



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

Office Allocation, Large Project Authorization & Shadow Analysis

HEARING DATE: OCTOBER 10, 2013

Date: October 3, 2013
Case No.: **2007.0385 EBKX**
Project Address: **345 BRANNAN STREET**
Zoning: MUO (Mixed Use Office)
65-X Height and Bulk District
Block/Lot: 3788/039
Project Sponsor: Charles F. Bloszies
228 Grant Avenue, 6th Floor
San Francisco, CA 94108
Staff Contact: Diego R Sánchez – (415) 575-9082
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The applicant proposes to construct a new five-story commercial building that will house approximately 102,585 square feet of office use and approximately 7,181 square feet of off-street parking on a site with a surface parking lot. Automobile access into an excavated basement level will be provided from Stanford Street, a minor street located to the east of the project site. Open space for the office tenants is provided at a west-facing deck on the second floor and a 4,300 square foot roof deck.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Brannan Street, between 3rd and Stanford Streets. The lot, approximately 24,000 square feet in area, is a flag lot with a 20 foot wide portion at the rear of the lot that stretches approximately 140 feet toward the east and provides frontage on Stanford Street. The lot also provides 75 feet of frontage along Brannan Street. The property is currently used as a surface parking lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project is located within the South of Market Area neighborhood and is approximately one block south of South Park. Properties in the area are commercial and light industrial in nature with residential uses found further away from the site. Immediately to the east and west of the project site are one- and two-story light industrial buildings. To the north of the project site is a four-story commercial building. To the south of site are one-, two- and three-story light industrial buildings that front Townsend Street. Properties in the surrounding area are in the MUO (Mixed Use Office) and SLI (Service Light Industrial) Zoning Districts.

ENVIRONMENTAL REVIEW

The San Francisco Planning Department adopted the Final Mitigated Negative Declaration for the Project as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31 on April 17, 2013.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 20, 2013	September 20, 2013	20 days
Posted Notice	20 days	September 20, 2013	September 20, 2013	20 days
Mailed Notice	10 days	September 30, 2013	September 20, 2013	20 days

The proposal requires Section 312 neighborhood notification, which was conducted in conjunction with the notification for Office Allocation and the Large Project authorization processes.

PUBLIC COMMENT

- The Project Sponsor received input from and worked with South Park stakeholders to alter the project and to collaborate on improvements to South Park. In addition Planning Department staff received one letter requesting additional changes to the project.

ISSUES AND OTHER CONSIDERATIONS

- Large Project Authorization Modifications: As part of the Large Project Authorization (LPA), the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests a modification from the permitted street encroachment requirements (bay window; Planning Code Section 136). Department staff is generally in agreement with the proposed modifications given the overall project and the quality of its design.
- Office Development Authorization: The proposed project would construct approximately 102,585 square feet of office space. Within the MUO (Mixed Use Office) Zoning District, office use is permitted as of right, pursuant to Planning Code Section 842.66. As of the date of this report, there is approximately 1.8 million square feet of “Large” Cap Office Development available under the Section 321 office allocation program. The proposed project is requesting an allocation approximately equivalent to six percent of the available “Large” Cap Office Development limit.
- Community Outreach Efforts: Working with the South Park stakeholders resulted in an agreement to further sculpt the corner of the 345 Brannan Street building adjacent to the recently approved 333 Brannan Street project and to coordinate the designs of each. The 345 Brannan Street project sponsors have agreed to apply for, and if approved by DPW, to construct and maintain a parklet in the area in front of the existing Brannan Street curb cut. This curb cut would

be abandoned when no longer needed for the discontinued surface parking lot. The project sponsor will also collaborate with stakeholders to improve South Park.

- Proposition K / Planning Code Section 295: Planning Code Section 295 requires that the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, recommend to the Planning Commission that new shadow cast by the proposed project not be adverse to the use of South Park. On September 19, 2013, the Recreation and Park Commission adopted a motion to find the additional shadow cast by the proposed project on South Park to not be adverse to its use.
- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE	RATE	AMOUNT
Transit Impact Development Fee	\$12.64	\$1,296,674
Jobs- Housing Linkage Fee	\$22.83	\$2,342,016
Child Care Requirements	\$1.11	\$113,869
Eastern Neighborhoods Impact Development Fee	\$11.06	\$1,134,590
TOTAL		\$4,887,149

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 to allow the construction of a new five-story, 65 foot tall, 116,650 gross square foot office building and to allow modifications to the requirements for permitted street obstructions (Planning Code Section 136). The subject property is located within the MUO (Mixed-Use Office) Zoning District and a 65-X Height and Bulk Designation.

The Planning Commission must authorize an Office Development Allocation of approximately 102,585 square feet of new office space pursuant to Planning Code Sections 321 and 842.66.

The Planning Commission must, upon recommendation of the General Manager of the Recreation and Park Department and in consultation with the Recreation and Park Commission, adopt a motion to find that the additional shadow cast by the project on South Park would not be adverse to the use of the park, pursuant to Planning Code Section 295.

BASIS FOR RECOMMENDATION

- The authorization of the office space will allow for new businesses in the area, which will contribute to the economic activity in the neighborhood.
- The Project represents an allocation of approximately six percent of the large cap office space currently available for allocation.

- The Project is located in a zoning district where office use is principally permitted.
- The new shadow would be cast will be in the shape of a narrow polygon on a relatively small area of South Park.
- The Proposed Project casts only an additional 0.02% increment of shadow on South Park.
- The General Manager of the Recreation and Parks Department, in consultation with the Recreation and Parks Commission, recommend that the Planning Commission find the additional shadow cast by the proposed project on South Park to not be adverse to its use
- The Project Sponsor worked actively with the community to create a project that met the needs of all concerned parties.
- At current rates, the project will produce approximately \$4,887,149 in development impact fees that will benefit the community and City.
- The Project is designed to be compatible with the surrounding neighborhood.
- The Project is, on balance, consistent with the objectives and policies of the General Plan.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Project Sponsor Submittal, including:

- Site Images

- Reduced Plans

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | |
| <input checked="" type="checkbox"/> Sanborn Map | |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

Parcel Map

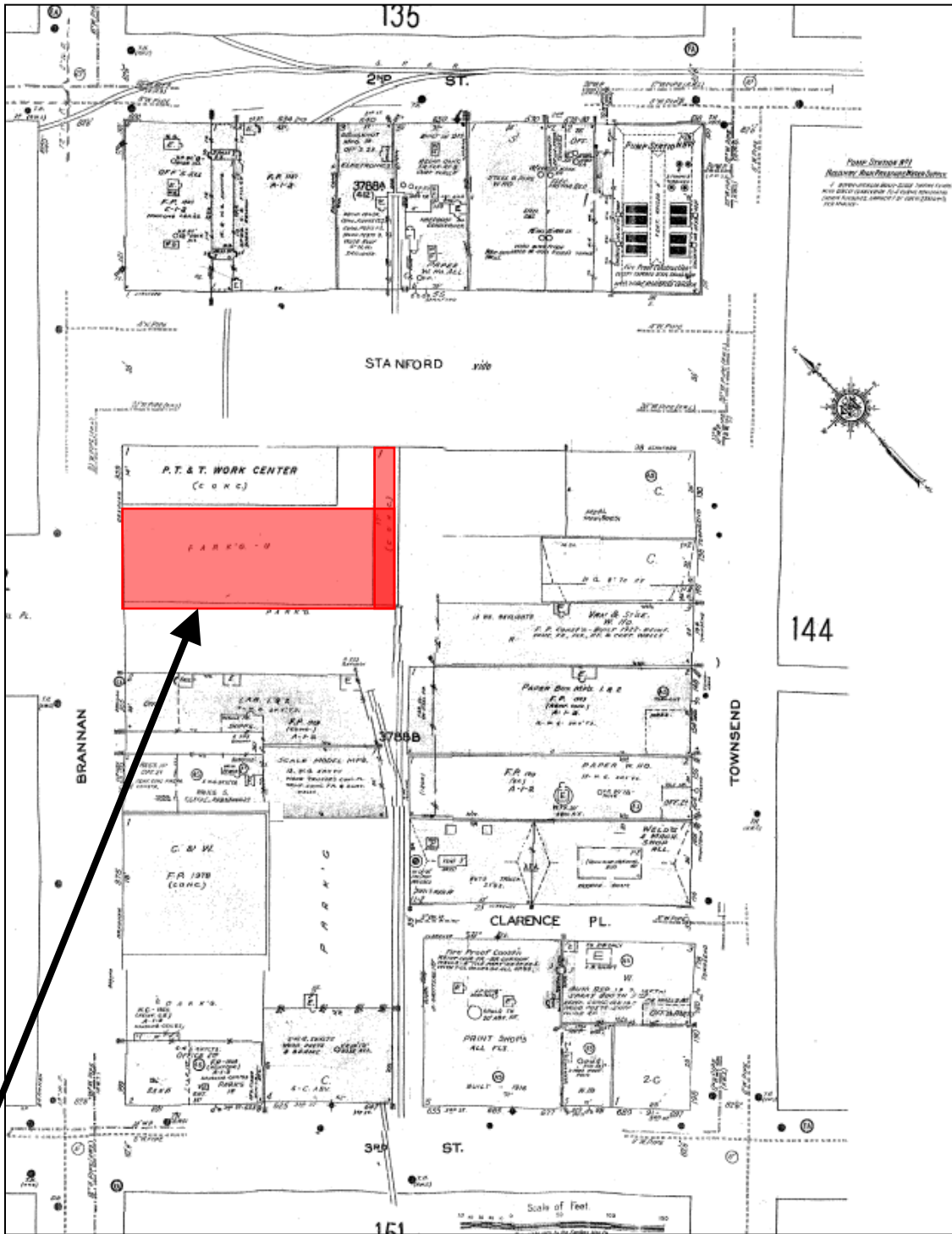


SUBJECT PROPERTY



Office Allocation, Shadow Analysis
Large Project Authorization
Case Number 2007.0385EBKX
345 Brannan Street

Sanborn Map*



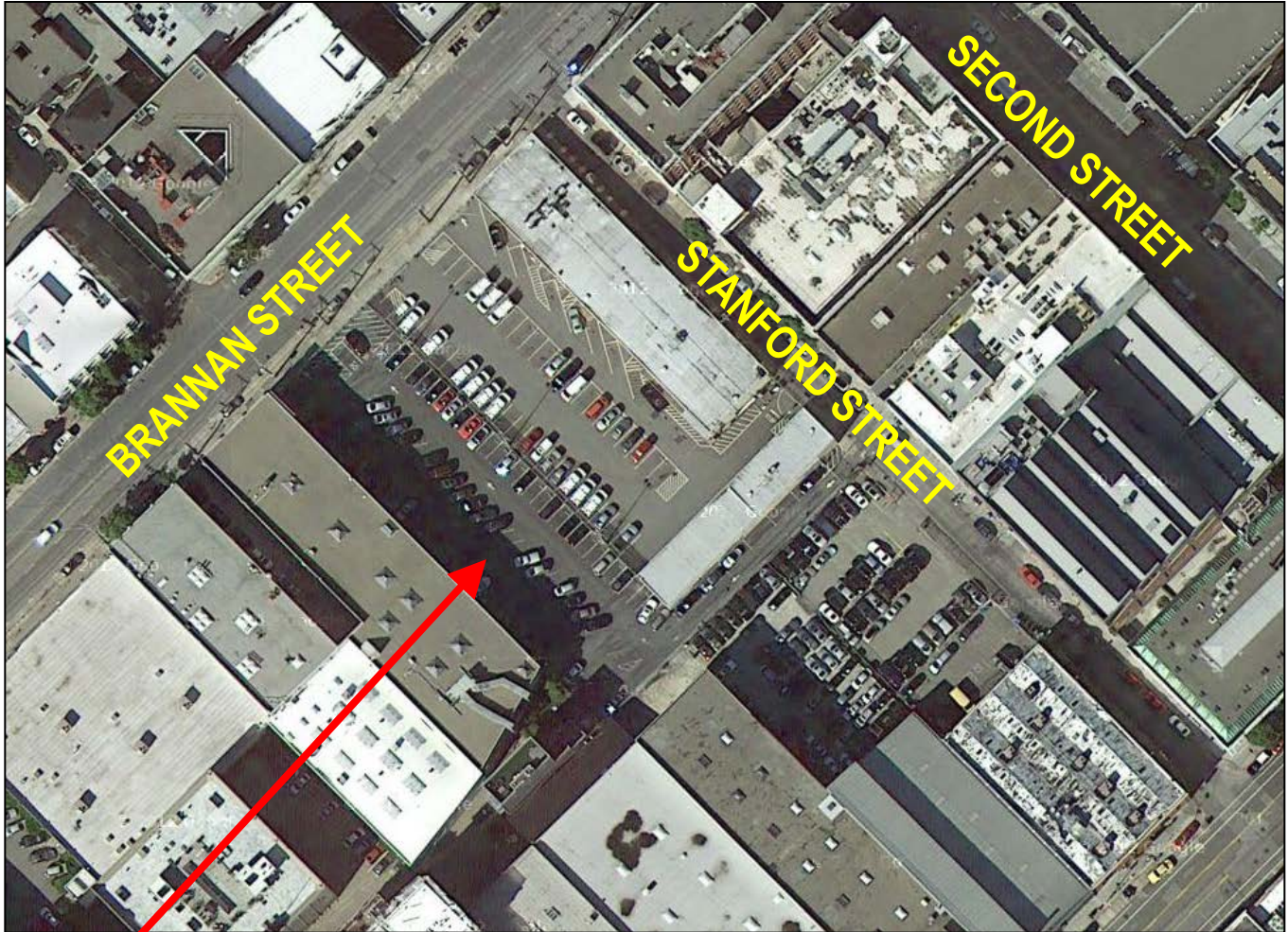
SUBJECT PROPERTY

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



Office Allocation, Shadow Analysis
Large Project Authorization
Case Number 2007.0385EBKX
345 Brannan Street

Aerial Photo

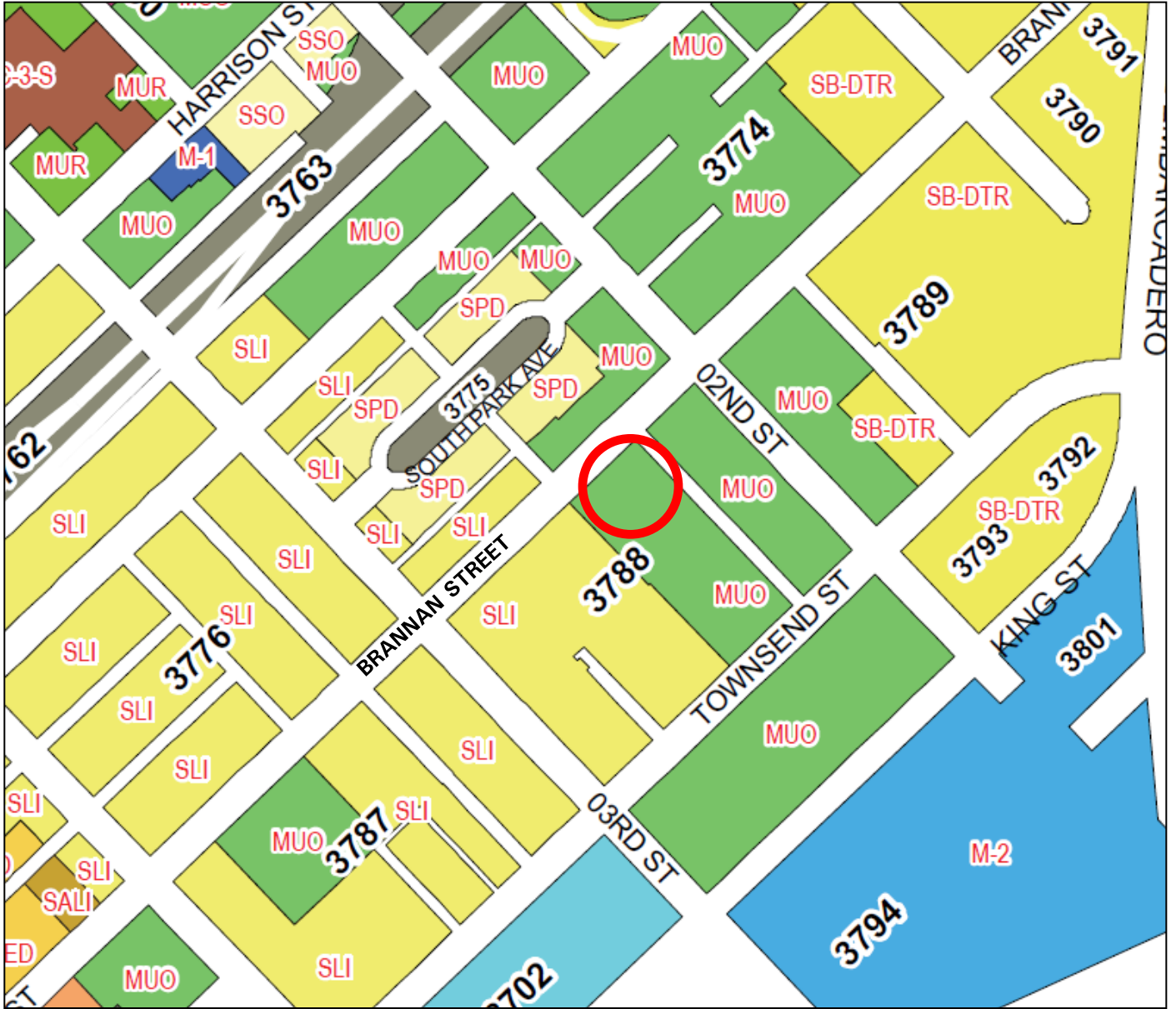


SUBJECT PROPERTY



Office Allocation, Shadow Analysis
Large Project Authorization
Case Number 2007.0385EBKX
345 Brannan Street

Zoning Map



Office Allocation, Shadow Analysis
Large Project Authorization
Case Number 2007.0385EBKX
345 Brannan Street

Site Photo



Office Allocation, Shadow Analysis
Large Project Authorization
Case Number 2007.0385EBKX
345 Brannan Street



October 2, 2013

Updated: Proposed additional Conditions of Approval for 345 Brannan Street

Major changes are needed in the proposed project. As now proposed, it would greedily build the maximum space possible on the entire site with almost no public/neighborhood amenity whatsoever. This cannot be allowed. If major changes are not made, the project should be rejected.

1. All the required project open space MUST be public and at street level, not private on the roof as proposed. Given historic district design considerations, it should be provided by an interior public atrium next to the entry courtyard open space of the adjacent 333 Brannan project. The proposed retail space in this location can be reduced in size accordingly, but there must be some retail space next to the atrium.

Update: the tiny entry arcade newly proposed next to the 333 Brannan entry court is an insulting token gesture – it is totally useless. To be at all usable, an atrium open space needs to be at least 40 ft high if not open to the sky, and large enough for functional use by the public with seating and landscaping.

2. All available areas of the building roof should be utilized for private open space (now proposed), green roof, and/or solar energy.

Update: A solar energy installation should be required for the portion of the top level roof not used for private open space/living roof.

3. Non-formula retail businesses will be prioritized for the leasing of the Project retail space, and any formula retail occupancy will require a Conditional Use authorization by the Planning Department.

Update: at least one <1000 ft “micro-business” retail space should be required.

4. Developer will install a parklet on Brannan Street in front of its property.

Update: Developer has agreed.

5. If feasible, the 345 Brannan Project will share the garage access ramp of the adjacent proposed 333 Brannan Street project for access to its garage instead of building a second ramp from Sanford Alley.

Update: Developer has agreed.

6. Developer will also comply with the provisions of the Central Corridor Plan's Planning Code requirements as they may be finally enacted by City ordinance regarding:
 - A. Potential new Eco-District requirements for office buildings that are feasible for Project retrofit.
 - B. Potential revised regulations governing parking in office building garages.
 - C. Potential new Landscaping Guidelines for office building open spaces.
 - D. Potential required public art program for office buildings.

Update: The Planning Commission badly needs to adopt interim guidelines for "pipeline" projects – the Central Corridor rezoning is still two years away. For example, the 345 Brannan project's proposal for a trellis with ivy on its bare wall is not a "living wall" – it is just another worthless token gesture.

NEW BUILDING AT
345 BRANNAN STREET
CASE NO. 2007.0385K

PROJECT SHADOW ANALYSIS
IN ACCORD WITH
PLANNING CODE SECTION 295

Revised August 1, 2013
First Draft December 17, 2012

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PROJECT SHADOW ANALYSIS

IN ACCORD WITH

PLANNING CODE SECTION 295

PROJECT: New Commercial Building
ADDRESS: 345 Brannan Street
CROSS STREETS: Second and Third Streets
BLOCK/LOT: 3788/039
ZONING DISTRICT: MUO - Mixed Use-Office
HIEGHT/BULK DISTRICT: 65-X

EXECUTIVE SUMMARY

The project to construct a new 5-story commercial building on the site of a current parking lot will cast new shadow on South Park, a protected property under Section 295. The net new shadow is small in area, short in daily duration, and brief in annual occurrence. It results in an increase to the annual shadow load of less than 0.018%. Although no budget for new shadow has been adopted for South Park, the 1989 shadow guidelines have stated for other parks with small existing shadow loads that an additional 0.1% would not be significant. This is five times greater than the new shadow cast by the project. Based on qualitative and quantitative guidelines adopted in the 1989 implementation memo, the shadow impact from this project would not be significant or adverse to the use of the open space, and therefore the project could be approved by the Planning Commission.

