixed-use residential project will help revitalize this section of the Polk Street commercial corridor, increase foot traffic and bring more customers to the current businesses. The proposed 53 units will help bolster the City's housing stock in a location directly adjacent to public transit and provide additional under-ground parking for their residents.

The Developer (JS Sullivan) and Architect (RG-Architects) have met with representatives of RHN's Design Zoning and Land Use Committee to describe the project and seek input; they demonstrated an openness and responsiveness to many of our suggestions. The Developer has coordinated with The Jug Shop (a long-term local business) on site to ensure they will be able to lease the large corner retail location when the building is complete. This shows an additional dedication to improving the neighborhood and its existing local businesses.

The setbacks at the upper level on both the Polk Street and Pacific Street frontages are effective in relating to the smaller scale buildings on Polk and with the larger residential units across the street on Pacific. This proposed building is essentially a keystone for this intersection; providing new and renewed retail spaces, housing, parking and an improved aesthetic over the existing single-story building and sprawling parking lot.

The design is very responsive to the needs of the neighborhood, and we recommend the Commission's approval.

Very Truly Yours,

Carol Ann Rogers, President
president@rhnsf.org
415-902-3980

cc: Andrew Perry, Planner (andrew.perry@sfgov.org)

Attachment 'C'

LPN
LOWER POLK NEIGHBORS

April 24, 2020

RE: Lower Polk Neighbors Support for 1580 Pacific Avenue

Dear San Francisco Planning Department,

Lower Polk Neighbors (LPN) supports the proposed new mixed-use development at 1580 Pacific Ave (at the intersection of Polk Street).

We are very excited at the prospect of having a new multi-family residential building with ground floor retail activate this underutilized “soft site”. We are also encouraged that the project sponsor has worked with the existing retail tenant and legacy business, The Jug Shop, to craft a plan for them to return to the site in the new retail space.

One specific request Lower Polk Neighbors would like to make regarding this project is that the transformer room along Pacific Avenue be relocated into a vault below the adjacent sidewalk. We request that the Planning Department and DBI work with Public Works Department to accommodate this change, which will free up more activated retail frontage along Pacific Ave.

We look forward to your approval of this project.

Best Regards,

Lower Polk Neighbors

Attachment 'D'

dpcbd
Discover Polk

San Francisco Planning Department
49 South Van Ness Avenue
Suite 1400 Planning counter at Permit Center
2nd Floor
San Francisco, CA 94103

Re: Proposed Mixed Use Development – 1580 Pacific Avenue — SUPPORT

Commissioners and Staff,

I am writing on behalf of the Board of Directors of the Discover Polk Community Benefit District (DPCBD) for the proposed Mixed Use Development at 1580 Pacific Avenue. DPCBD represents the area of Polk Street between California and Broadway Streets. The Board reviewed the merits of the project on the following criteria: Location, Public Realm Interface, Construction, Design, Operator, Support of the Mission of DPCBD, Community Support, Security Plan and determined that the project met the required benchmarks in all of the criteria. The motion to support the project passed the Board by a unanimous vote by the Board Members who were present.

The Board especially wants to highlight that the adjacent businesses and neighbors we've spoken with have shown nothing but support for the project.

We ask you to approve this project without delay. Please feel free to contact me with any questions.

Best regards,

Duncan Ley
DPCBD Executive Manager

Exhibit G

Individually-Requested State Density Bonus Application

PROJECT APPLICATION RECORD NUMBER (PRJ)

San Francisco Planning

INDIVIDUALLY REQUESTED STATE DENSITY BONUS PROGRAM

SUPPLEMENTAL APPLICATION

Property Information

Project Address: 1580 Pacific Avenue (2030 Polk Street) Block/Lot(s): 0573/011

Project Details

In areas where the permitted density is established as a ratio of units to lot area, the base and bonus density are calculated as a number of units, and any fraction of units will be rounded to the highest number. In areas where density is controlled by the permitted building envelope, the base and bonus density is calculated as a bonus of additional residential floor area. Please list the proposed number of units or the amount of residential floor area for the follwing:

Total number of units principally permitted by the Zoning District at the subject property (if applicable): ***or*** Total residential gross floor area allowed on the subject property, as determined by a code-compliant base density study:	43 units
Proposed number of restricted affordable units for Very Low Income Households (up to 50% AMI)	0 units
Proposed number of restricted affordable units for Low Income Households (51% - 80% AMI)	5 units
Proposed number of restricted affordable units for Moderate Income Households (81% - 120% AMI)	2 units
Total residential floor area in the bonus project:	59,894 SF
Total number of units in proposed project:	53 units

Concessions and Incentives

Please list the concessions and incentives (up to three, see above) the project is seeking, and describe how each requested concession or incentive would result in cost reductions for the project. The Department may request additional documentation to verify that the requested concessions and incentives result in cost reduction for the project.