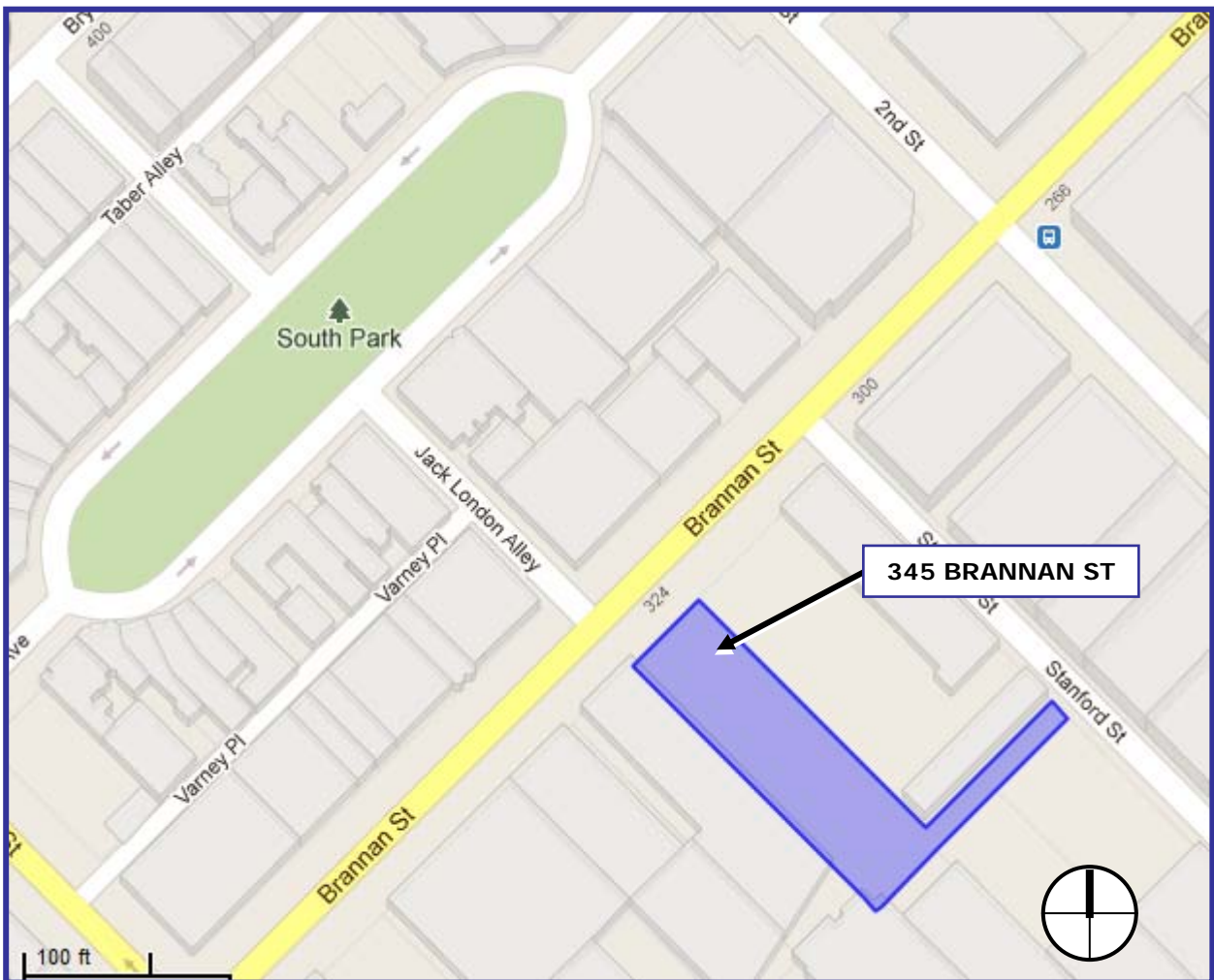
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2: PROPOSED BUILDING DESIGN	

PROJECT SHADOW ANALYSIS
IN ACCORD WITH
PLANNING CODE SECTION 295

EXISTING CONDITIONS

The subject property fronts on the nominal south side of Brannan Street (by convention, Brannan is said to run east-to-west), and is located between Stanford Street to the east (an alley west of 2nd Street), and 3rd Street to the west. Across from the site, Jack London Alley connects Brannan Street at the middle of the Vara block to South Park, a public open space under the jurisdiction of the Recreation and Park Department.



The parcel at 345 Brannan is primarily rectangular in shape, with 77.5 feet of frontage and a depth of 275 feet; it also includes a 20-foot wide panhandle extending eastward at the rear property line to provide frontage on Stanford Street, affording excellent, low-impact vehicular access and automobile queuing space for the proposed underground parking level.

The subject property is in an MUO (Mixed Use-Office) District, and a 65-X Height and Bulk District. It is presently undeveloped except for on-grade paving and fencing, for its current use as a surface parking lot.

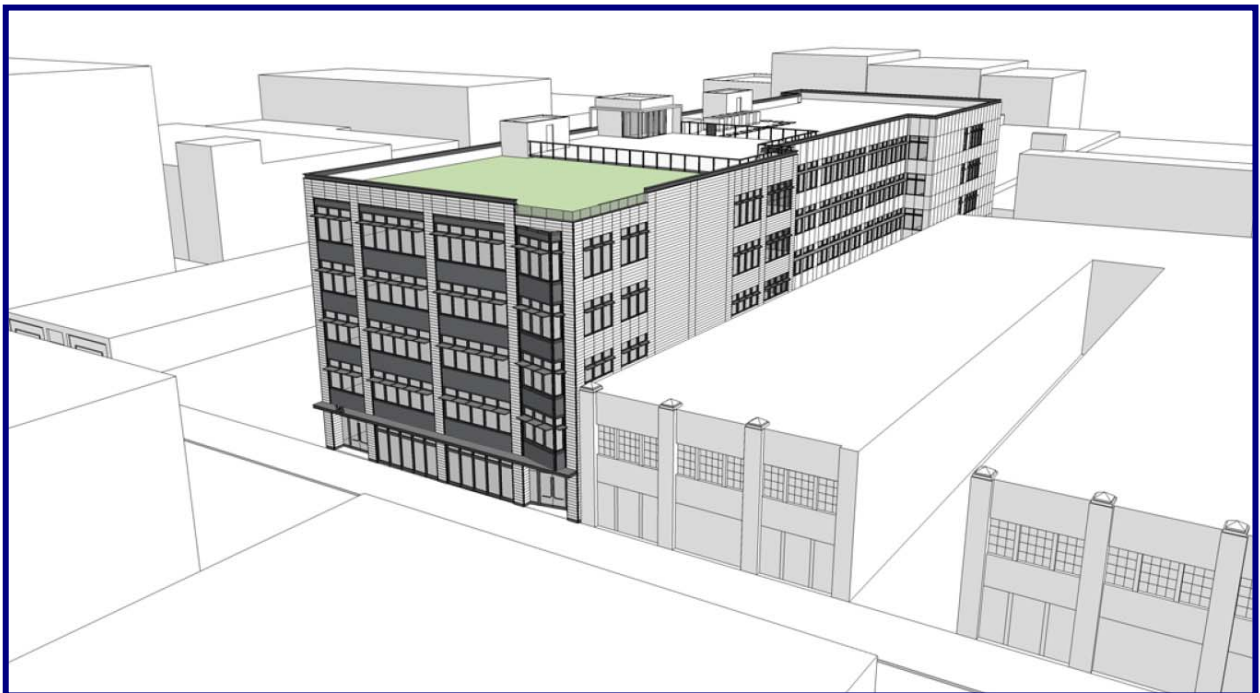
Immediately adjacent to the project site at its eastern side is 333 Brannan, developed with a surface parking lot and two industrial buildings. There is a proposed project to demolish the existing developments and construct a 65-foot tall, six-story building with 175,881 square feet of office, 2,572 square feet of ground-floor retail and 72 below-ground parking spaces (Case 2012.0906).

Adjacent to the west is 355 Brannan, a known historic resource, containing a two-story Art Deco industrial building constructed in 1928.

PROJECT DESCRIPTION

The applications before the Commission propose construction of a five-story office building, with subterranean accessory automobile and bicycle parking and the option of office or restaurant space at the ground floor.

The building height, measured in accord with the provisions of Planning Code Sections 102.12 and 260 *et seq.* is 65.0 feet. Permitted elements above the height limit include parapets on the Brannan Street façade that are 67 and 68 feet above sidewalk datum, a stair penthouse at 74.3 feet above datum, a small elevator penthouse at 79.3 feet above datum, and much lower screening for air-handling equipment, and a railing for the roof-top open space. All of these are set back from the Brannan Street parapet, and will not be visible from street level.



Proposed Commercial Building: Brannan Street Frontage

The Brannan Street façade is notched down slightly at parapet height (and topped with a glass railing) opposite Jack London Alley, in order to reduce net new project shadow that is cast northwesterly up that alley onto nearby South Park.

As a result of lowering this primary shadow-casting element, the project’s shadow impacts on South Park from this proposed 65-foot high building are only slightly greater than those resulting from a shadow-exempt 40-foot tall structure.

South Park is an urban open space under the jurisdiction of the Recreation and Park Department. It is located in the middle of a rectangle bounded by 2nd, 3rd, Bryant, and Brannan Streets, and is an elongated ellipse in plan, with a long axis approximately 485 feet, a short axis of 75 feet, and, according to City records, an area of 36,999 square feet, or slightly less than 0.85 acres.

Mid-block alley South Park Avenue extends from the ends of the park in east and west directions, connecting to 2nd and 3rd Streets. Jack London Alley (formerly Center Place) extends from the park’s midline north to Bryant and south to Brannan Streets. These alleys anchor the park into the South-of-Market urban grid, and provide excellent pedestrian access to it. The park’s perimeter is planted with mature trees that form a dense and almost-continuous canopy around its boundary, leaving only a small core of the park open to the sky.



Existing development around South Park is mixed-use in nature, with many professional offices, restaurants and retail businesses below or adjacent to residential uses. Structures are primarily low-rise in scale. As a result, (ignoring the substantial shadow cast on the parcel by the existing foliage) South Park theoretically is a very sunny urban park.

SHADOW MODELING METHODOLOGY

In 1984, San Francisco voters approved an initiative known as “Proposition K - The Sunlight Ordinance.” It was drafted to employ the Planning Code as a means to protect Recreation and Park properties from adverse and significant new shadows cast by buildings with a height greater than forty feet. That proposition was codified in 1985 in Planning Code Section 295.

Section 295 requires the Planning Commission, prior to the issuance of permits for certain structures that exceed 40 feet in height, to make findings that any shadows cast by the projects on properties under the jurisdiction of the Park and Recreation Department are not adverse, or if adverse, not significant. The Planning Commission considers such findings at public hearings, and shall not make their determination until the General Manager of the Recreation and Park Department, after consultation with his or her Commission, has commented on the proposed project to the Planning Commission.

The Ordinance further requires that the Planning Commission and the Recreation and Park Commission jointly adopt criteria to implement the Ordinance. Public hearings before the Recreation and Park Commission and the Planning Commission were held over a two-year span to develop those criteria. Planning Department and Recreation and Park staffs prepared Memoranda to both Commissions dated November 1, 1987 and February 3, 1989. The earlier Memorandum described a methodology for shadow measurement and reported the results of technical studies that determined existing shading on certain parks. The later memorandum defined how shadow impact should be determined by reference to the '87 memo, set criteria for significant shadow, listed qualitative considerations in determining adverse shadow effects, and set numeric shadow limits (“budgets”) for fourteen Downtown parks. On February 7, 1989, by Resolution No. 11595, the two Commissions jointly adopted the later memorandum (“’89 Memo”) to prescribe the implementation of Section 295.

In order for the Recreation and Park General Manager and staff, and for Planning staff to make recommendations to their respective Commissions regarding shadow impacts, the '89 Memo requires the presentation of quantitative data about the amount of existing shadow on a protected property (where that has not already been established by previous study) and about the extent of net new shadow, its daily duration, the times of year of its occurrence, and its location in the park.

Shadows are measured in units of “square-foot-hours” (sf-h). This represents the product of the area of the shadow (in square feet) at a specific instant, multiplied by its modeled duration (the time interval between this area measurement and the next) in hours. Thus a given shadow (sampled at half-hour intervals) that had, at a specific time, an area of 100 square feet, would measure 50 sf-h. If the area of the shadow increased 30 minutes later to 160 sq. ft, the shadow during that interval would then be 80 sf-h, and finally, if during the next interval and for the

rest of the day, there was no net new shadow (because it was masked by existing shadow from intervening buildings until the sun's angle changed enough for shadow to bypass the park), the net new shadow for the day in question would be 130 sf-h. By summing the daily totals, and then multiplying that by a factor derived from the ratio of the number of days sampled to a year comprising 365 days, the annual shadow impacts can be obtained.

The procedure for generating this required data employs digital modeling that calculates the existing shadow and net new (project) shadows falling on the protected property, commencing one hour after sunrise and concluding one hour before sunset, at intervals of specific fractions of an hour, for weekly (or more frequent) intervals for half a year, from solstice-to-solstice. The snapshots thus taken at these intervals can be statistically multiplied to approximate a daily sum of impacts for the half-year from Dec 21 to June 21. Because the solar year is *approximately* symmetrical about the solstices, those calculated impacts can be doubled to model total annual shadow loads.¹

This project was modeled using EnergyPlus® v. 6 software that can project shadows from objects placed on the topographic ground plane of San Francisco, and can calculate the area of those shadows at a given date and time. Most shadow studies use a sample rate of once per week, taken each 15 minutes. In order to provide the greatest accuracy possible, this study was much finer-grained, taking samples daily, for all days of the entire year at fifteen-minute intervals. Thus, instead of 26 sample dates, which also ignore analemma effects, this study yielded 365 sample dates, and it does account for analemma effects. Sunrise and sunset times, and solar azimuth and bearing angles are native to the program, and were set for the global position of the site at Latitude 37.8°N and Longitude -122.4°. Shadow summation was done conservatively, so that approximations would round up to model greater rather than smaller shadow impacts.

The values of net new shadow were so small compared to existing shadow impacts, that annual asymmetries, rounding, and margins of error could have hidden some small new shadows if a standard, more infrequent sampling interval been used. Instead, very small or low-occurrence shadows were captured in the data produced for this study. Thus the numbers presented in this report represent shadow impacts to a very high standard of accuracy.

The results of the technical project study were presented to the Planning Department in a 365-page spreadsheet,² and excerpts of that spreadsheet that summarize the net new shadow are tabulated in this report. In addition to that summary table, the shadow results are also presented here in graphs and in diagrams on the following pages.

-
1. Annual asymmetries in the sun's position on comparable dates from solstice-to-solstice arise from several astronomical factors, including 1) the nearly 23.5° tilt of the earth's axis of rotation relative to the plane of the ecliptic; 2) the elliptical shape of the earth's orbit around the sun, which causes the sun to move through the sky more slowly when the earth is farther from the sun than when closer; and 3) the approximate 2-week offset of the dates of the earth's near-point and far-point from the sun compared to the dates of the solstices. These factors contribute to an apparent asymmetrical "figure-8" wobble in the sun's annual position called the *analemma*.
 2. Copies of that data will be provided upon request to interested parties, either in electronic or hard copy format.

QUANTITATIVE CHARACTER OF PROJECT SHADOW

South Park is not one of the fourteen Downtown Parks for which quantitative shadow limits have been adopted. Therefore, quantitative limits that establish a level of significant shadow must be determined based on the guidelines of the '89 Memo, which says the following about quantitative limits:

It is recommended that a quantitative limit be set on the amount of new shadow (summed up over a period of one year) which could be allowed in each park based on the current shadow conditions in the park and the size of the park. A large park with little shadow could be permitted a larger Absolute Cumulative Limit than a smaller park with a lot of shadow, for example.

This absolute cumulative limit could be used up by one or more new buildings, but, the final determination of how much of this limit could be used by an individual building and what form the new shadow will take should be determined on a case by case basis. However, any shadow cast beyond this limit would be considered significant and could not be allowed.

There are two major factors affecting the impact of shadow on the use of a park which are relevant to setting standards. One is the size of the park and the other is the amount of existing shadow on the park. Taking these two factors into account the staff recommends that the following standards be adopted.

In smaller parks (less than two acres) which are already shadowed 20% or more of the time during the year, it is recommended that no additional shadow be permitted. [End of excerpt]

Under these guidelines, South Park is a “small park” (less than 2 acres in area), and the shadow study shows it to be shaded less than 20% annually,³ as described in more detail below. Based on the protocols used to set shadow budgets for the Downtown Parks, establishing a reasonable and conservative shadow load for South Park would allow an additional 0.1% of new shadow.

The shadow load (existing shadow) or impact (new shadow) on a park is a percentage derived by dividing the amount of modeled annual shadow in square foot-hours (sf-h) by the “Theoretical Annually Available Sunlight” (“TAAS”), or the number of square foot-hours of sunlight that would fall on the park if there were no structures, clouds, fog, eclipses, etc., that would block sunlight and cast shadows on it over the course of a year. With an area of 36,999 square feet, and based on Department protocol, South Park has a TAAS of 137,688,079 sf-h.

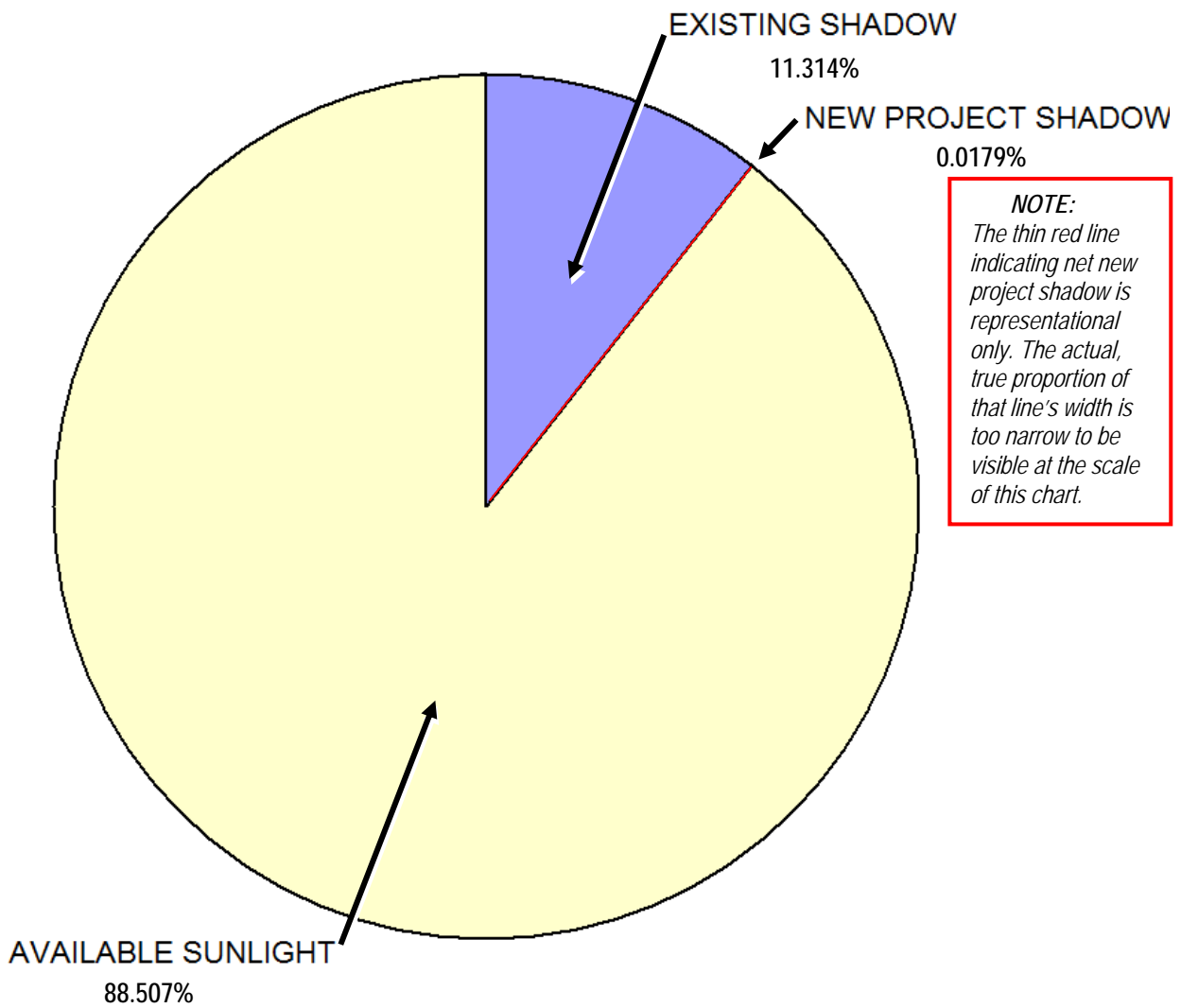
Modeling of the terrain and existing structures that could shade South Park indicates that the existing annual shadow load on this park is 15.578 million square-foot-hours (Msf-h). Thus, as measured in accord with Planning Department methodology, only 11.31% of the theoretical maximum amount of direct annual sunlight available to this property is currently lost to shading from existing buildings, making South Park a very sunny open space. (Comparably sized parks north of Market St have existing shadow loads of 41% - 53%.)

3. Although the wording of the Memo is “20% or more of the time during the year” [emphasis added], the protocol (in consistency with past practice in setting and analyzing shadow limits) employs a more comprehensive approach, and uses shadow impact (measured in annual square-foot-hours) rather than shadow duration (measured in annual hours) to calculate the annual percentages of shadow.

The resulting net new project shadow load on South Park is an additional 24,693 square foot-hours, causing the shadow load on the park to increase from 15,578,288 to 15,602,876 square foot-hours. As a percentage, the park's shadow load increases from 11.314% by an **additional 0.0179%**, to a total annual load on the open space of 11.332%.⁴

The chart below represents the total annual sunlight & shadow on South Park. The yellow area represents the amount of annual square foot-hours of sun, where there is no existing or proposed building shadow anywhere within the park boundaries. The purple area is the percentage of s.f-hrs of shadow from existing buildings on the park. New project shadow, cast from 345 Brannan, is represented symbolically by the thin red line as noted. The line width is illustrative only; it would be too narrow to be visible at the scale of this chart if it were drawn in proportion to the actual amount of new project shadow.

ANNUAL SUN AND SHADOW ON SOUTH PARK

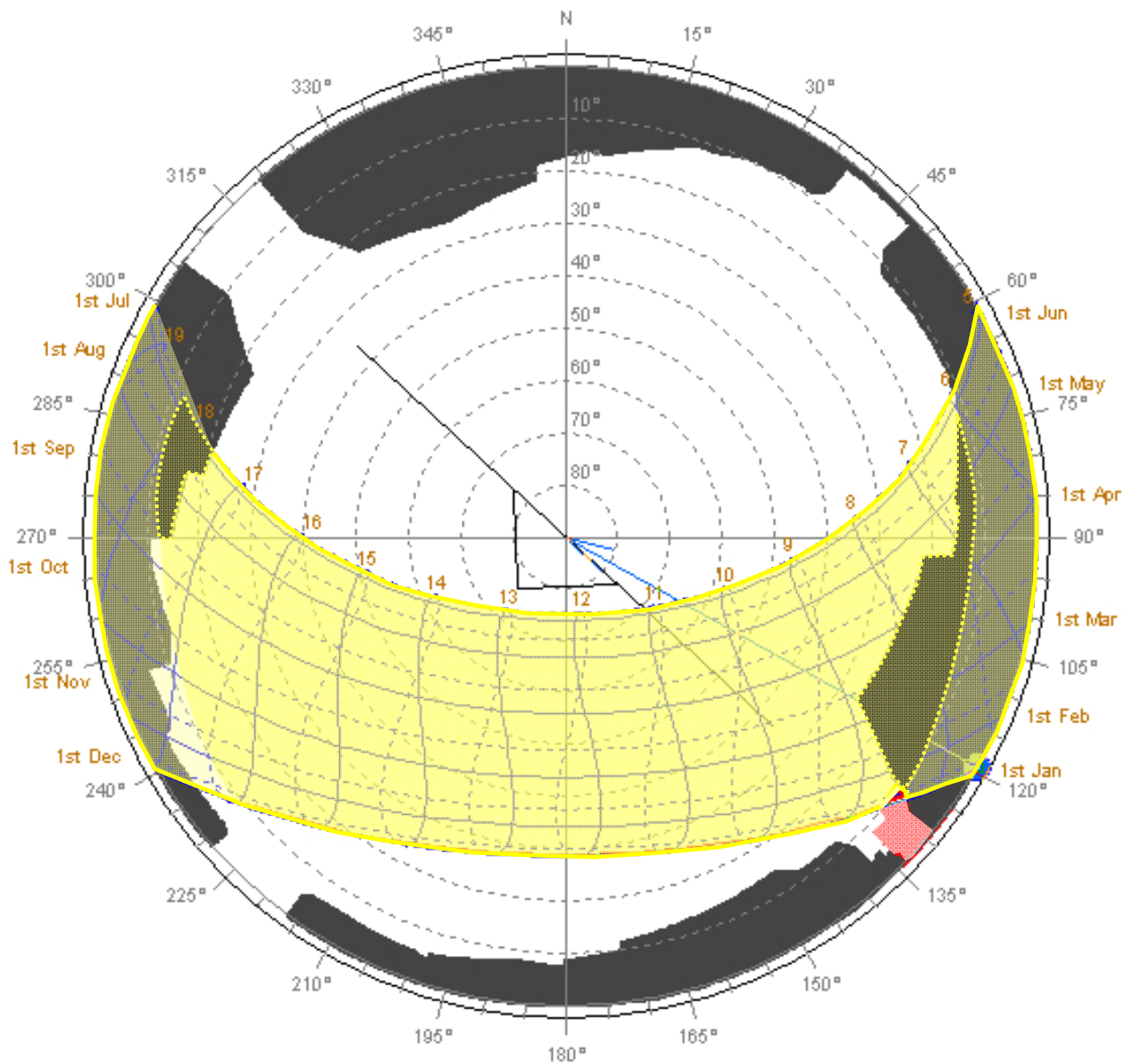


4. The reporting of numerical results to two or more decimal places is conventional in shadow studies. Please note that mathematical certainty and accuracy to that level should not be inferred in spite of that apparent precision, due to inherent limitations of the measurement of existing buildings, topography, and acceptable margins of error in the adopted modeling protocol.

EQUIDISTANT PROJECTION AT CENTER OF SOUTH PARK

The disk below represents the celestial hemisphere (the bowl of the sky) as visible from the center of South Park, and is used to indicate the times and dates when project shadow reaches the Park's center.

The dark areas at the circumference are the existing buildings between the park and the horizon. The yellow band represents the area of the sky traversed by the sun over the course of the year for those hours outside the first and last hours of each day, which are disregarded for Section 295. Any building shapes inside that yellow band cast shadows on the center of the Park, for amounts of time proportional to their areas. The pink area at lower right is the portion of 345 Brannan that doesn't shade the park. The small, bright red triangular area represents new shadow from 345 Brannan that would be cast on the park's center.



SUMMARY OF ANNUAL NET NEW SHADOW ON SOUTH PARK

Net New Project Shadow						
DATE	Shaded Area (sf)	Duration (minutes)	Shadow Start Time	Shadow End Time	Shadow (sf-hrs)	
1	10/22	9	6	7:24 AM	7:30 AM	1
2	10/23					0
3	10/24	122	4	7:26 AM	7:30 AM	8
4	10/25	728	2	7:28 AM	7:30 AM	24
5	10/26					0
6	10/27					0
7	10/28					0
8	10/29					0
9	10/30					0
10	10/31					0
11	11/1					0
12	11/2					0
13	11/3	24	8	7:37 AM	7:45 AM	3
14	11/4					0
15	11/5					0
16	11/6	1351	5	7:40 AM	7:45 AM	113
17	11/7	2159	4	7:41 AM	7:45 AM	144
18	11/8					0
19	11/9	1015	2	7:43 AM	7:45 AM	34
20	11/10	1330	1	7:44 AM	7:45 AM	22
21	11/11					0
22	11/12					0
23	11/13					0
24	11/14	127	12	7:48 AM	8:00 AM	25
25	11/15	701	10	7:50 AM	8:00 AM	117
26	11/16	907	9	7:51 AM	8:00 AM	136
27	11/17	498	8	7:52 AM	8:00 AM	66
28	11/18	2132	7	7:53 AM	8:00 AM	249
29	11/19					0
30	11/20	3635	5	7:55 AM	8:00 AM	303
31	11/21	2812	4	7:56 AM	8:00 AM	187
32	11/22	2584	3	7:57 AM	8:00 AM	129
33	11/23	3549	2	7:58 AM	8:00 AM	118
34	11/24	3855	1	7:59 AM	8:00 AM	64
35	11/25	49	15	8:00 AM	8:15 AM	12
36	11/26	241	14	8:01 AM	8:15 AM	56
37	11/27	869	13	8:02 AM	8:15 AM	188
38	11/28	1879	12	8:03 AM	8:15 AM	376
39	11/29	2074	11	8:04 AM	8:15 AM	380
40	11/30	2252	10	8:05 AM	8:15 AM	375
41	12/1	3236	9	8:06 AM	8:15 AM	485
42	12/2	3051	8	8:07 AM	8:15 AM	407

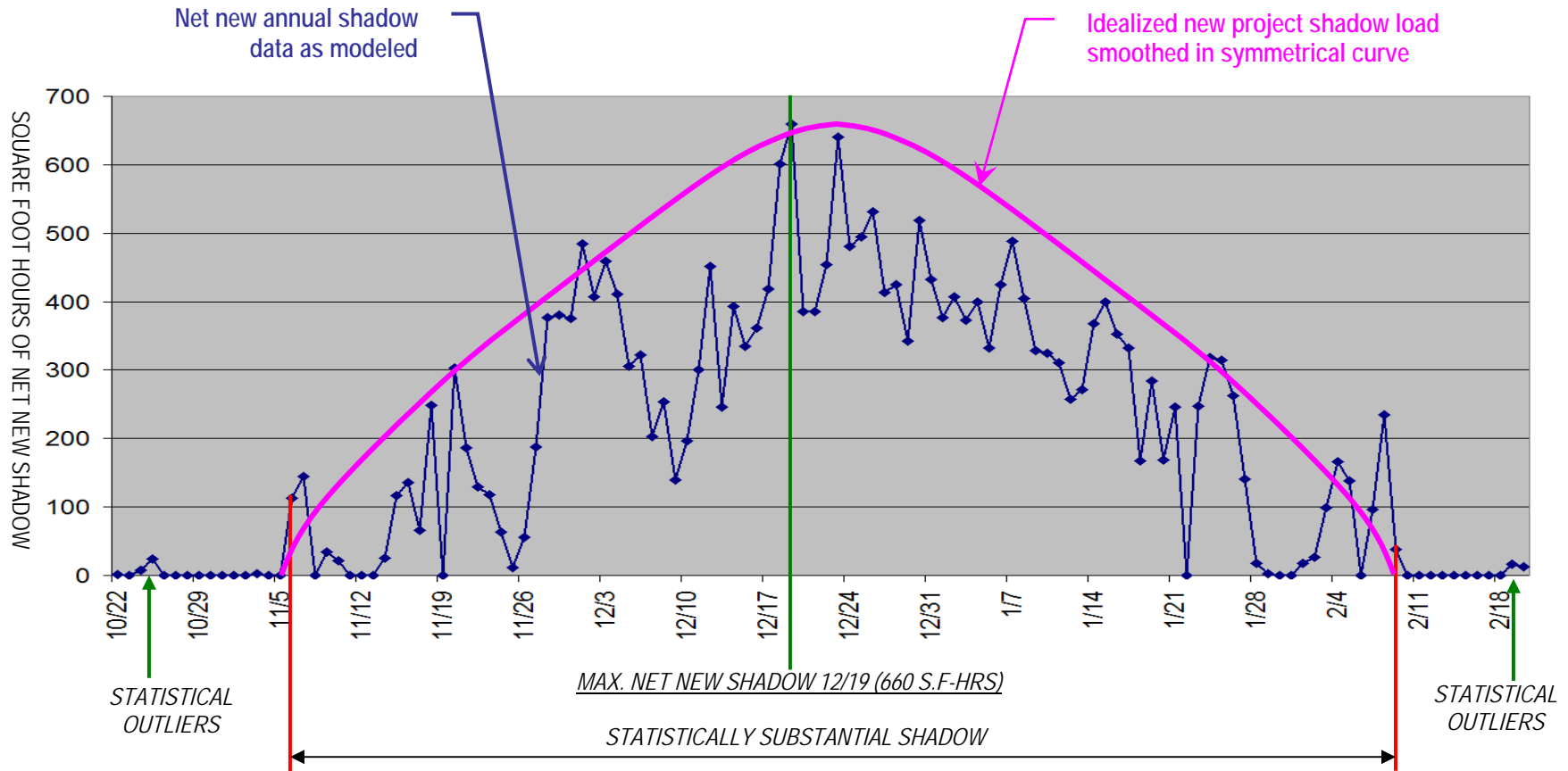
STATISTICAL OUTLIERS
See "NOTE" at bottom of following page

Net New Project Shadow						
DATE	Shaded Area (sf)	Duration (minutes)	Shadow Start Time	Shadow End Time	Shadow (sf-hrs)	
43	12/3	3931	7	8:08 AM	8:15 AM	459
44	12/4	4108	6	8:09 AM	8:15 AM	411
45	12/5	3655	5	8:10 AM	8:15 AM	305
46	12/6	4823	4	8:11 AM	8:15 AM	322
47	12/7	3038	4	8:11 AM	8:15 AM	203
48	12/8	5073	3	8:12 AM	8:15 AM	254
49 A	12/9	3279	2	8:13 AM		109
49 B	12/9	125	15		8:30 AM	31
50 A	12/10	4702	1	8:14 AM		78
50 B	12/10	236	15		8:45 AM	59
51	12/11	1199	15	8:15 AM	8:30 AM	300
52	12/12	1806	15	8:15 AM	8:30 AM	451
53	12/13	1056	14	8:16 AM	8:30 AM	246
54	12/14	1813	13	8:17 AM	8:30 AM	393
55	12/15	1676	12	8:18 AM	8:30 AM	335
56	12/16	1805	12	8:18 AM	8:30 AM	361
57	12/17	2278	11	8:19 AM	8:30 AM	418
58	12/18	3607	10	8:20 AM	8:30 AM	601
59	12/19	3961	10	8:20 AM	8:30 AM	660
60	12/20	2564	9	8:21 AM	8:30 AM	385
61	12/21	2568	9	8:21 AM	8:30 AM	385
62	12/22	3405	8	8:22 AM	8:30 AM	454
63	12/23	4802	8	8:22 AM	8:30 AM	640
64	12/24	4118	7	8:23 AM	8:30 AM	480
65	12/25	4242	7	8:23 AM	8:30 AM	495
66	12/26	4552	7	8:23 AM	8:30 AM	531
67	12/27	4131	6	8:24 AM	8:30 AM	413
68	12/28	4247	6	8:24 AM	8:30 AM	425
69	12/29	3418	6	8:24 AM	8:30 AM	342
70	12/30	6227	5	8:25 AM	8:30 AM	519
71	12/31	5198	5	8:25 AM	8:30 AM	433
72	1/1	4528	5	8:25 AM	8:30 AM	377
73	1/2	4886	5	8:25 AM	8:30 AM	407
74	1/3	4477	5	8:25 AM	8:30 AM	373
75	1/4	4789	5	8:25 AM	8:30 AM	399
76	1/5	3980	5	8:25 AM	8:30 AM	332
77	1/6	5102	5	8:25 AM	8:30 AM	425
78	1/7	5855	5	8:25 AM	8:30 AM	488
79	1/8	4850	5	8:25 AM	8:30 AM	404
80	1/9	3937	5	8:25 AM	8:30 AM	328
81	1/10	3901	5	8:25 AM	8:30 AM	325
82	1/11	3729	5	8:25 AM	8:30 AM	311

Net New Project Shadow						
DATE	Shaded Area (sf)	Duration (minutes)	Shadow Start Time	Shadow End Time	Shadow (sf-hrs)	
83	1/12	3092	5	8:25 AM	8:30 AM	258
84	1/13	3268	5	8:25 AM	8:30 AM	272
85	1/14	3685	6	8:24 AM	8:30 AM	368
86	1/15	3998	6	8:24 AM	8:30 AM	400
87	1/16	3527	6	8:24 AM	8:30 AM	353
88	1/17	2849	7	8:23 AM	8:30 AM	332
89	1/18	1442	7	8:23 AM	8:30 AM	168
90	1/19	2128	8	8:22 AM	8:30 AM	284
91	1/20	1269	8	8:22 AM	8:30 AM	169
92	1/21	1638	9	8:21 AM	8:30 AM	246
93	1/22					0
94	1/23	1484	10	8:20 AM	8:30 AM	247
95	1/24	1909	10	8:20 AM	8:30 AM	318
96	1/25	1720	11	8:19 AM	8:30 AM	315
97	1/26	1314	12	8:18 AM	8:30 AM	263
98	1/27	707	12	8:18 AM	8:30 AM	141
99	1/28	82	13	8:17 AM	8:30 AM	18
100	1/29	9	14	8:16 AM	8:30 AM	2
101	1/30					0
102	1/31					0
103	2/1	1099	1	8:14 AM	8:15 AM	18
104	2/2	778	2	8:13 AM	8:15 AM	26
105	2/3	1981	3	8:12 AM	8:15 AM	99
106	2/4	2487	4	8:11 AM	8:15 AM	166
107	2/5	1661	5	8:10 AM	8:15 AM	138
108	2/6					0
109	2/7	825	7	8:08 AM	8:15 AM	96
110	2/8	1757	8	8:07 AM	8:15 AM	234
111	2/9	257	9	8:06 AM	8:15 AM	38
112	2/10					0
113	2/11					0
114	2/12					0
115	2/13					0
116	2/14					0
117	2/15					0
118	2/16					0
119	2/17					0
120	2/18					0
121	2/19	206	5	7:55 AM	8:00 AM	17
122	2/20	129	6	7:54 AM	8:00 AM	13
TOTAL (WITHOUT ROUNDING)						24,693

STATISTICAL OUTLIERS
See "NOTE" at bottom of following page

SMOOTHED NET NEW (PROJECT) SHADOW LOAD ON SOUTH PARK
 (MAXIMUM @ SOLSTICE = 660 SF-HR AGAINST EXISTING SHADOW LOAD OF 52,000 SF-HR)

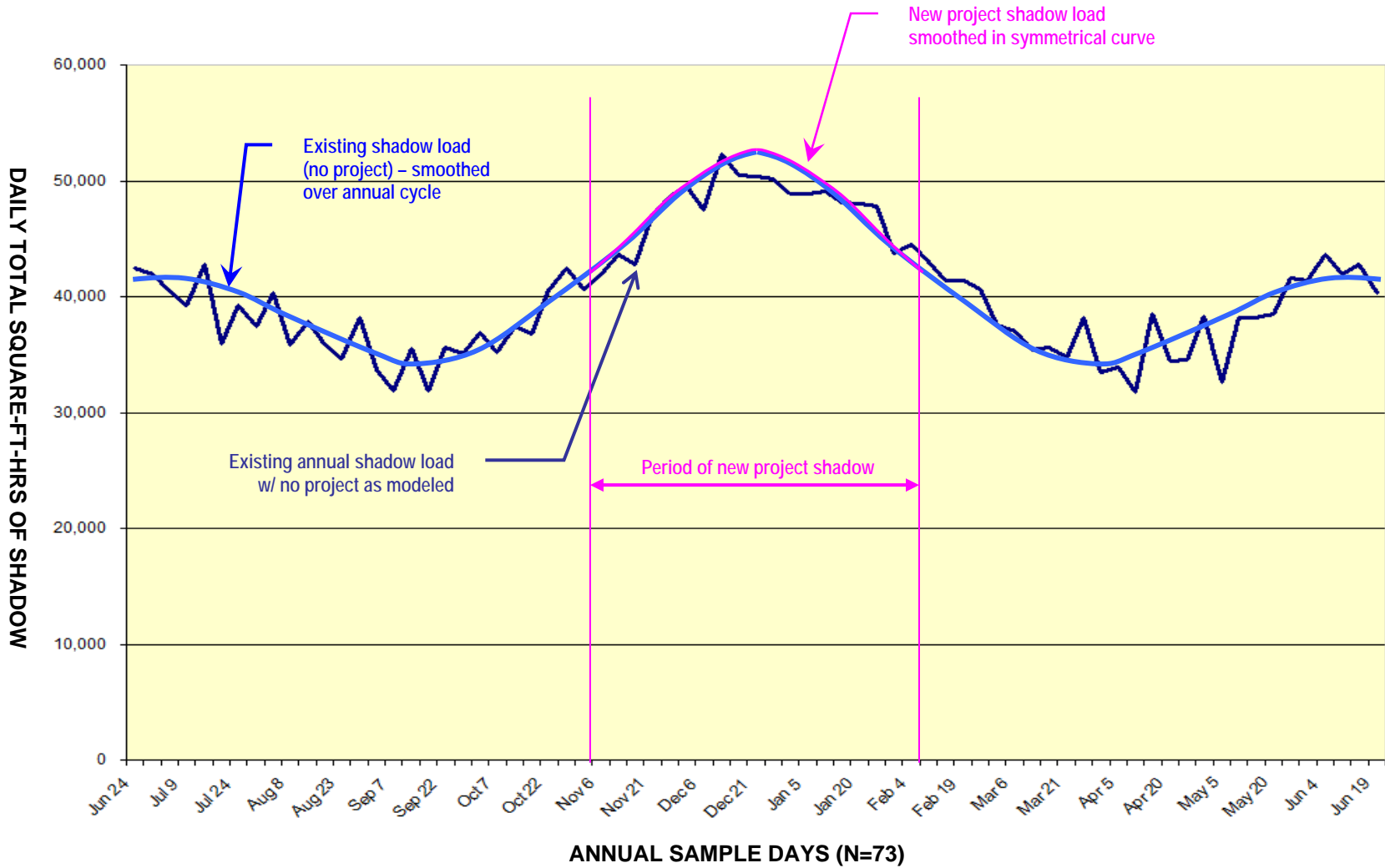


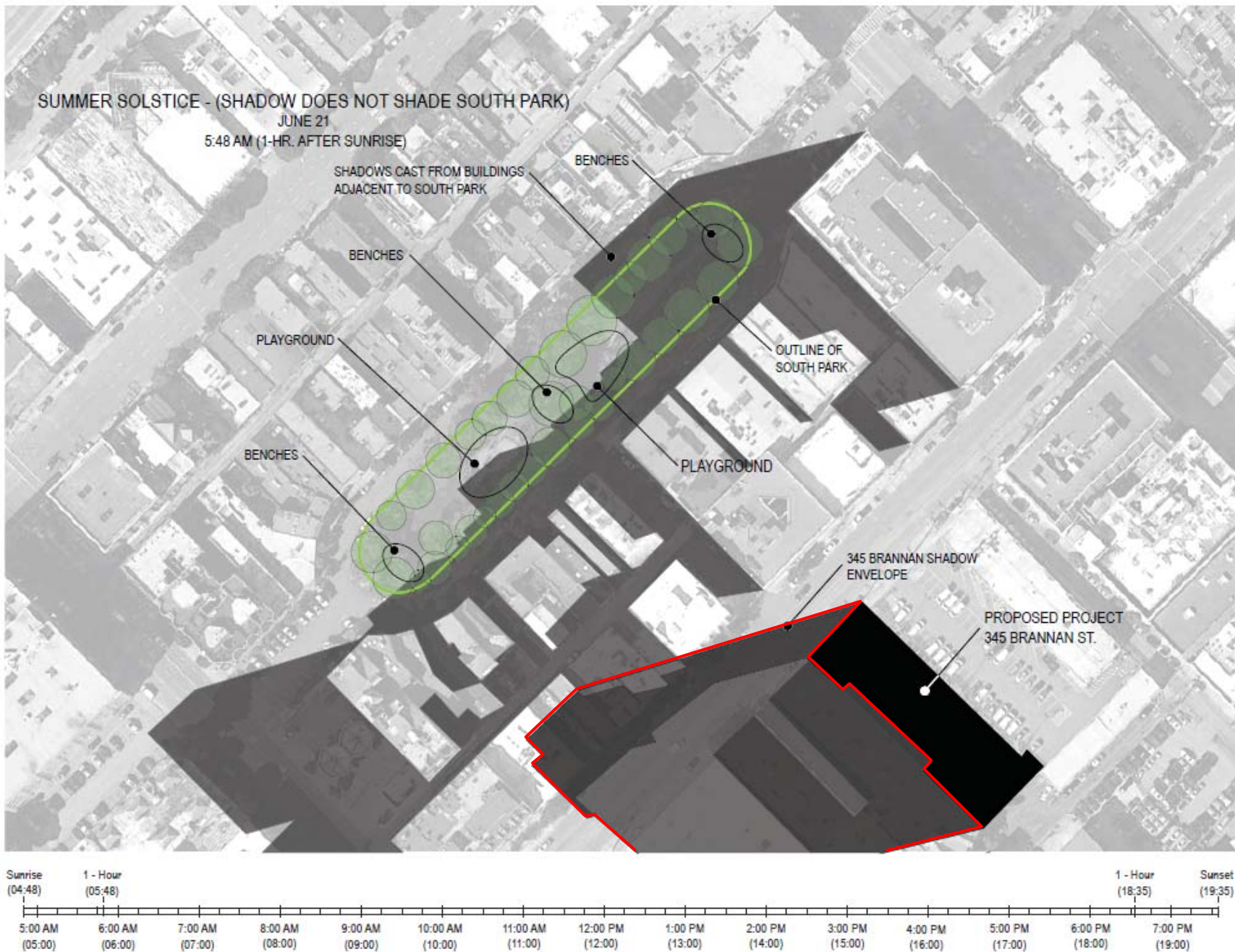
NOTE:

There are discontinuous days of new shadow for a few days prior to November 6 and after February 9 in the dataset, but they are so small in area, and of such short duration that they are treated as statistically insubstantial for the qualitative analysis. Their miniscule numeric contribution to the total annual shadow has been included in the quantitative analysis, but not as first and last dates of nominal shadow impacts. These statistical outliers arise from discontinuities in the sampling protocol, and, individually, are smaller than any reasonable margin of error.