This project is not requesting any concessions and incentives.

Waivers

Please list the waivers the project is seeking, and describe how each requested waiver would allow the proposed project to accommodate any additional permitted density.

Waiver 1) Bulk Exemption (Section 271): The project seeks a bulk exemption, this bulk exemption will enable the project to fit the ground floor components required to accommodate 53 units in the building. It will also enable the project to build residential units in the desired unit mix with efficient building design.

Waiver 2) Rear Yard Modification (Section 134): The project seeks to fulfill the 25% rear yard requirement by placing the rear yard at the corner of the site. Sec. 134(e)(2) shows that this modification for corner lots and lots at alley intersections is permitted with discretionary approval.

Removal of rent-controlled units for the Individually Requested State Density Bonus Program

Does the project remove any residential units? ☐ Yes ☑ No

Have there been any residential uses removed from the property within the last five years? ☐ Yes ☑ No

Are any of the existing units on the property subject to the San Francisco Rent Stabilization and Arbitration Ordinance (Administrative Code Section 37)? ☐ Yes ☑ No

Are any of the existing units on the property occupied by households of low or very low income, consistent with the requirements of the California Government Code Section 65915(c)(3)? ☐ Yes ☑ No

If you have responded yes to any of the questions above, please provide additional information on the type and size of the existing unit(s), as well as the incomes of persons or families occupying the unit(s).

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.

d) I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.

e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature

Jon Heimdahl

Name (Printed)

7/23/2019

Date

Owner Representative

Relationship to Project
(i.e. Owner, Architect, etc.)

415-206-1578

Phone

j.heimdahl@js-sullivan.com

Email

For Department Use Only

Application received by Planning Department:

By: _____ Date: _____

Exhibit H

Inclusionary Affordable Housing Affidavit

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419

San Francisco Planning

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

7/23/2019
Date

I, Jon Heimdahl,
do hereby declare as follows:

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

1580 Pacific Avenue (2030 Polk Street)
Address

0573/011
Block / Lot

The subject property is located within the following Zoning District:

Polk Street NCD
Zoning District

65-A
Height and Bulk District

N/A
Special Use District, if applicable

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?
☐ Yes ☐ No

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:

2018 - 008259PRJ
Planning Case Number

N/A
Building Permit Number

This project requires the following approval:

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

☐ Zoning Administrator approval (e.g. Variance)

☐ This project is principally permitted.

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

Andrew Perry
Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:
Submitted 11/30/18 as part of Project Application
Deemed Complete 1/25/2019
Date

The project contains 53 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:
☐ This project is 100% affordable.
☐ This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?
☐ Yes _____ ☒ No
(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?
☐ Yes _____ ☒ No
(If yes, please indicate HOME-SF Tier)

Is this project an Analyzed or Individually Requested State Density Bonus Project?
☒ Yes ☐ No

C Please indicate the tenure of the project.

☒ **Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.

☐ **Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental untis for the life of the project. The applicable fee fate is the rental fee rate.

D 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)

☒ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units
(Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)

☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)

☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

22% (on-site); 33% (fee)

On-site, off-site or fee rate as a percentage

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

Residential Gross Floor Area

E The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

F The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

(1) Inform the Planning Department and the Mayor's Office of Housing and Community Development 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.

G The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notifiy the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

I For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

J For projects with EEA's/PRJ's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

K If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the 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.

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
53		1	27	21	4

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

☐ **On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4): [ ] % of the unit total.

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:
9		0	5	2	1

LOW-INCOME	Number of Affordable Units: 5	% of Total Units: 12%	AMI Level: 80%
MODERATE-INCOME	Number of Affordable Units: 2	% of Total Units: 5%	AMI Level: 105%
MIDDLE-INCOME	Number of Affordable Units: 2	% of Total Units: 5%	AMI Level: 130%

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3): [ ] % 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:

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level

UNIT MIX TABLES: CONTINUED

☒ **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. On-Site 75 % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

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:
9	0	0	5	3	1

2. Off-Site 0 % 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:	

Income Levels for On-Site or Off-Site Units in Combination Projects:			
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee 25 % of affordable housing requirement.