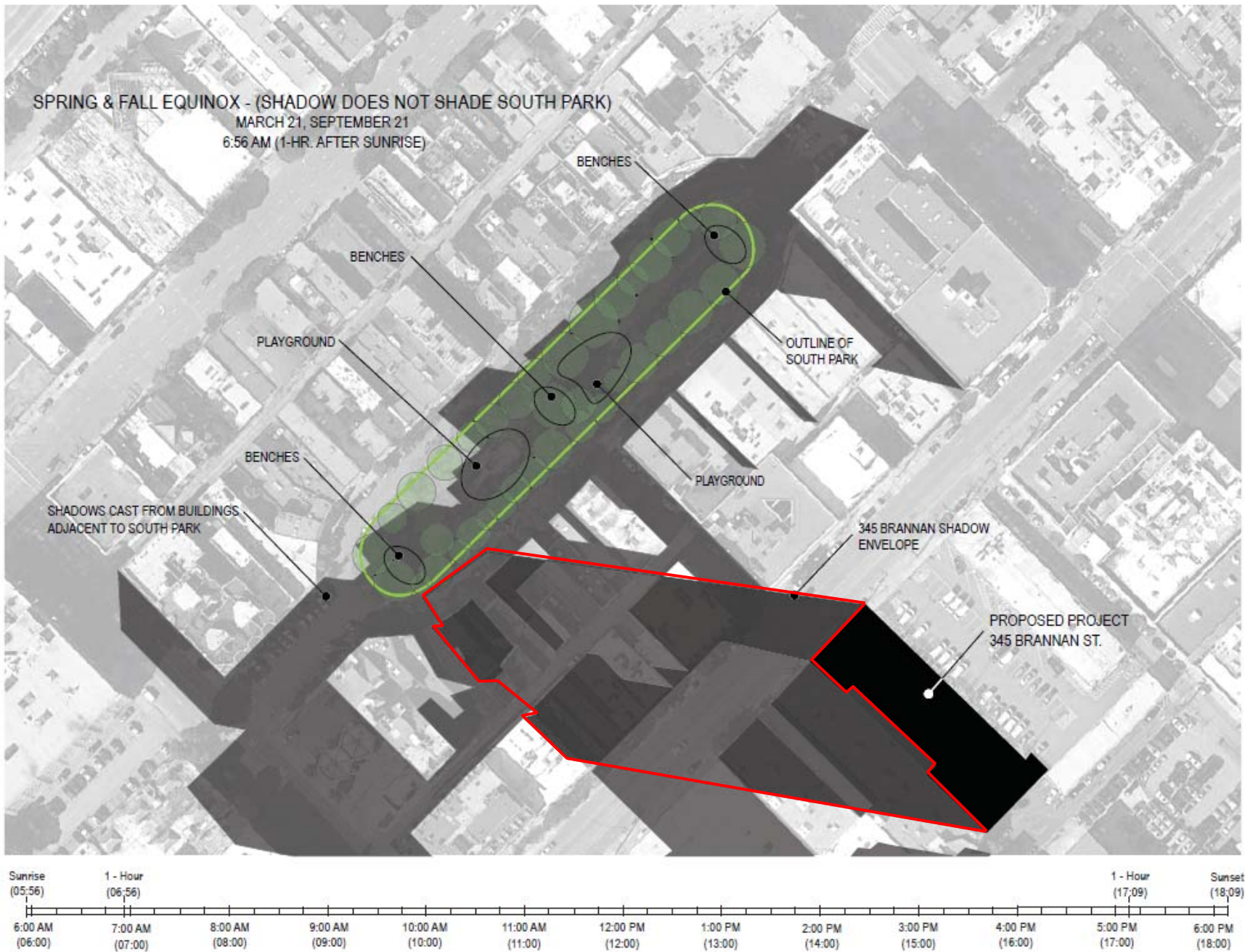
The modeled shadow does not increase and decrease smoothly over the course of the year. This occurs because changes in the sun's path over the year are not linear and not perfectly symmetrical, because new shadows appear and disappear in time intervals that are often small compared to the standard fifteen-minute modeling interval, because as days lengthen and shorten, sunrise times may change by different increments than sunset times, and because those changes in time can jump incrementally relative to the sampling interval times of day. Modeling approximates reality, and the assumption with all shadow modeling is that any anomalies average out over the course of the year.

SMOOTHED ANNUAL SHADOW LOAD ON SOUTH PARK

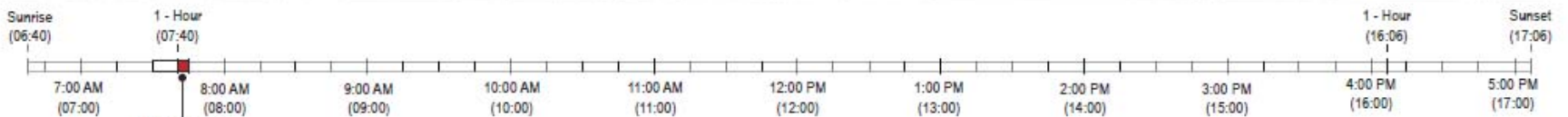
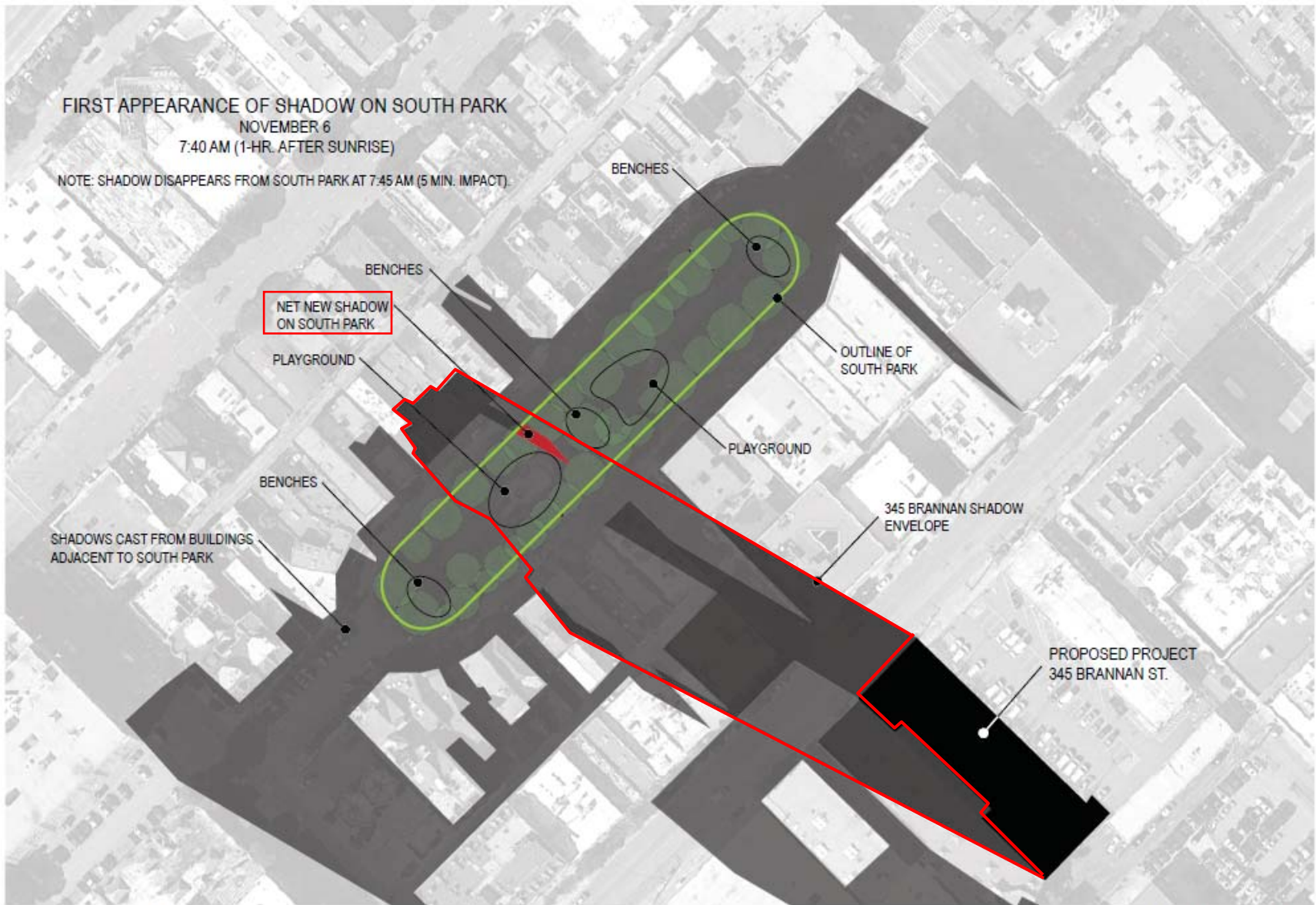




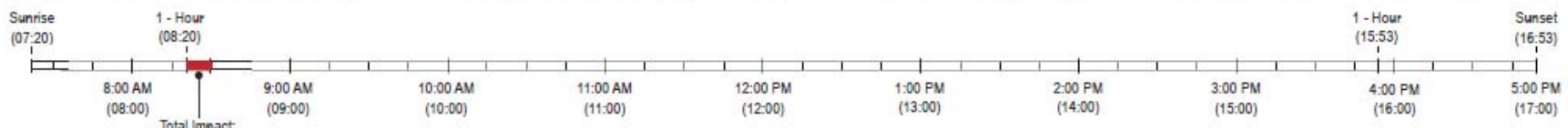
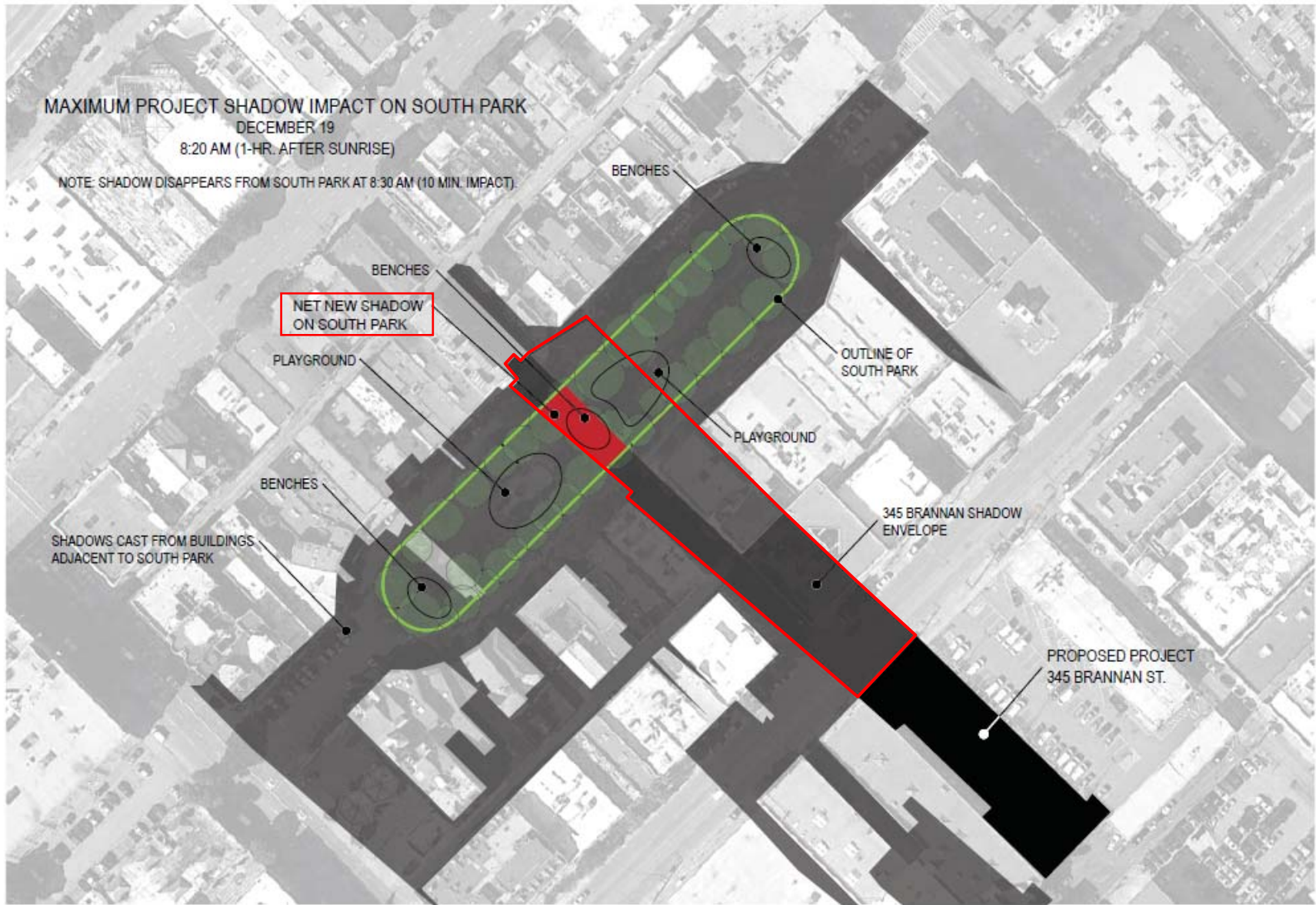
JUNE 21 (SUMMER SOLSTICE)



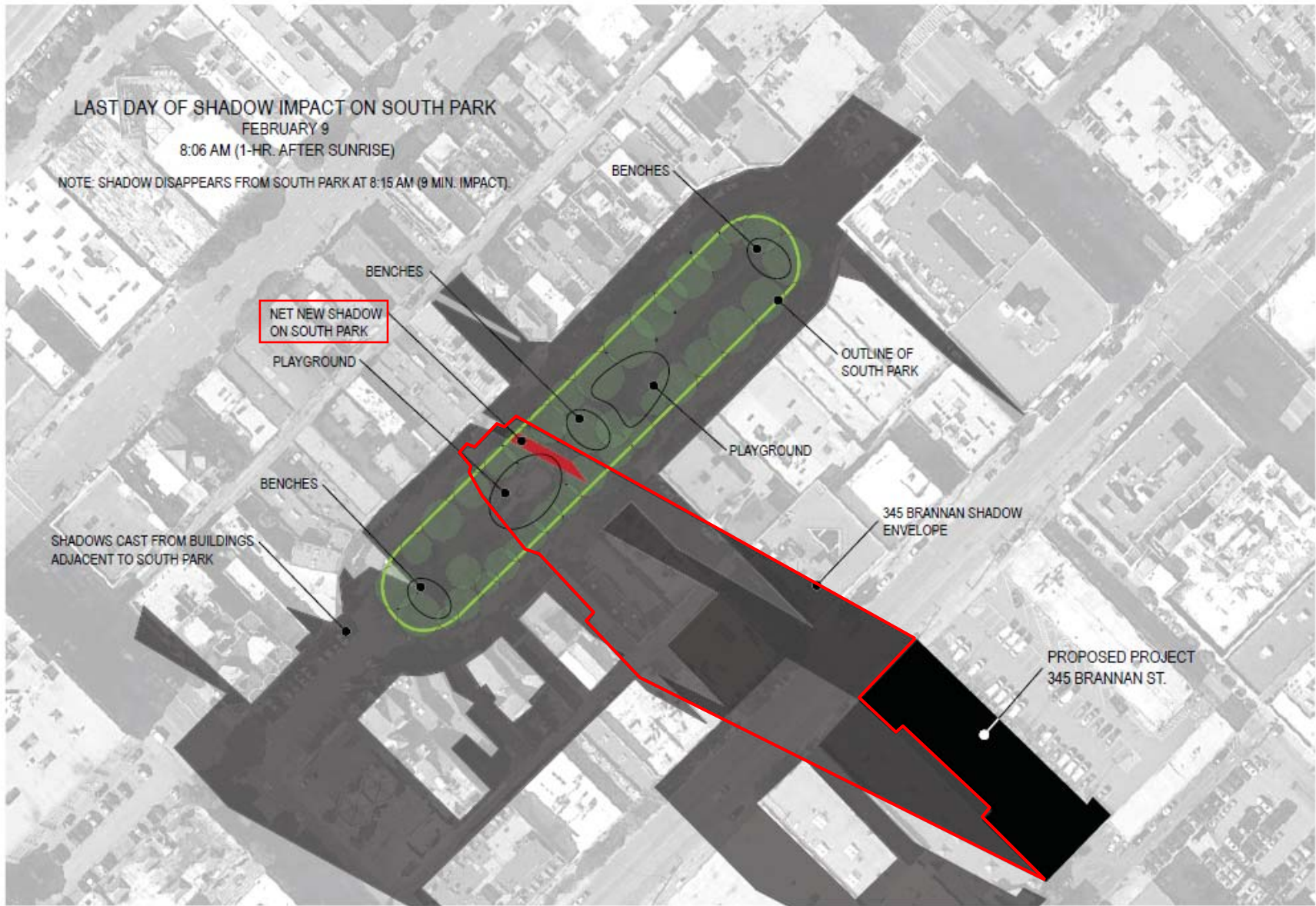
SEPTEMBER 21 (AUTUMNAL EQUINOX – NO SHADOW)



NOVEMBER 6 (FIRST STATISTICALLY SUBSTANTIAL SHADOW)

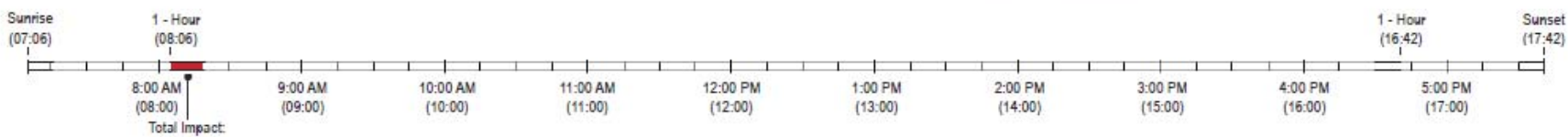


DECEMBER 19 (GREATEST SHADOW-NEAR WINTER SOLSTICE)

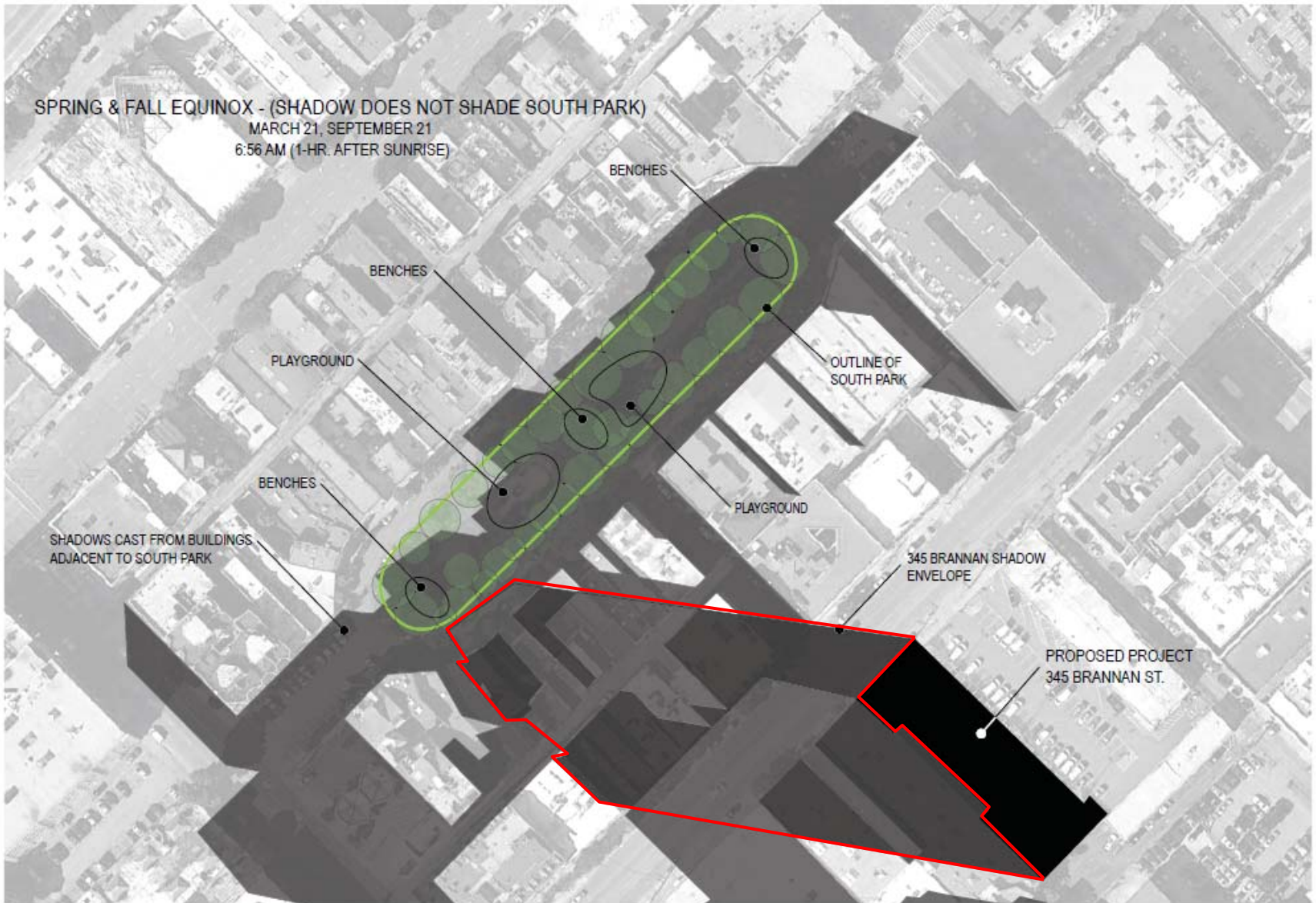


LAST DAY OF SHADOW IMPACT ON SOUTH PARK
 FEBRUARY 9
 8:06 AM (1-HR. AFTER SUNRISE)

NOTE: SHADOW DISAPPEARS FROM SOUTH PARK AT 8:15 AM (9 MIN. IMPACT)



FEBRUARY 9 (LAST STATISTICALLY SUBSTANTIAL SHADOW)



MARCH 21 (SPRING EQUINOX- NO SHADOW)

QUALITATIVE CHARACTER OF PROJECT SHADOW

The '89 Memo establishes that qualitative criteria for each park should be based on existing shadow profiles, important times of day, important seasons in the year, size and duration of new shadows and the public good served by buildings casting new shadow.

The criteria from the Memo are quoted *verbatim* below (*inset in italic type*), followed by findings for this project in plain-face type.

Value of Sunlight

Time of Day (morning, mid-day, afternoon)

Based on existing shadow condition and location of a given park, the time of day values of sunlight will have to be established. For example, afternoon and morning sun resources may be more important for preservation in neighborhood parks whereas mid-day sun may be more important in downtown parks. Additionally, some parks may have more shadow during certain times of the day when compared with other parks

All net new shadow on South Park from this project occurs for a fraction of an hour during the first minutes of winter days, when it in-fills a narrow slot of lighted area of sunlight reaching the park down London Alley. In no case does that shadow occur for more than eighteen minutes during the "Prop K day," beginning an hour after sunrise.

South Park functions similarly to a Downtown Park, for which mid-day and afternoon sunlight for the daytime use of workers, patrons, and residents of the area generally should be preserved. The project does not have an adverse effect on the park regarding the time of day of shadow.

Time of Year (Spring, Summer, Fall, Winter)

In the same way that the time of day value of sunlight has to be established, sunlight value during time of year will also have to be determined.

All statistically substantial net new shadow on South Park from this project occurs between November 6th and February 9th. This is usually the rainy season, when clouds, fog or overcast skies prevail. Weather conditions during the time of year of when project shadow occurs will frequently obscure the sun anyway, so the project does not have an adverse effect on the park regarding the time of year of shadow.

Shadow Characteristics

Size of Shadow

Small shadows will generally be preferred to large shadows unless they last for long periods of time or fall on parts of the park where sunlight is particularly critical to users.

In all cases, new project shadow on South Park occurs in a portion of a rectangular slot of existing sun-lighted area of the open space. It never completely obliterates that slot, so users of the park who wish to stroll in sunlight during those early minutes of the winter months can still do so, just in a reduced area. (See graphic exhibits and tables on previous pages.)

The maximum area of project shadowing occurs around the winter solstice, and never exceeds more than 1% of the total park area. Therefore size of project shadow does not have an adverse effect on the park.

Duration of Shadow

Shadows lasting a short period of time will generally be preferred to shadows which last a long time unless the fleeting shadows fall during a critical time of day or season and/or are so large that they disrupt use of the park

At its maximum duration in December, new project shadow exceeds 15 minutes on only two days (17 minutes on Dec. 9th, and 16 minutes on Dec. 10th) Although this is the greatest duration (time) of shadow, it is not the day of greatest shadow impact (the s.f-hrs product), which occurs on Dec. 19th. When considered over the course of the entire solar year, the average daily duration of shading over the 96 days when measurable new shadow reaches the park is about 7 minutes. Therefore the project does not have an adverse effect on the park regarding duration of shadow.

Location of Shadow

Efforts should be made to avoid shadows in areas of the park where existing or future use of the park is intense and where new shadow could have detrimental effects on park vegetation.

Because total project shadow causes a diminution in the maximum available sunlight of less than 0.018%, and occurs during a season when the sun is often obscured by meteorological conditions, the project will not have a detrimental effect on park vegetation.

Further, because of the lush and dense stand of perimeter trees, much project shadow occurring in the park boundaries would not reach grade during the early autumn and spring, when those trees are in leaf; there is already ground shadow on the park cast by the dense tree canopy and branches.

COMPLIANCE WITH PLANNING CODE SECTION 295

As codified in Section 295 of the Planning Code, the voter-approved initiative “Proposition K – The Sunlight Ordinance” (1984), protects Recreation and Park properties from some shadowing caused by structures higher than 40 feet. It does *not* prohibit *any* new shading on a park from such structures; rather, it protects parks from shading that is *adverse* and *significant*. New buildings subject to the restrictions of this Code section may be approved if the Planning Commission determines that project shadow is not *adverse* to the use of the open space, or if it is *adverse*, that it meets the adopted criteria and guidelines for shadow that is *insignificant*.

The operative paragraph of the Code is excerpted below:

SEC. 295. HEIGHT RESTRICTIONS ON STRUCTURES SHADOWING PROPERTY UNDER THE JURISDICTION OF THE RECREATION AND PARK COMMISSION.

- (b) *The City Planning Commission shall conduct a hearing and shall disapprove the issuance of any building permit governed by the provisions of this Section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant. The City Planning Commission shall not make the determination required by the provisions of this Subsection until the general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission has had an opportunity to review and comment to the City Planning Commission upon the proposed project.*

The attached shadow analysis has demonstrated that the net new shadow from this project is **not adverse** because of its short daily occurrence, brief annual duration, small size, and time of day and season of its occurrence. Further, the shadow is considered insignificant because it adds only an additional 0.0179% annual shadow to a sunny, small park that could tolerate, in accord with the adopted guidelines, an additional 0.1% of annual new shadow.

Therefore, following consultation with the General Manger of the Recreation and Park Department regarding the recommendation of the Recreation and Park Commission, the Planning Commission could approve issuance of a permit for the project at 345 Brannan Street.

EXHIBITS



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: OCTOBER 10, 2013

Date: October 03, 2013
Case No.: 2007.0385EBKX
Project Address: 345 BRANNAN STREET
Zoning: MUO (Mixed Use Office)
 65-X Height and Bulk District
Block/Lot: 3788/039
Project Sponsor: Charles F. Bloszies
 228 Grant Avenue, 6th Floor
 San Francisco, CA 94111
Staff Contact: Diego R Sánchez – (415) 575-9082
 diego.sanchez@sfgov.org

ADOPTING FINDINGS, WITH THE RECOMMENDATION OF THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON SOUTH PARK BY THE PROPOSED PROJECT AT 345 BRANNAN STREET WOULD NOT BE ADVERSE TO THE USE OF SOUTH PARK.

PREAMBLE

Under Planning Code Section ("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 General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1989, 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).

South Park is located on Lot 103 in Assessor's Block 3775, is encircled by South Park Avenue and is generally bounded by Second Street to the east, Bryant Street to the North, Third Street to the west and Brannan Street to the south. South Park measures approximately 36,999 square feet and is characterized by expanses of grassy lawn with two playground areas near the center. A hardscape walking path runs along the edge of the park. The neighborhood immediately surrounding South Park is characterized by one-, two- and three-story buildings, typically with residential uses above retail or commercial ground

floors. Larger development is located further east and south of South Park, on Second Street and Brannan Street.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on South Park (with no adjacent structures present) is approximately 137,688,079 square-foot-hours of sunlight. Existing structures in the area cast shadows on South Park that total approximately 15,578,288 square-foot hours, or approximately 11.31 percent of the TAAS.

On September 18, 2008 Charles F. Bloszies (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Shadow Impact Study, an Office Allocation and a Large Project Authorization on the property at 345 Brannan Street, south side of Brannan Street between 3rd Street and Stanford Street; Lot 039 in Assessor's Block 3788, (hereinafter "Subject Property") to construct a six-story commercial office building (hereinafter "the Project") at this site. The Project is located within an MUO (Mixed Use Office) Zoning District a 65-X Height and Bulk District.

A technical memorandum, prepared by Zone Consulting, was submitted on December 17, 2012, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2007.0385K). The memorandum concluded that the Project would cast approximately 24,693 square-foot-hours of new shadow on South Park., equal to approximately 0.02% of the theoretically available annual sunlight ("TAAS") on South Park.

On September 19, 2013, the 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 on South Park will not be adverse to the use of South Park.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - a. The proposed project would reduce the annual available insolation by about 0.02 percent (a reduction of 24,693 square foot hours of sunlight). This results in a total shadow load of 15,602,981 square foot hours and a reduction of the available insolation to 11.33 percent.

- b. Although the additional shadow cast by the proposed project has a numerically significant effect, the magnitude of the additional shadow is well below one tenth of one percent, and amounts to a reasonable and extremely small loss of sunlight for a park in an area of moderate building heights and density.
 - c. The net new shadow cast upon South Park from the Project occurs exclusively within the first half hour of time for which Proposition K is concerned; net new shadows occur exclusively in the morning. The net new shadow occurs in mid-fall (October 22) and ends in mid-winter (February 20). This time of year is when precipitation levels are at their highest and is a time of year where cloudy and overcast skies are abundant, thereby increasing the chance of obscured sunlight due to weather, irrespective of existing or proposed developments near South Park.
 - d. The net new shadow cast is relatively small in area in comparison to the size of South Park and at its greatest extent never exceeds 16% of the area of South Park. The net new shadow generally does not last for more than seven and a half minutes during any one morning and five minutes is the most common duration of net new shadow cast by the proposed project. The net new shadow occurs only within a rectangular area north of Jack London Alley, where vegetation is not likely to be adversely affected given existing uses, shadow size and duration.
3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. 2007.0385K, that the net new shadow cast by the Project on South Park will not be adverse to the use of South Park.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on XXXX XX, 2013.

Jonas Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: XXXX XX, 2013



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: OCTOBER 10, 2013

Date: October 3, 2013
Case No.: **2007.0385 EBKX**
Project Address: **345 BRANNAN STREET**
Zoning: MUO (Mixed Use Office)
 65-X Height and Bulk District
Block/Lot: 3788/039
Project Sponsor: Charles F. Bloszies
 228 Grant Avenue, 6th Floor
 San Francisco, CA 94108
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org

ADOPTING FINDINGS RELATING TO LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 AND TO ALLOW AN EXCEPTION FOR ALLOWABLE PERMITTED OBSTRUCTIONS PURSUANT TO PLANNING CODE SECTION 136 TO ALLOW CONSTRUCTION OF A FIVE-STORY COMMERCIAL BUILDING WITH UP TO 102,585 SQUARE FEET OF OFFICE AND APPROXIMATELY 7,181 SQUARE FEET OF OFF-STREET PARKING AND TO ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AT 345 BRANNAN STREET, LOT 039 IN ASSESSOR’S BLOCK 3788, WITHIN THE MUO (MIXED USE OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 18, 2008 Charles F. Bloszies (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for a Large Project Authorization under Planning Code Section 329 to allow an exception for allowable permitted obstructions pursuant to Planning Code Section 136 and an Office Development Authorization to construct a new 116,615 square foot, five story office building with off-street parking on the property at 345 Brannan Street, south side of Brannan Street between 3rd Street and Stanford Street; Lot 039 in Assessor’s Block 3788, (hereinafter “Subject Property”). The project is located within an MUO (Mixed Use Office) Zoning District a 65-X Height and Bulk District.

On March 20, 2013 Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until April 9, 2013 and

On October 10, 2013, the Planning Department/Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Department/Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Planning Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the MND, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

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

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2007.0385 EBKX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On October 10, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on a Large Project Authorization, Application No. 2007.0385 EBKX.

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 Large Project Authorization requested in Application No. 2007.0385 EBKX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the south side of Brannan Street, between 3rd and Stanford Streets. The lot, approximately 24,000 square feet in area, is a flag lot with a 20 foot wide portion at the rear of the lot that stretches approximately 140 feet toward the

east and provides frontage on Stanford Street. The lot also provides 75 feet of frontage along Brannan Street. The property is currently used as a surface parking lot.

3. **Surrounding Properties and Neighborhood.** The project is located within the South of Market Area neighborhood and is approximately one block south of South Park. Properties in the area are commercial and light industrial in nature with residential uses found further away from the site. Immediately to the east and west of the project site are one- and two-story light industrial buildings. To the north of the project site is a four-story commercial building. To the south of site are one-, two- and three-story light industrial buildings that front Townsend Street. Properties in the surrounding area are in the MUO (Mixed Use Office) and SLI (Service Light Industrial) Zoning Districts.
4. **Project Description.** The applicant proposes to construct a new five-story commercial building that will house approximately 102,585 square feet of office use and approximately 7,181 square feet of off-street parking on a site with a surface parking lot. Automobile access into an excavated basement level will be provided from Stanford Street, a minor street located to the east of the project site. Open space for the office tenants is provided at a west-facing deck on the second floor and a 4,300 square foot roof deck
5. **Public Comment.** The Project Sponsor received input from and worked with South Park stakeholders to alter the project and to collaborate on improvements to South Park. In addition Planning Department staff received one letter requesting additional changes to the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Floor Area Ratio.** Planning Code Section 124 establishes a maximum Floor Area Ratio of 5:1 for properties within the MUO Zoning District and a 65 foot height district.

The lot area is 24,132 square feet, resulting in a maximum floor area ratio of 120,660 square feet. The project proposes up to 116,615 square feet, complying with Planning Code Section 124.
 - B. **Obstructions over Streets and Alleys.** Only obstructions specified in Planning Code Section 136 are allowed over streets and alleys.

The project is proposing bay windows along the front façade that exceed the maximum allowed envelope for bay windows, as specified within Planning Code Section 136, and is seeking an exception pursuant to Planning Code Section 329 Large Project Authorization from this requirement (see discussion below).
 - C. **Useable Open Space.** Planning Code Section 135.3 requires one square foot of useable open space for every 50 square feet of occupied floor area of new office use within the MUO Zoning District.

The project is required to provide 2,003 square feet of useable open space as the project is proposing up to 100,137 occupied square feet of office use. The project is proposing a 4,300 square foot roof deck that complies with Planning Code Section 135.3.

- D. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction and requires streetscape and pedestrian elements in conformance with the Better Streets Plan when a project is on a lot that is greater than ½-acre in total area and the project includes new construction.

The project is proposing the new construction of a five-story commercial building on a lot that is more than ½ an acre in size with 75 feet of frontage along Brannan Street and 20 feet of frontage along Stanford Street. The project is providing five street trees, in compliance with Planning Code Section 138.1. The Project Sponsor will also submit a streetscape plan to the Planning Department that will be reviewed for conformance with the Better Streets Plan.

- E. **Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; 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; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The project is proposing the off-street parking to be located within an excavated basement that is set in from Stanford Street approximately 140 feet and from Brannan Street approximately 95 feet. The off-street parking entrance accessed from Stanford Street is approximately 15 feet in width; however the entrance is below grade and setback approximately 140 feet. Along Brannan Street the building fronts the property line and provides tenant space for active uses within a ground floor with a floor-to floor height of 16 feet. The storefront along Brannan Street meets the fenestration requirement as it is lined with windows and doors for more than 60 percent of the frontage.

- F. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows up to seven percent of the gross floor area of office use to be dedicated to off-street parking. The off-street parking area is subject to the pricing conditions of Section 155(g).

The project is proposing up to 102,585 square feet of office use, allowing up to 7,181 square feet of off-street parking use. The project is proposing 7,181 square feet of off-street parking use, complying with Planning Code Section 151.1.

- G. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires 0.1 off-street freight loading spaces for every 10,000 square feet of gross floor area of office use.

The project is proposing up to 102,585 square feet of office use, requiring at least one off-street freight loading space or two service vehicle spaces. The project is proposing two service vehicle spaces, complying with Planning Code Section 152.1.

- H. **Bicycle Parking Requirement.** Planning Section 155.2 of the Planning Code requires at least one Class 1 bicycle parking space for each 5,000 square feet of occupied floor area of office space and a minimum of two Class 2 spaces for any office use greater than 5,000 gross square feet plus one Class 2 space for each additional 50,000 occupied square feet.

The project is proposing up to 100,137 square feet of occupied office use, requiring at least 21 Class 1 bicycle parking spaces and three Class 2 bicycle spaces. The project is proposing 36 Class 1 bicycle parking spaces and three Class 2 bicycle open spaces, in compliance with Planning Code Section 155.2.

- I. **Shower Facility and Clothes Locker Requirement.** Planning Section 155.4 of the Planning Code requires at least four showers and eight clothes lockers when gross square footage of the office use floor area exceeds 50,000 square feet.

The project is proposing up to 102,585 square feet of office use, requiring at least four showers and 24 clothes lockers. The project is proposing four showers and 24 clothes lockers, in compliance with Planning Code Section 155.4.

- J. **Transportation Management Program.** Planning Section 163 requires the Project Sponsor to execute an agreement with the Planning Department for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services for projects within the MUO District, where the gross square feet of new, converted or added floor area for office use equals at least 25,000 square feet

The project is proposing up to 102,585 square feet of office use, requiring the Project Sponsor to execute an agreement to provide on-site transportation brokerage services. The agreement will be reviewed by the Planning Department prior to the issuance of a temporary certificate of occupancy, in accordance with Planning Code Section 163.

- K. **Shadow Impact Analysis.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

The project is proposing a five-story commercial building 65 feet in height, as measured to the finished roof, and was found to cast new shadow upon South Park, a property under the jurisdiction of the Recreation and Park Commission. The Planning Commission finds the new shadow, after comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon South Park.

- L. **Neighborhood Notification.** Planning Section 312 requires neighborhood notification when proposing a change of use from one land use category to another within the Eastern Neighborhoods Mixed Use Districts.

The project is proposing a change of use from the Vehicle Parking land use category to the Office land use category and has conducted the required notification in conjunction with the notification for the Large Project Authorization and the Office Allocation.

- M. **Transit Impact Development Fee.** Planning Code Section 411 applies the Transit Impact Development Fee to projects cumulatively creating more than 800 gross square feet of non-residential uses including Retail/Entertainment, Management, Information and Professional Services and Production/Distribution/Repair.

The project is proposing up to 102,585 square feet of office use. This use is subject to the Transit Impact Development Fee at the per gross square foot rate in place at time of building permit issuance.

- N. **Jobs-Housing Linkage Program.** Planning Code Section 413 applies the Jobs-Housing Linkage Fee to any project that increases by at least 25,000 gross square feet the total amount of any combination of entertainment use, hotel use, Integrated PDR use, office, research and development use, retail use, and/or Small Enterprise Workspace use.

The project proposes up to 102,585 square feet of office use subject to Planning Code Section 413, and is subject to the Jobs-Housing Linkage Program. The Project Sponsor may elect between the Housing Requirement option, the Payment to Housing Developer option, the In-Lieu Fee Payment option or compliance by combination payment to Housing Developer and payment of In-Lieu Fee at the time of building permit issuance.

- O. **Child Care Requirements for Office Development Projects.** Planning Code Section 414 applies the Child Care Requirements for Office Development Projects Requirement to any project that increases by at least 50,000 gross square feet the total amount of office space.

The project proposes up to 102,585 square feet of office use and is subject to the Child Care Requirements for Office Development Projects. Prior to issuance of the first construction document, the Project Sponsor will elect between compliance by providing an on-site child-care facility, compliance in conjunction with the sponsors of other development projects to provide an on-site child care facility at another project, compliance in conjunction with the sponsors of other development projects to provide a child-care facility within one mile of the development projects, compliance by

payment of an in-lieu fee, compliance by combining payment of an in-lieu fee with construction of a child care facility or compliance by entering into an arrangement with a non-profit organization.

- P. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the MUO (Mixed Use Office) Zoning District that results in the addition of gross square feet of non-residential space.

The project is proposing up to 102,585 square feet of office use and is subject to Planning Code Section 423. The Impact Fee must be paid prior to the issuance of the building permit application.

- Q. **Office Use in MUO Zoning Districts.** Planning Code Section 842.66 states that office use is a permitted use within the MUO Zoning District.

The proposed project would construct new office space within the MUO Zoning District; therefore, the proposed project complies with Planning Code Section 842.66. Please see Case 2007.0385EBKX for additional discussion and findings pursuant to Planning Code Section 321, Office Development: Annual Limit.

7. **General Compliance with the Large Project Authorization in Eastern Neighborhoods Mixed Use District Objectives.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale.

The proposed building mass and scale is appropriate for the existing area context which is characterized by larger, light industrial buildings that create strong street walls of multiple stories. The existing buildings do not setback from front property lines at any story, and the proposed project is in keeping with this pattern. Furthermore the area is transitioning to a pattern of five- and six-story office buildings. The proposed project is appropriately scaled to compliment this pattern.

- B. Architectural treatments, facade design and building materials:

The Brannan Street storefront provides ample glazing and emphasizes, through the use of a canopy, the primary entrance into the six-story commercial building. A terra cotta rain screen comprises the principal façade element, with the terra cotta being an appropriate material for the existing context of masonry light industrial buildings. Aluminum windows, on the upper floors, are situated in a manner that creates a gentle rhythm, while an end column of bay windows provides an asymmetrical accent and an element of visual interest.

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;

The Brannan Street storefront is heavily glazed, encouraging interaction between the tenant space and the public realm. The ground floor plan is designed with the primary lobby leading to the conveyance for the upper floors at the east end and a secondary entrance for a ground floor tenant at the west end of the building. Off-street parking and freight loading is situated within an excavated basement level. This basement level is accessed through the minor, secondary Stanford Street façade, located at the rear of the property.

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

The required useable open space for the office use is provided on a 4,300 square foot roof deck. The roof deck is of particular quality in that it is setback from a vegetated roof and, at 65 feet in height, will provide pleasant views of the surroundings.

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

Given that the property has no frontages greater than 75 feet in length, the project does not provide any midblock alley or pathways pursuant to Planning Code Sections 270 and 270.2.

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

The proposed project will provide the required street trees, in accordance with Planning Code Section 138.1, and will submit a streetscape improvement plan in accordance with the Better Streets Plan.

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

Automobile access is provided exclusively through the minor Stanford Street façade. The entry is at the rear of the lot, approximately 250 feet from the Brannan Street façade. The Brannan Street façade is the focal point for pedestrian access, as it is the primary façade.

- H. Bulk limits;

The proposed project is within an 'X' bulk district, which does not restrict bulk.

- I. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan;

The proposed project, on balance, meets the Objectives and Policies of the General Plan.

8. **Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts:
- A. Where not specified elsewhere in Planning Code Section 329(d), modification of other Code requirements which could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located.

The proposed project is seeking an exception, as the proposed bay windows at the Brannan Street façade exceed the dimensional limits for allowed obstructions over streets and alleys, as established by Planning Code Section 136(c). Allowing this exception would maintain an important stylistic feature of the principal façade with little to no apparent harm to the general welfare of the public or to improvements in the vicinity.

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

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.

Policy 1.2:

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

Policy 1.3:

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

The proposed office development will provide net benefits to the City and the community in the form of new office space and in the use of an underutilized lot within a zoning district with the stated intent of locating and encouraging the growth of office use. The nature of the office use has few physical consequences that are undesirable and the standard Conditions of Approval (Exhibit A) will help ensure that the operations will not generate any unforeseen problems.