Is this Project a State Density Bonus Project? ☒ Yes ☐ No

If yes, please indicate the bonus percentage, up to 35% 23%, and the number of bonus units and the bonus amount of residentail gross floor area (if applicable) 10 Units

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
0	0	0	0	0	0

This project will replace the affordable units to be demolished, converted, or removed using the following method:

- ☐ On-site Affordable Housing Alternative
- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance
- ☐ Off-site Affordable Housing Alternative (Section 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

JS Pacific Street Partners LLC

Company Name

Jon Heimdahl

Name (Print) of Contact Person

2044 Fillmore Street 3rd Floor

Address

San Francisco, CA 94115

City, State, Zip

415-206-1578 / 415-206-1728

Phone / Fax

j.heimdahl@js-sullivan.com

Email

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. 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:

Jon Heimdahl, Owner Representative

Executed on this day in:

Location:

Date:

7/23/2019

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:

Exhibit I

Anti-Discriminatory Housing Affidavit

SUPPLEMENTAL INFORMATION FOR

Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: JS Pacific Street Partners LLC	
PROPERTY OWNER'S ADDRESS: 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115	TELEPHONE: (415) 206-1578 EMAIL: j.heimdahl@js-sullivan.com
APPLICANT'S NAME: JS Sullivan Development LLC	Same as Above ☐
APPLICANT'S ADDRESS: 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115	TELEPHONE: (415) 206-1578 EMAIL: j.heimdahl@js-sullivan.com
CONTACT FOR PROJECT INFORMATION: Jon Heimdahl	Same as Above ☐
ADDRESS: 2044 Fillmore Street, 3rd Floor San Francisco, CA 94115	TELEPHONE: (415) 530-2307 EMAIL: j.heimdahl@js-sullivan.com
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: 1580 Pacific Ave (2030 Polk Street)		ZIP CODE: 94109
CROSS STREETS: Pacific Avenue / Polk Street		
ASSESSORS BLOCK/LOT: 0573 / 011	ZONING DISTRICT: NCD - Polk Street Neighborhood Commercial	HEIGHT/BULK DISTRICT: 65-A

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
☒ New Construction ☒ Demolition ☐ Alteration ☐ Other: _____	0 units	53 units	53 units

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? N/A

   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: 7/23/2019

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

Jon Heimdahl

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: _____	

Exhibit J

First Source Hiring Affidavit

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
www.sfplanning.org

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM - ADMINISTRATIVE CODE CHAPTER 83

APPLICATION

Project Sponsor's Information

Name: JS Pacific Street Partners LLC

Address: 2044 Fillmore Street 3rd Floor, San Francisco, CA 94115

Email Address: j.heimdahl@js-sullivan.com

Telephone: 415-206-1578

Property Information and Related Applications

Project Address: 1580 Pacific Avenue (2030 Polk Street)

Block/Lot(s): 0573/011

Building Permit Application No(s): 2018 - 008259PRJ

Estimated Residential Units: 53

Estimated SQ FT Commercial Space: 7,300 sf

Estimated Height/Floors: 65'-0"/6 Stories

Estimated Construction Cost: $15 Million

Anticipated Start Date: 01/2022

FIRST SOURCE HIRING PROGRAM VERIFICATION

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	YES
Project is wholly residential	
Project is wholly commercial	
Project is mixed use	✓
A: The project consists of ten (10) or more residential units.	✓
B: The project consists of 25,000 square feet or more of gross commercial floor area/	
C: Neither A nor B apply	

Notes:

- If you checked C, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or 415.701.4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

FIRST SOURCE HIRING PROGRAM - WORKFORCE PROJECTION

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer		0	2
Boilermaker		N/A	46
Bricklayer		N/A	N/A
Carpenter		2	4
Cement Mason		1	4
Drywaller/ Latherer		3	10
Electrician		2	6
Elevator Constructor		0	2
Floor Coverer		0	4
Glazier		0	10
Heat & Frost Insulator		N/A	N/A
Ironworker		0	5
		TOTAL:	47

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Laborer		0	6
Operating Engineer		0	2
Painter		0	3
Pile Driver		N/A	N/A
Plasterer		0	6
Plumber and Pipefitter		0	6
Roofer/Water proofer		0	4
Sheet Metal Worker		0	5
Sprinkler Fitter		0	4
Taper		0	6
Tile Layer/ Finisher		0	4
Other:		N/A	N/A
		TOTAL:	46

	YES	NO
1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?	☑	☐
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations?	☐	☑
3. Will hiring and retention goals for apprentices be established?	☐	☑
4. What is the estimated number of local residents to be hired?	30	

DECLARATION OF SPONSOR OF PRINCIPAL PROJECT

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Jon Heimdahl, Owner Rep.	j.heimdahl@js-sullivan.com	415-530-2307

I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.

(SIGNATURE OF AUTHORIZED REPRESENTATIVE) 7/23/2019 (DATE)

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT *CITYBUILD@SFGOV.ORG*

Cc: Office of Economic and Workforce Development, CityBuild
Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 **Phone:** 415.701.4848
Website: *www.workforcedevelopmentsf.org* **Email:** *CityBuild@sfgov.org*