OBJECTIVE 2:

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

Policy 2.1:

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

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location

The proposed office development will help attract new commercial activity to San Francisco as it provides a large quantity of vacant office space for use. It also contributes to San Francisco's attractiveness as a firm location as it is within short walking distance of South Park, the amenities encircling South Park and the emerging 3rd Street Corridor near AT&T Park.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

The Project will install street trees at approximately 20 foot intervals along the Brannan Street frontage, in compliance with requirements.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

Provide parking facilities which are safe, secure, and convenient.

The project includes 36 bicycle parking spaces in a secure, convenient location within the basement level.

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.

The design of the proposed office development complements the existing character of the 300 block of Brannan Street as its scale, massing and choice of façade materials draws inspiration from the light industrial and masonry buildings that line the street. The proposed development does not stand out, but rather contributes to a general pattern of building type, massing and scale along a transitioning segment of Brannan Street.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The choice of façade materials and the proposed building massing, form and scale of the proposed development respect and complement the existing character of the light industrial and masonry buildings that are found along the 300 block of Brannan Street.

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.

The proposed development successfully melds a new building into an area with an established presence of 20th century light industrial buildings. The proposed development does not clash with the existing context as the selected building materials, massing and scale are typical of the buildings found along the 300 block of Brannan Street.

EAST SOMA PLAN AREA

Objectives and Policies

OBJECTIVE 3.1:

PROMOTE AN URBAN FORM THAT REINFORCES EAST SOMA'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.6:

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

The design of the proposed office development, a contemporary interpretation of 20th Century light industrial buildings, complements the existing character of the 300 block of Brannan Street as its scale, massing and choice of façade materials draws inspiration from the light industrial and masonry buildings that line the street.

OBJECTIVE 3.2:

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

Policy 3.2.3:

Minimize the visual impact of parking.

The off-street parking is located within an excavated basement level at the rear of the lot. The parking cannot be seen from the Brannan Street façade, which is the primary interface with the public realm.

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

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

The proposal would enhance the neighborhood-serving retail district by introducing a large number of new employees and potential patrons to the retail uses in the area.

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

The existing neighborhood character will be preserved as the design of the proposal is in harmony with the building scale, massing and form found in the vicinity.

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

The proposed development will not add or remove housing.

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

It is not anticipated that commuter traffic will impede MUNI transit or overburden streets or neighborhood parking as the sole automobile entrance is on a minor side street and the excavated basement provides the maximum allowable off-street parking.

- 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.

No existing industrial and service sector establishments will be displaced as a result of the office development.

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

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

- G. That landmarks and historic buildings be preserved.

The Historic Resource Evaluation Report indicates the absence of an historic resource on the subject property.

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

The Planning Commission found that the net new shadow cast by the project upon South Park will not be adverse to the park.

11. 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.
12. The Commission hereby finds that approval of the Large Project 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 Large Project Authorization Application No. 2007.0385EBKX** under Planning Code Sections 329 to allow the new construction of a five-story commercial building with up to 102,585 square feet of office use and an exception from the allowable permitted obstructions requirement within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 5, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 10, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 10, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project to allow the new construction of a five-story commercial building with up to 102,585 square feet of office use and an exception from the maximum permitted obstruction requirement located at 345 Brannan Street, Lot 039 in Assessor's Block 3788 pursuant to Planning Code Section 329 within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated August 5, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2007.0385EBKX and subject to conditions of approval reviewed and approved by the Commission on **October 10, 2013** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **October 10, 2013** 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 Large Project 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 Large Project authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

5. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final

design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

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

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

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

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

PARKING AND TRAFFIC

8. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than 21 Class 1 and three Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

9. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.4, the Project shall provide no fewer than four showers and 24 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 7,181 square feet for off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

11. **Off-Street Freight Loading.** Pursuant to Planning Code Section 152, the Project will provide one off-street freight loading space or two service vehicle spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

12. **Transportation Brokerage Services - C-3, EN, and SOMA.** Pursuant to Planning Code Section 163, the Project Sponsor shall provide on-site transportation brokerage services for the actual lifetime of the project. Prior to the issuance of any certificate of occupancy, the Project Sponsor shall execute an agreement with the Planning Department documenting the project's transportation management program, subject to the approval of the Planning Director.

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

13. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 (formerly Chapter 38 of the Administrative Code), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

14. **Jobs Housing Linkage.** Pursuant to Planning Code Section 413 (formerly 313), the Project Sponsor shall contribute to the Jobs-Housing Linkage Program (JHLP). The calculation shall be based on the net addition of gross square feet of each type of space to be constructed as set forth in the permit plans. The Project Sponsor shall provide evidence that this requirement has been satisfied to the Planning Department prior to the issuance of the first site or building permit by the Department of Building Inspection.

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

15. **Childcare Requirements for Office and Hotel Development Projects.** Pursuant to Section 414 (formerly 314), the Project Sponsor shall pay the in-lieu fee as required. The net addition of gross floor area subject to the fee shall be determined based on drawings submitted with the Building Permit Application.

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

16. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

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

MONITORING

17. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

19. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

20. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

21. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,
www.sf-planning.org*



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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CA 94103-2479

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415.558.6409

Planning
Information:
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Planning Commission Draft Motion

HEARING DATE: OCTOBER 10, 2013

Date: October 3, 2013
Case No.: **2007.0385 EBKX**
Project Address: **345 BRANNAN STREET**
Zoning: MUO (Mixed Use Office)
 65-X Height and Bulk District
Block/Lot: 3788/039
Project Sponsor: Charles F. Bloszies
 228 Grant Avenue, 6th Floor
 San Francisco, CA 94108
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org

ADOPTING FINDINGS RELATING TO AN ALLOCATION OF OFFICE SQUARE FOOTAGE UNDER THE 2012 – 2013 ANNUAL OFFICE DEVELOPMENT LIMITATION PROGRAM PURSUANT TO PLANNING CODE SECTIONS 321 AND 322 THAT WOULD AUTHORIZE THE NEW CONSTRUCTION OF UP TO 102,585 GROSS SQUARE FEET OF OFFICE USE AND 7,181 SQUARE FEET OF OFF-STREET PARKING AND TO ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A PROPOSED PROJECT LOCATED AT 345 BRANNAN STREET, LOT 039 IN ASSESSOR’S BLOCK 3788, WITHIN THE MUO (MIXED USE OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 18, 2008 Charles F. Bloszies (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for a Large Project Authorization under Planning Code Section 329 to allow exceptions for allowable permitted obstructions pursuant to Planning Code Section 136 and an Office Development Authorization to construct a new 116,615 gross square foot, five story office building with off-street parking on the property at 345 Brannan Street, south side of Brannan Street between 3rd Street and Stanford Street; Lot 039 in Assessor’s Block 3788, (hereinafter “Subject Property”). The project is located within an MUO (Mixed Use Office) Zoning District a 65-X Height and Bulk District.

On March 20, 2013 Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review; and

The Draft IS/MND was available for public comment until April 9, 2013 and

On October 10, 2013, the Planning Department/Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Department/Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Planning Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the MND, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

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

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2007.0385 EBKX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On October 10, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on a Large Project Authorization, Application No. 2007.0385 EBKX.

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 Large Project Authorization requested in Application No. 2007.0385 EBKX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the south side of Brannan Street, between 3rd and Stanford Streets. The lot, approximately 24,000 square feet in area, is a flag lot with a 20 foot wide portion at the rear of the lot that stretches approximately 140 feet toward the

east and provides frontage on Stanford Street. The lot also provides 75 feet of frontage along Brannan Street. The property is currently used as a surface parking lot.

3. **Surrounding Properties and Neighborhood.** The project is located within the South of Market Area neighborhood and is approximately one block south of South Park. Properties in the area are commercial and light industrial in nature with residential uses found further away from the site. Immediately to the east and west of the project site are one- and two-story light industrial buildings. To the north of the project site is a four-story commercial building. To the south of site are one-, two- and three-story light industrial buildings that front Townsend Street. Properties in the surrounding area are in the MUO (Mixed Use Office) and SLI (Service Light Industrial) Zoning Districts.
4. **Project Description.** The applicant proposes to construct a new five-story commercial building that will house approximately 102,585 square feet of office use and approximately 7,181 square feet of off-street parking on a site with a surface parking lot. Automobile access into an excavated basement level will be provided from Stanford Street, a minor street located to the east of the project site. Open space for the office tenants is provided at a west-facing deck on the second floor and a 4,300 square foot roof deck.
5. **Public Comment.** The Project Sponsor received input from and worked with South Park stakeholders to alter the project and to collaborate on improvements to South Park. In addition Planning Department staff received one letter requesting additional changes to the project.
6. **Office Allocation.** Planning Code Section 321 establishes standards for San Francisco's Office Development Annual Limit. In determining if the proposed Project would promote the public welfare, convenience and necessity, the Commission considered the seven criteria established by Code Section 321(b)(3), and finds as follows
 - A. Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth on the one hand, and housing, transportation and public services, on the other.

The proposed office development will maintain a balance between office space growth and housing, transportation and public services as it is located within the Eastern Neighborhoods Plan Area and will be assessed the Eastern Neighborhood Infrastructure Impact Fee (Planning Code Section 423) to address these concerns. In addition, given the quantity of office space proposed, the project will also be assessed fees in accordance with the Transit Impact Development Fee Program (Planning Code Section 411), the Jobs-Housing Linkage Program (Planning Code Section 413) and the Child-Care Requirement for Office Development Projects (Planning Code Section 414). Cumulatively, the fees assessed will help assure that the growth in office space is accompanied by an increase in available resources for social and public goods.

- B. The contribution of the office development to, and its effects on, the objectives and policies of the General Plan;

The proposed project is, on balance, consistent with the General Plan, as outlined in Section 8 below.

C. The quality of the design of the proposed office development;

The design of the proposed project is appropriate for the existing context of light industrial buildings. The terra cotta rain screen, the principal element on the Brannan Street façade, is a feature that complements the current context of masonry buildings and the rhythm created by the window bays and rain screen meshes well with the prevailing character of the area. The storefront is heavily glazed which will activate the Brannan Street frontage. Automobile and freight loading access is located on the secondary, minor Stanford Street façade. This location eliminates any potential automobile conflicts with pedestrian use of the principal façade. Taken together, the design is of high quality and will prove to be an asset to the area.

D. The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location;

The office is located within the MUO (Mixed Use Office) Zoning District, a zoning district with the stated intent to encourage office development. No adverse effects specific to the location are anticipated.

E. The anticipated uses of the proposed office development in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses;

The proposed office development will provide hundreds of employment opportunities for potentially a variety of office tenants. The floor plans are sufficiently flexible so as to meet the needs of a number of different office tenants with varying needs in terms of floor area.

F. The extent to which the proposed development will be owned or occupied by a single entity;

The proposed project will be owned by one entity, but will likely offer spaces to multiple tenants.

G. The use, if any, of Transferable Development Rights ("TDRs) by the Project Sponsor;

The proposed project will not use TDRs.

7. **General Plan Compliance.** The General Plan Consistency Findings set forth in Motion No. XXXXX, Case No. 2007.0385EBKX (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
8. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

The proposal would enhance the neighborhood-serving retail district by introducing a large number of new employees and potential patrons to the retail uses in the area.

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

The existing neighborhood character will be preserved as the design of the proposal is in harmony with the building scale, massing and form found in the vicinity.

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

The proposed development will not add or remove housing.

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

It is not anticipated that commuter traffic will impede MUNI transit or overburden streets or neighborhood parking as the sole automobile entrance is on a minor side street and the excavated basement provides the maximum allowable off-street parking.

- 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.

No existing industrial and service sector establishments will be displaced as a result of the office development.

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

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

- G. That landmarks and historic buildings be preserved.

The Historic Resource Evaluation Report indicates the absence of an historic resource on the subject property.

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

The Planning Commission found that the net new shadow cast by the project upon South Park will not be adverse to the park.

9. 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.
10. The Commission hereby finds that approval of the Office Development 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 Office Allocation Application No. 2007.0385EBKX** under Planning Code Sections 321 and 322 to allow the new construction of a five-story commercial building with 102,585 square feet of office use within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 5, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 10, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 10, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for an Office Development Authorization to allow the new construction of a five-story commercial building with up to 102,585 square feet of office use located at 345 Brannan Street, Lot 039 in Assessor's Block 3788 pursuant to Planning Code Section(s) 321 and 322 within the MUO (Mixed Use Office) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated August 5, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2007.0385EBKX and subject to conditions of approval reviewed and approved by the Commission on **October 10, 2013** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

COMPLIANCE WITH OTHER REQUIREMENTS

The Conditions of Approval set forth in Exhibit B of Motion No. **XXXXXX**, Case No. 2007.0385EBKX (Large Project Authorization Under Section 329), and the Mitigation, Monitoring, and Reporting Program adopted as Exhibit C to Planning Commission Motion No. **XXXXXX**, Case No. 2007.0385EBKX apply to this approval, and are incorporated herein as though fully set forth, except as modified herein.

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 **October 10, 2013** under Motion No **XXXXXX**.

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 Office Development Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Development Timeline - Office.** Pursuant to Planning Code Section 321(d) (2), construction of the office development project shall commence within 18 months of the effective date of this Motion. Failure to begin work within that period or to carry out the development diligently thereafter to completion, shall be grounds to revoke approval of the office development under this office development authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org



View along Brannan Street
Looking West



333 Brannan
beyond

Bay window
facing South
Park

Parklet

View along Brannan Street
Looking East



Project Site
345 Brannan St

Aerial Photo





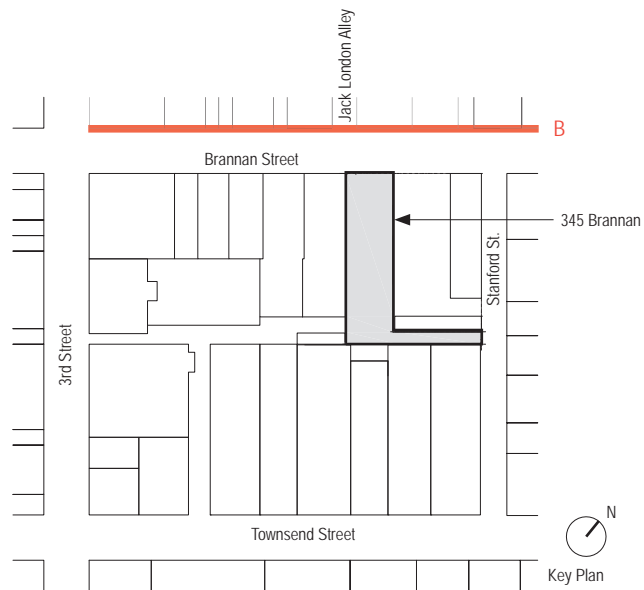
A. Neighborhood Context: Brannan St.



↑
3rd Street



↑
2nd Street



B. Neighborhood Context: Brannan St.



Townsend Street

Project Site
(Driveway)



Brannan Street



C. Neighborhood Context: Stanford St.



↑
Brannan Street



↑
Townsend Street



D. Neighborhood Context : Stanford St.



1



2



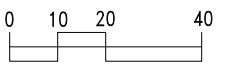
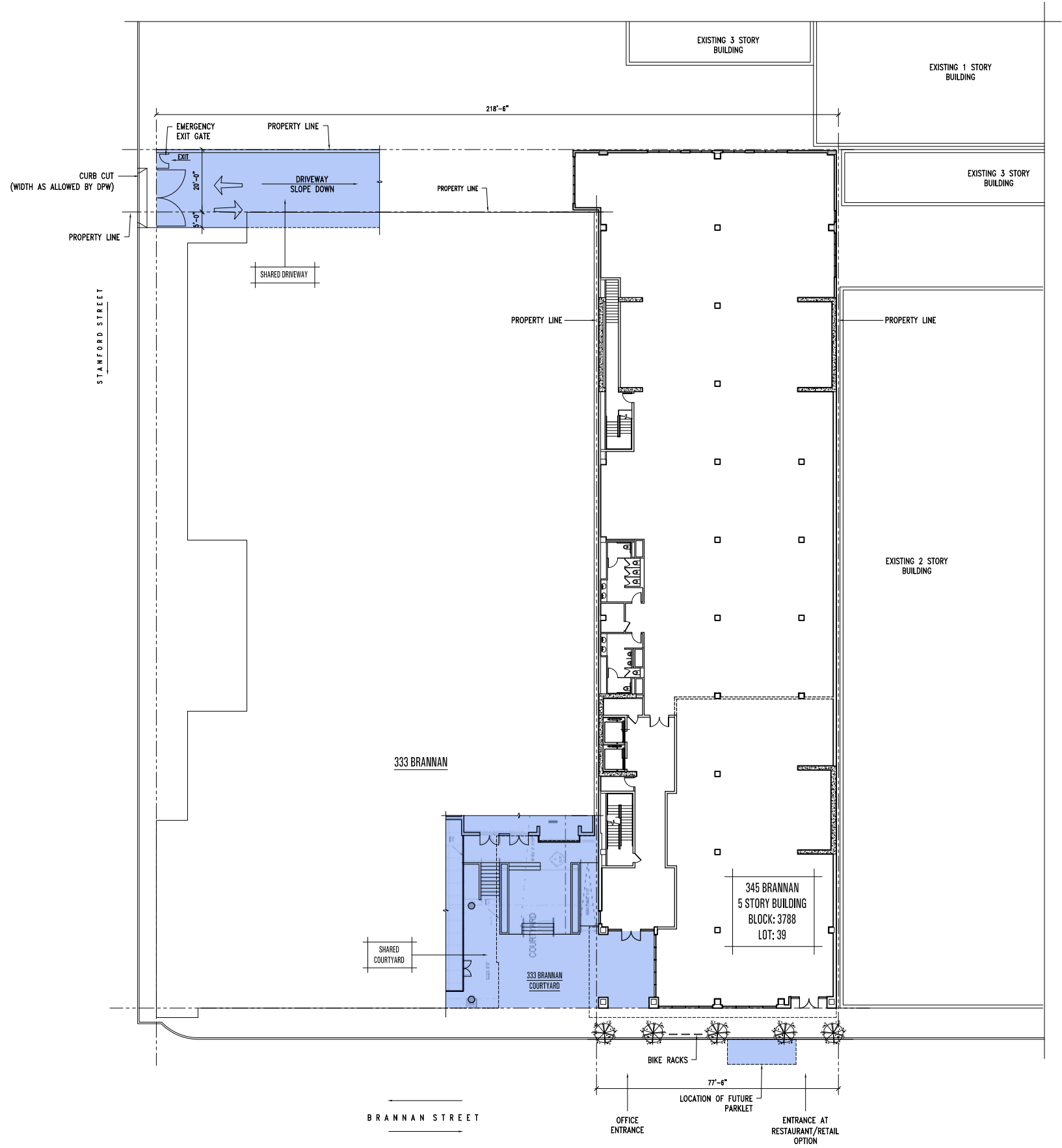
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4

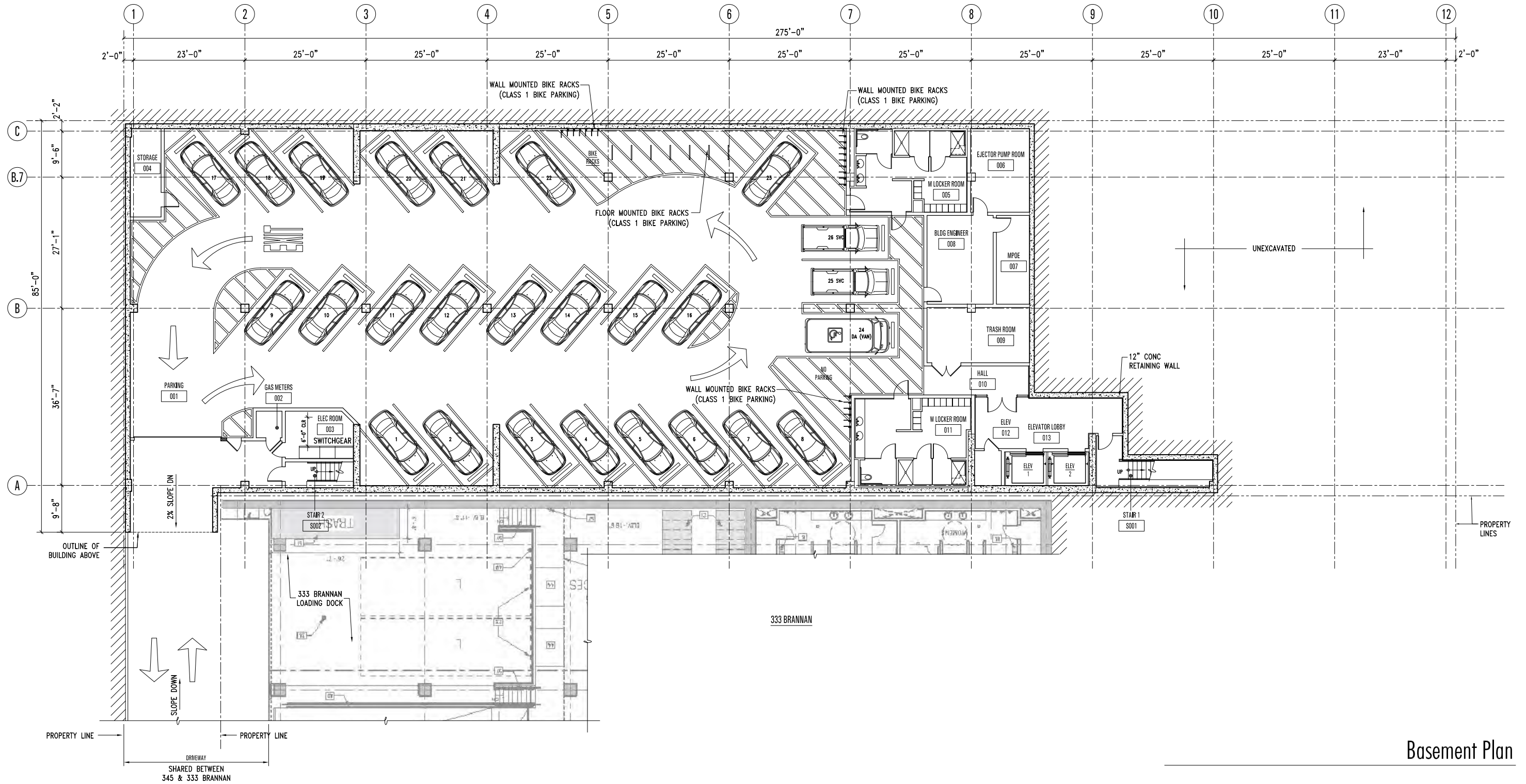


Site Context Photos

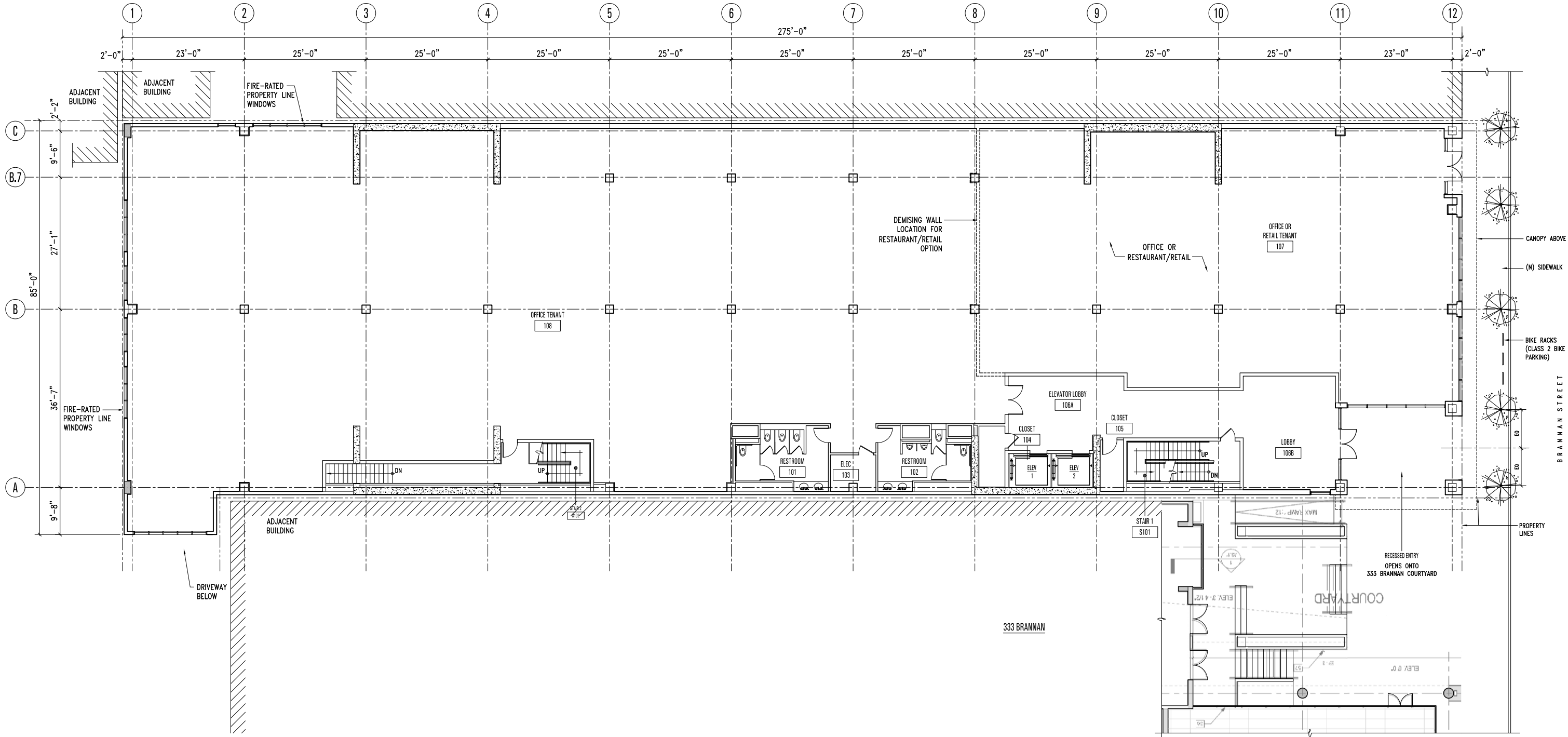


Site Plan

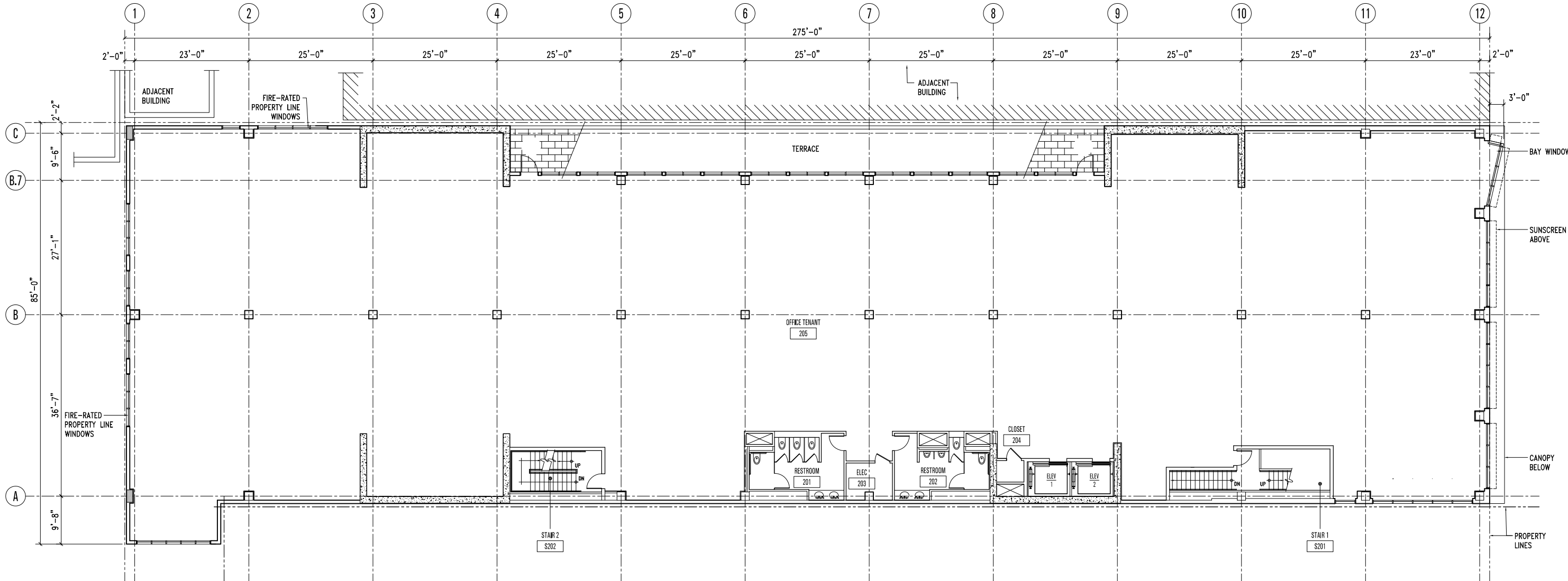




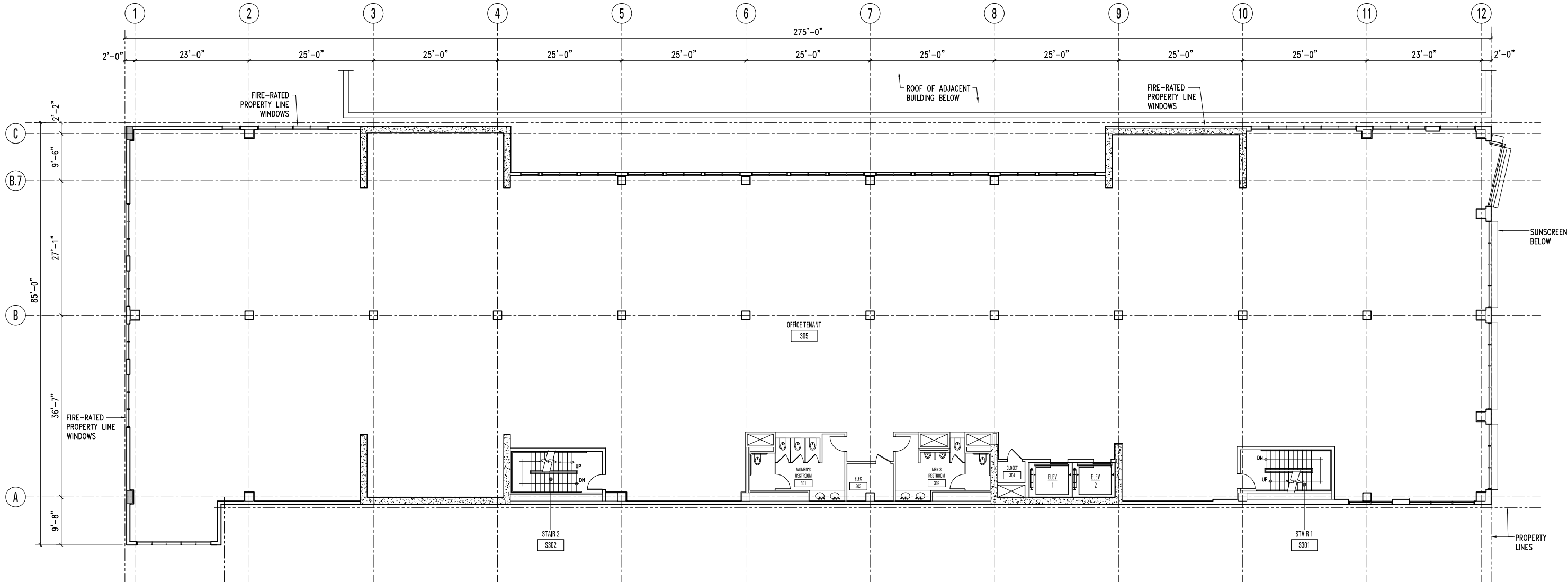
Basement Plan



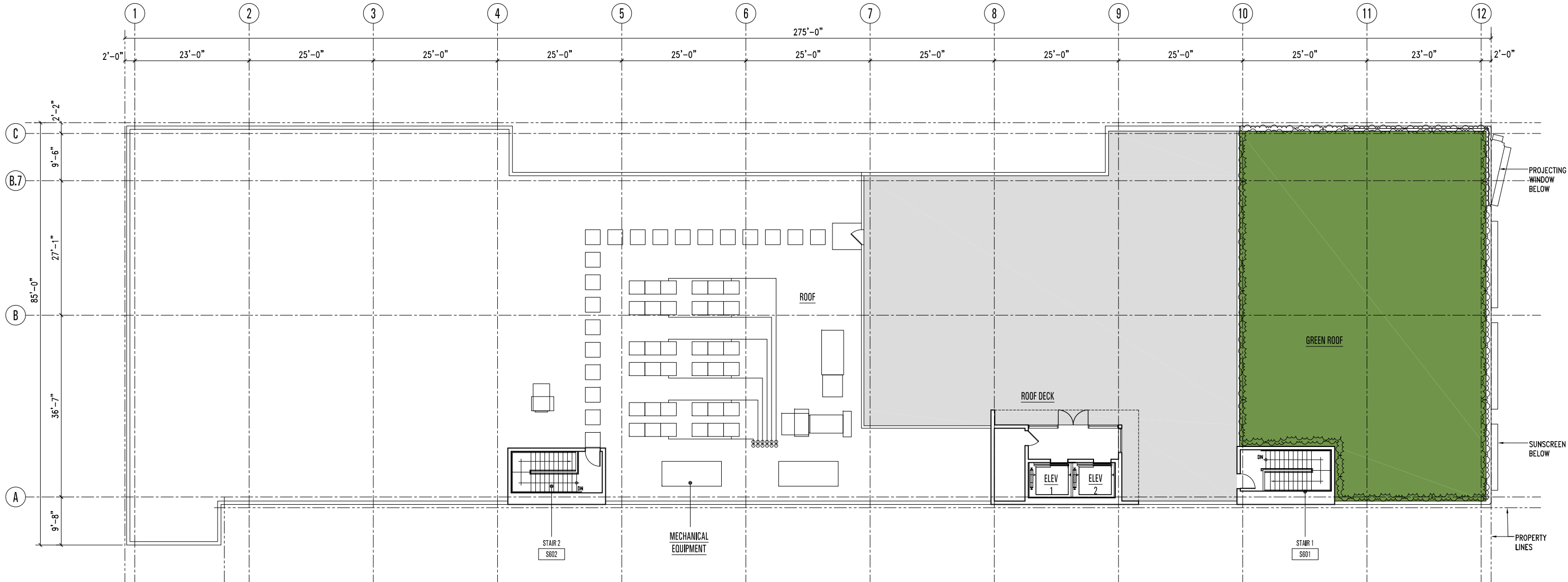
Ground Floor Plan



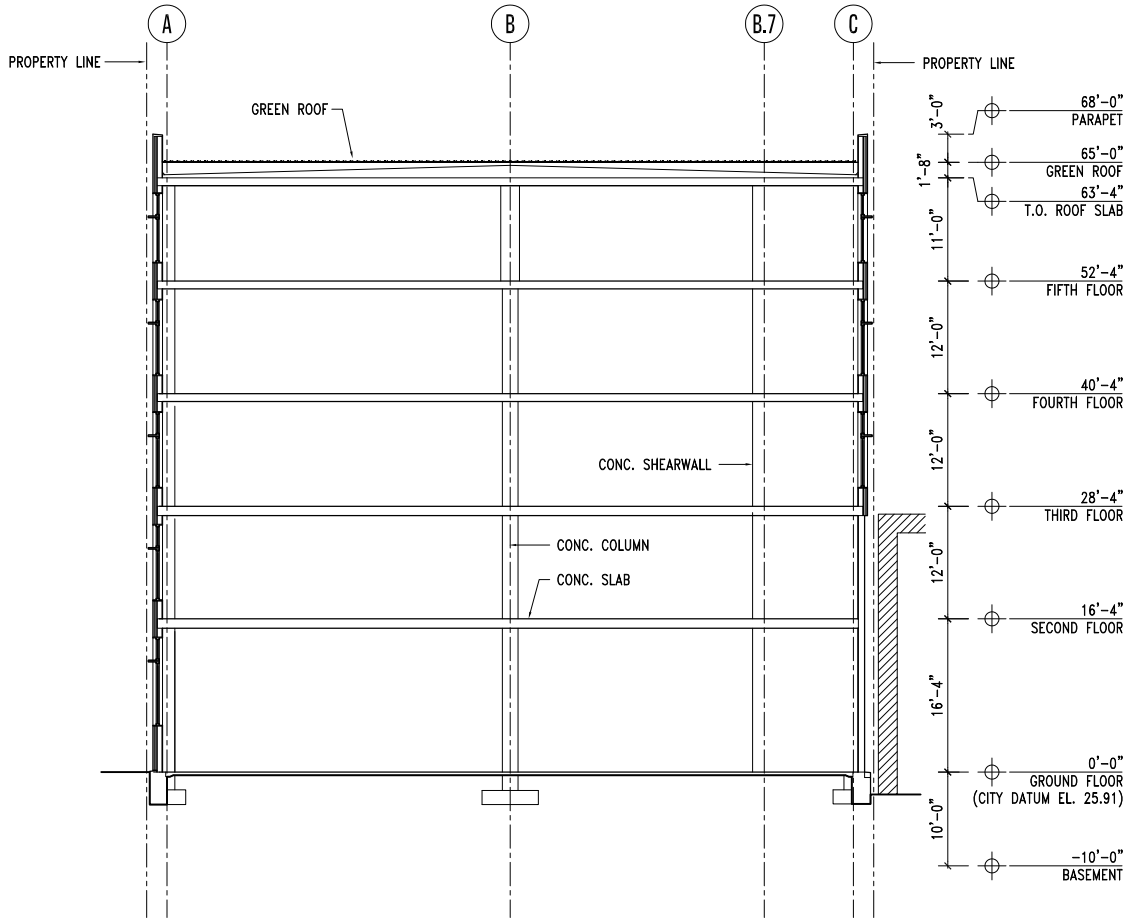
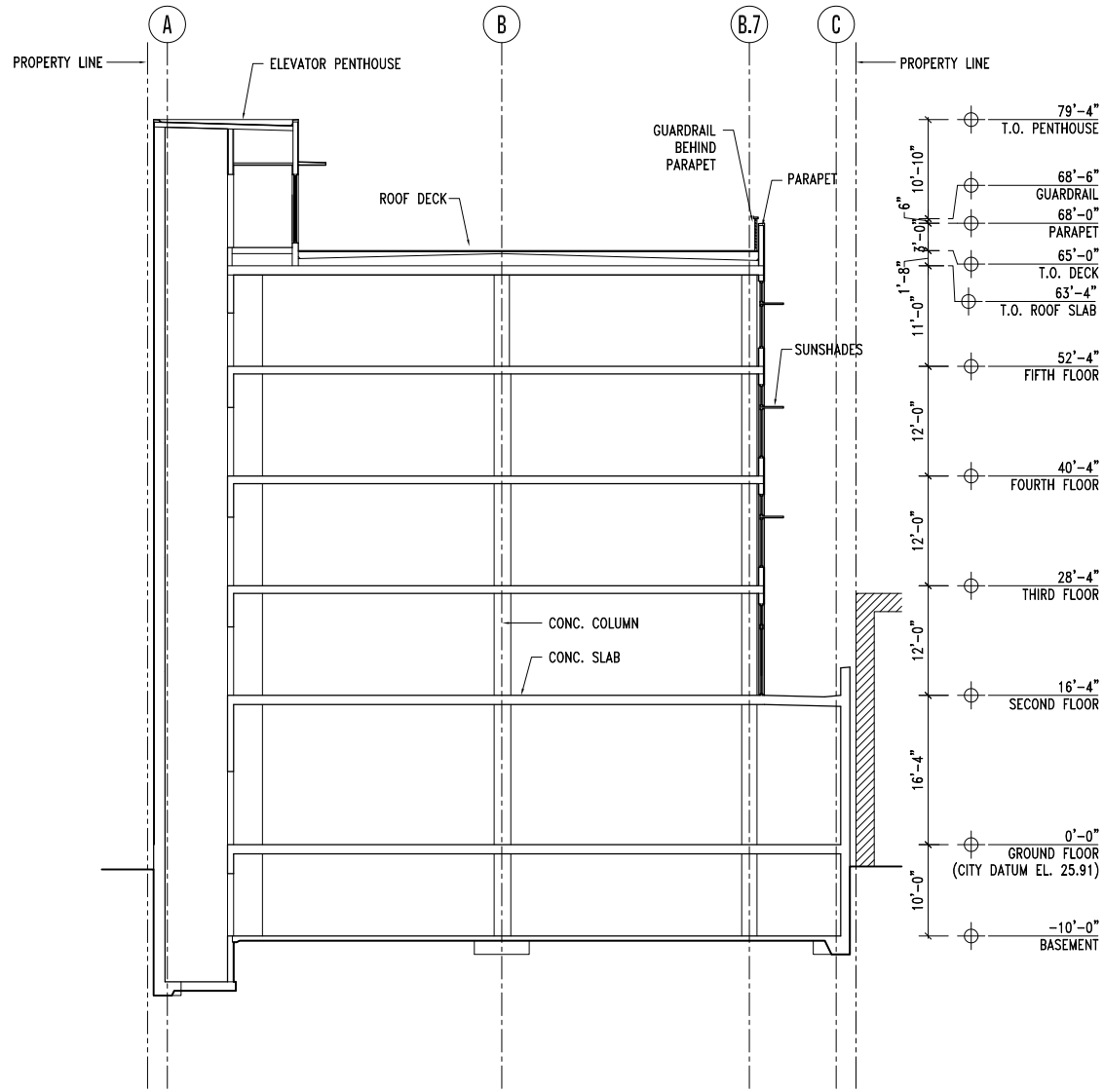
Second Floor Plan



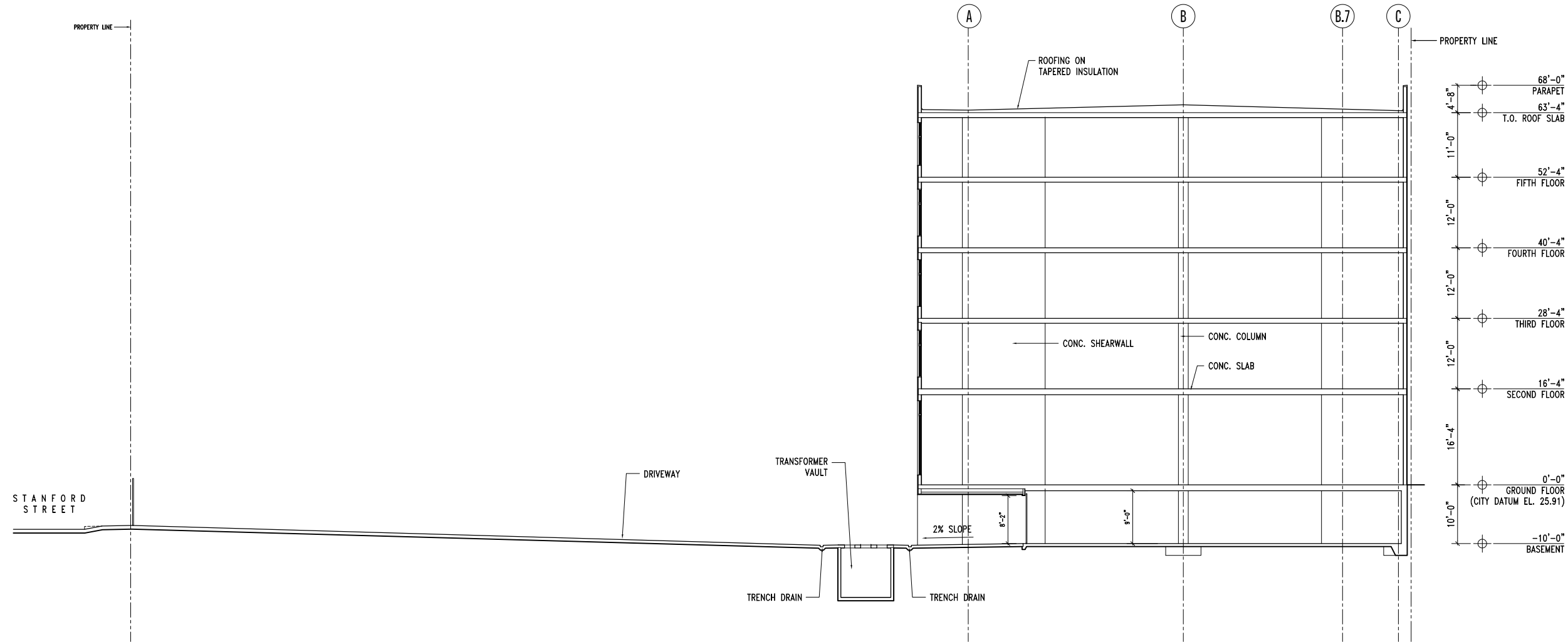
Typical Upper Floor Plan
(3 floors)



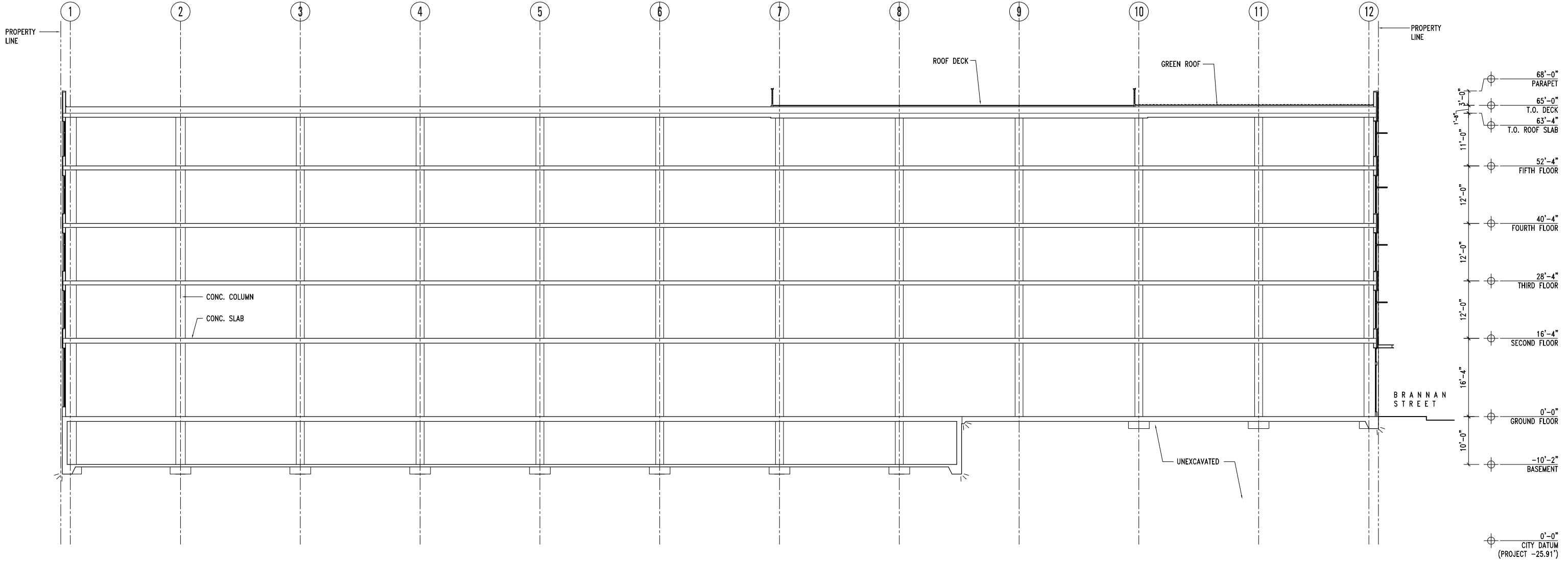
Roof Plan



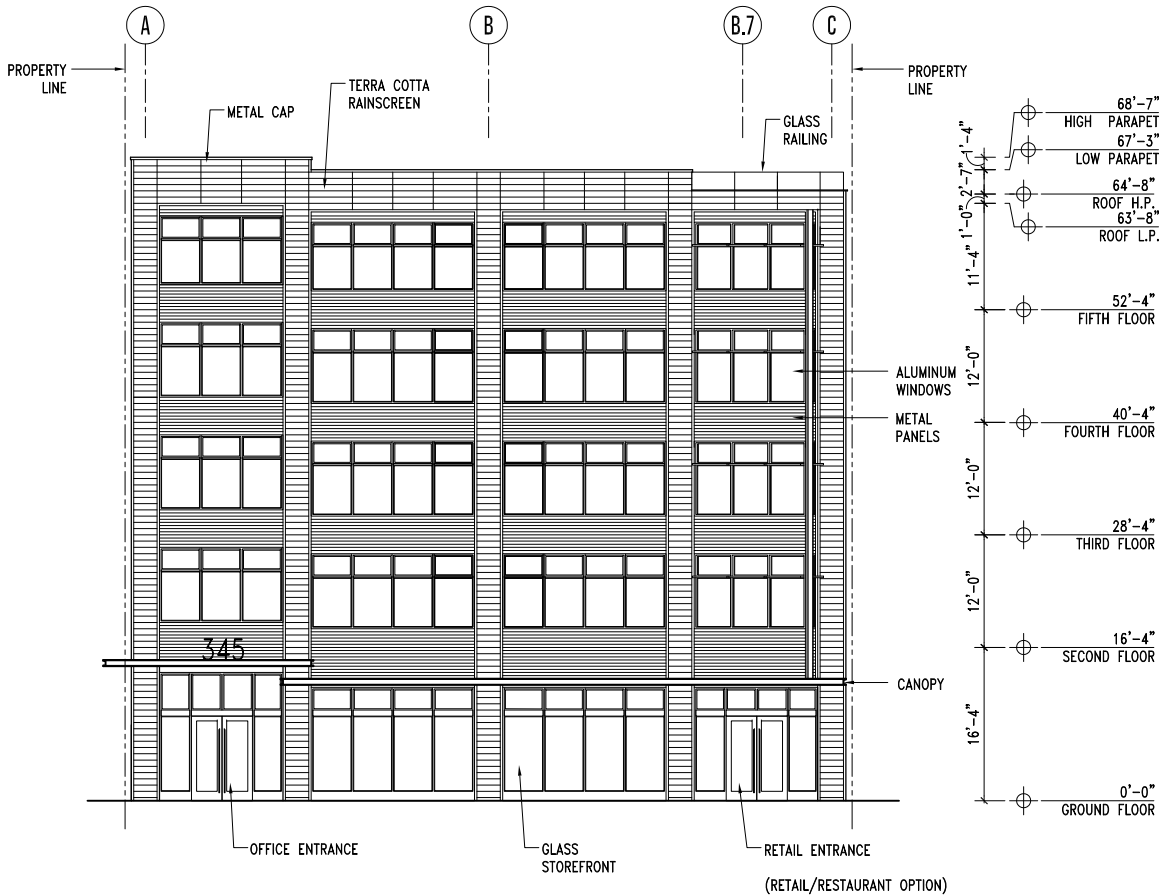
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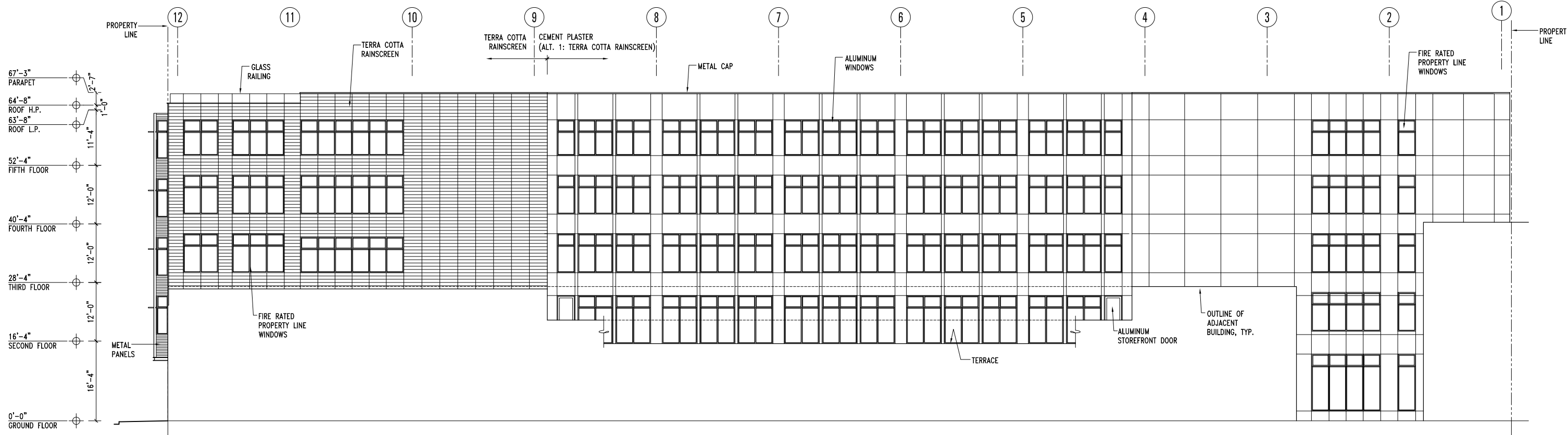
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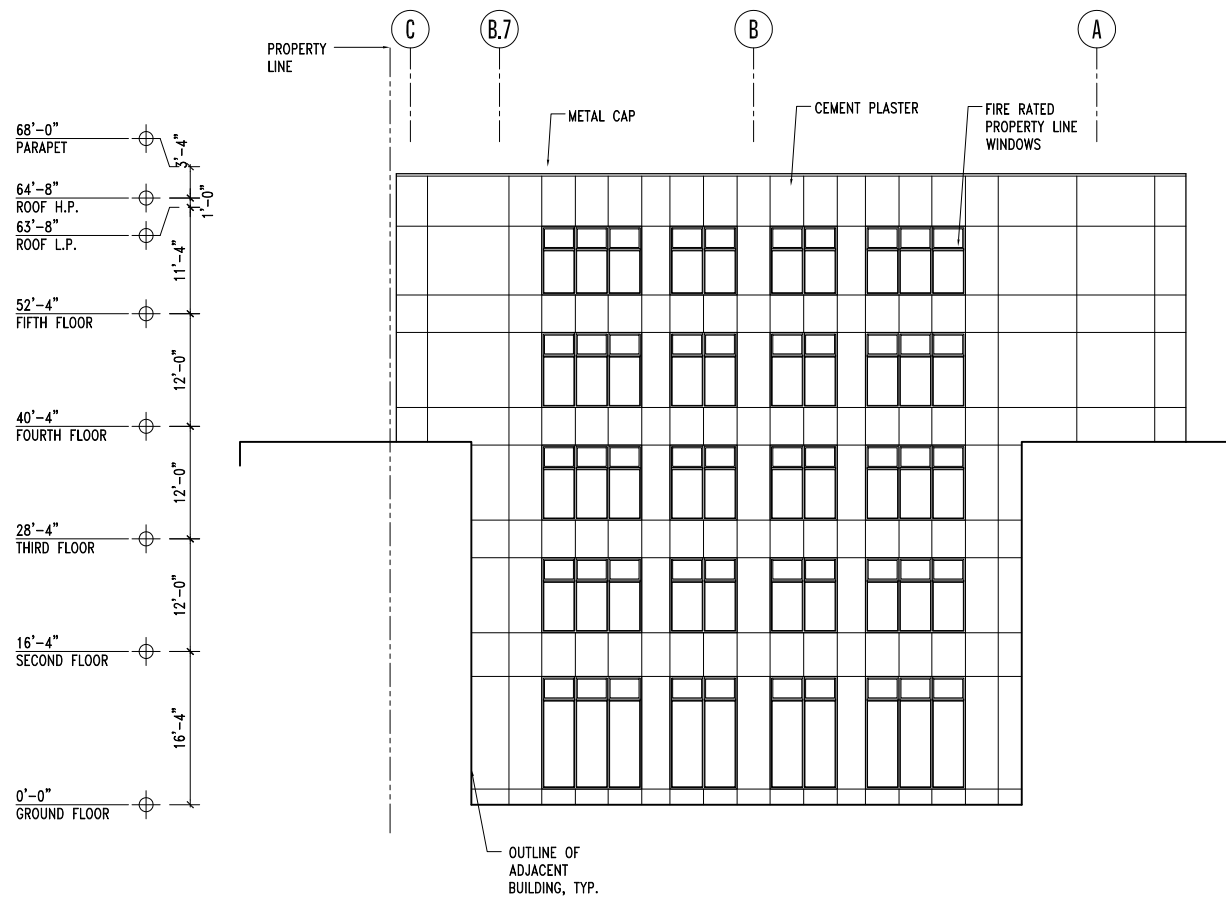
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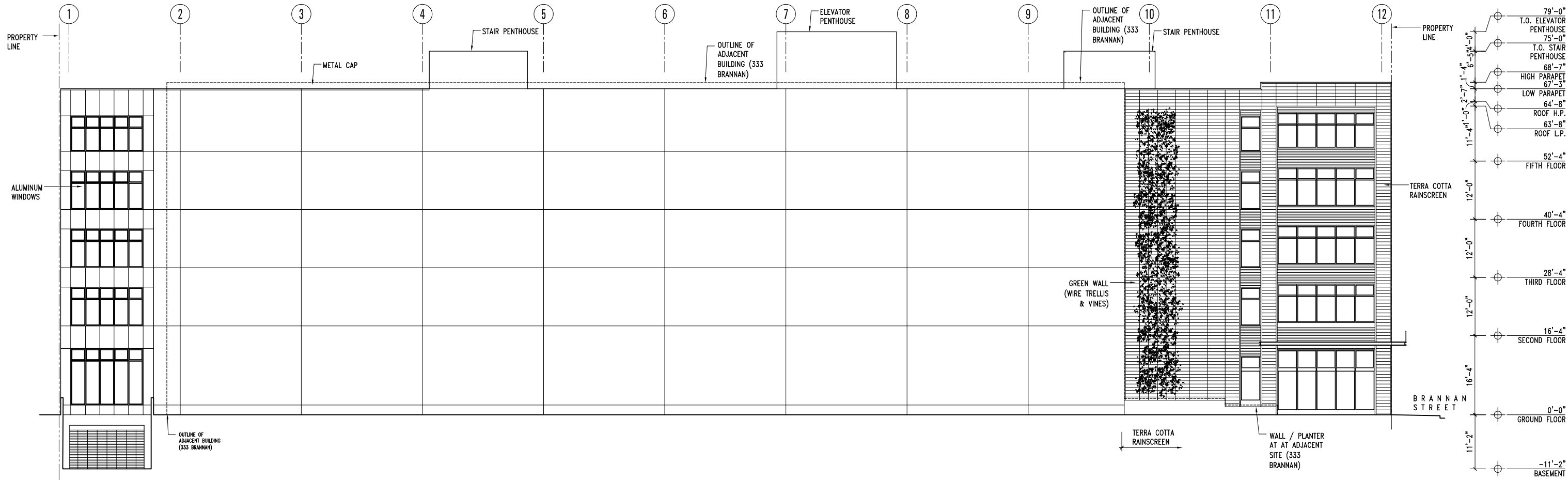
North Elevation



West Elevation



South Elevation



East Elevation



SAN FRANCISCO PLANNING DEPARTMENT

Final Mitigated Negative Declaration

PMND Date: March 20, 2013
 Case No.: 2007.0385E
 Project Title: 345 Brannan Street
 Zoning: Mixed Use Office District
 65-X Height and Bulk District
 Block/Lot: 3788/039
 Lot Size: 24,110 square feet
 Project Sponsor: Charles Bloszies, (415) 834-9002
 Staff Contact: Don Lewis, (415) 575-9095, don.lewis@sfgov.org

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San Francisco,
CA 94103-2479

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Fax:
415.558.6409

Planning
Information:
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PROJECT DESCRIPTION:

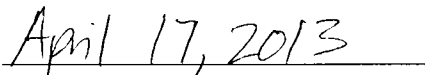
The "L"-shaped project site is located mid-block between Stanford and Third Streets on the block bounded by Brannan Street to the north, Third Street to the west, Townsend Street to the south, and Second Street to the east within the South of Market area. The proposed project involves the removal of an existing 94-space surface parking lot and construction of a new, five-story, 65-foot-tall, office building totaling approximately 116,615 square feet in size with 26 below-grade parking spaces. The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail/restaurant use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail/restaurant use. Under Option 2, the building would contain 102,585 square feet of office use. Under both options, approximately 825 square feet of private open space would be provided on the second floor and approximately 4,000 square feet of common open space would be provided on the roof deck. Pedestrian access would be from Brannan Street and vehicular access to the underground parking garage would be from Stanford Street. The proposed project would require Planning Commission authorization under Planning Code Section 321 (Office Development Annual Limit), Section 329 (Large Project Authorization), and Section 295 (Shadow). The project site is located within the Eastern Neighborhoods Plan Area.

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 127-134.

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


 Sarah B. Jones
 Acting Environmental Review Officer


 Date of Adoption of Final Mitigated
 Negative Declaration

cc: Chuck Bloszies, Project Sponsor; Supervisor Jane Kim, District 6; Virna Byrd, M.D.F.



SAN FRANCISCO PLANNING DEPARTMENT

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

Date: March 20, 2013
Case No.: 2007.0385E
Project Title: 345 Brannan Street
Zoning: Mixed Use Office District
65-X Height and Bulk District
Block/Lot: 3788/039
Lot Size: 24,110 square feet
Project Sponsor: Charles Bloszies, (415) 834-9002
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415.558.6377

To Whom It May Concern:

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

Project Description: The "L"-shaped project site is located mid-block between Stanford and Third Streets on the block bounded by Brannan Street to the north, Third Street to the west, Townsend Street to the south, and Second Street to the east within the South of Market area. The proposed project involves the removal of an existing 94-space surface parking lot and construction of a new, five-story, 65-foot-tall, office building totaling approximately 116,615 square feet in size with 26 below-grade parking spaces. The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail/restaurant use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail/restaurant use. Under Option 2, the building would contain 102,585 square feet of office use. Under both options, approximately 825 square feet of private open space would be provided on the second floor and approximately 4,000 square feet of common open space would be provided on the roof deck. Pedestrian access would be from Brannan Street and vehicular access to the underground parking garage would be from Stanford Street. The proposed project would require Planning Commission authorization under Planning Code Section 321 (Office Development Annual Limit), Section 329 (Large Project Authorization), and Section 295 (Shadow). The project site is located within the Eastern Neighborhoods Plan Area.

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

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

Within 20 calendar days following publication of the PMND (i.e., by 5:00 p.m. on **April 9, 2013** any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a \$521 check payable to the San Francisco Planning Department.¹ An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$521.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on April 9, 2013.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

Date: March 20, 2013
Case No.: 2007.0385E
Project Title: 345 Brannan Street
Zoning: Mixed Use Office District
65-X Height and Bulk District
Block/Lot: 3788/039
Lot Size: 24,110 square feet
Project Sponsor: Charles Bloszies, (415) 834-9002
Staff Contact: Don Lewis, (415) 575-9095, don.lewis@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The "L"-shaped project site is located mid-block between Stanford and Third Streets on the block bounded by Brannan Street to the north, Third Street to the west, Townsend Street to the south, and Second Street to the east within the South of Market area. The proposed project involves the removal of an existing 94-space surface parking lot and construction of a new, five-story, 65-foot-tall, office building totaling approximately 116,615 square feet in size with 26 below-grade parking spaces. The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail/restaurant use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail/restaurant use. Under Option 2, the building would contain 102,585 square feet of office use. Under both options, approximately 825 square feet of private open space would be provided on the second floor and approximately 4,000 square feet of common open space would be provided on the roof deck. Pedestrian access would be from Brannan Street and vehicular access to the underground parking garage would be from Stanford Street. The proposed project would require Planning Commission authorization under Planning Code Section 321 (Office Development Annual Limit), Section 329 (Large Project Authorization), and Section 295 (Shadow). The project site is located within the Eastern Neighborhoods Plan Area.

FINDING:

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

Mitigation measures are included in this project to avoid potentially significant effects. See pages 127-134.

cc: Chuck Bloszies, Project Sponsor; Supervisor Jane Kim, District 6; Virna Byrd, M.D.F.

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INITIAL STUDY

Case Number 2007.0385E – 345 Brannan Street

A. PROJECT DESCRIPTION

PROJECT LOCATION AND SITE CHARACTERISTICS

The approximately 24,000-square-foot project site (Assessor's Block 3788, Lot 039) is an "L"-shaped lot located mid-block between Stanford and Third Streets on the block bounded by Brannan Street to the north, Third Street to the west, Townsend Street to the south, and Second Street to the east within the South of Market area (see Figure 1, Project Location Map, page 3).¹ The project site currently contains a 24,113-square-foot, paved, surface parking lot with approximately 94 spaces and perimeter fencing. Existing vehicular access to the parking lot is via two curb cuts on Brannan Street and a driveway on Stanford Street.

The project site is relatively flat with a gradual slope along Brannan Street to the west. The project site is located adjacent to the South of Market South End Historic District. The site fronts on both Brannan Street and Stanford Street, is in the MUO (Mixed Use-Office) zoning district, a 65-X height and bulk district, and within the Eastern Neighborhoods Rezoning and Area Plans area.

PROPOSED PROJECT

The proposed project involves the removal of an existing 94-space surface parking lot and construction of a new, five-story, 65-foot-tall, office building totaling approximately 116,615 square feet in size with 26 below-grade parking spaces (including two service vehicle spaces²). The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail/restaurant use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail/restaurant use. Under Option 2, the building would contain 102,585 square feet of office use. Under both options, approximately 825 square feet of private open space would be provided

¹ It should be noted that in the South of Market area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets.

² The two service vehicle spaces would have a minimum width of eight feet, a minimum length of 20 feet, and a minimum vehicle clearance of seven feet.

on the second floor and approximately 4,000 square feet of common open space would be provided on the roof deck. Pedestrian access would be from Brannan Street and vehicular access to the underground parking garage would be from Stanford Street (see Figures 2-9). The proposed project would remove the two existing curb cuts that are located on Brannan Street as vehicles would enter and exit the project site via Stanford Street. There are no trees on the project site, and the proposed project would include planting four trees along its Brannan Street frontage.

The proposed building height, measured in accordance with provisions of Planning Code Section 102.12 and Section 260 is 65 feet. The parapet on the Brannan Street façade would be 67 feet above sidewalk grade, a stair penthouse would be 73 feet above grade, and a small elevator penthouse would be 76 feet above grade. The Brannan Street façade would be notched down slightly at parapet height, and topped with glass railing opposite Jack London Alley intersecting Brannan Street to the north, which provides access to South Park, a public open space under the jurisdiction of the Recreation and Park Department.

The project would require excavation to a depth of up to approximately 14 feet below ground surface for the underground parking garage. Construction of the proposed project is anticipated to last ten to twelve months, starting in approximately summer of 2013.

The proposed project would require Planning Commission authorization under Planning Code Section 321 (Office Development Annual Limit), Section 329 (Large Project Authorization), and Section 295 (Shadow). The project site is located in the eastern portion of the South of Market boundary within the Eastern Neighborhoods Plan Area.



345 Brannan Street

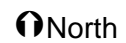


Figure 1 – Project Location
Source: Google Maps, January 2013
(not to scale)

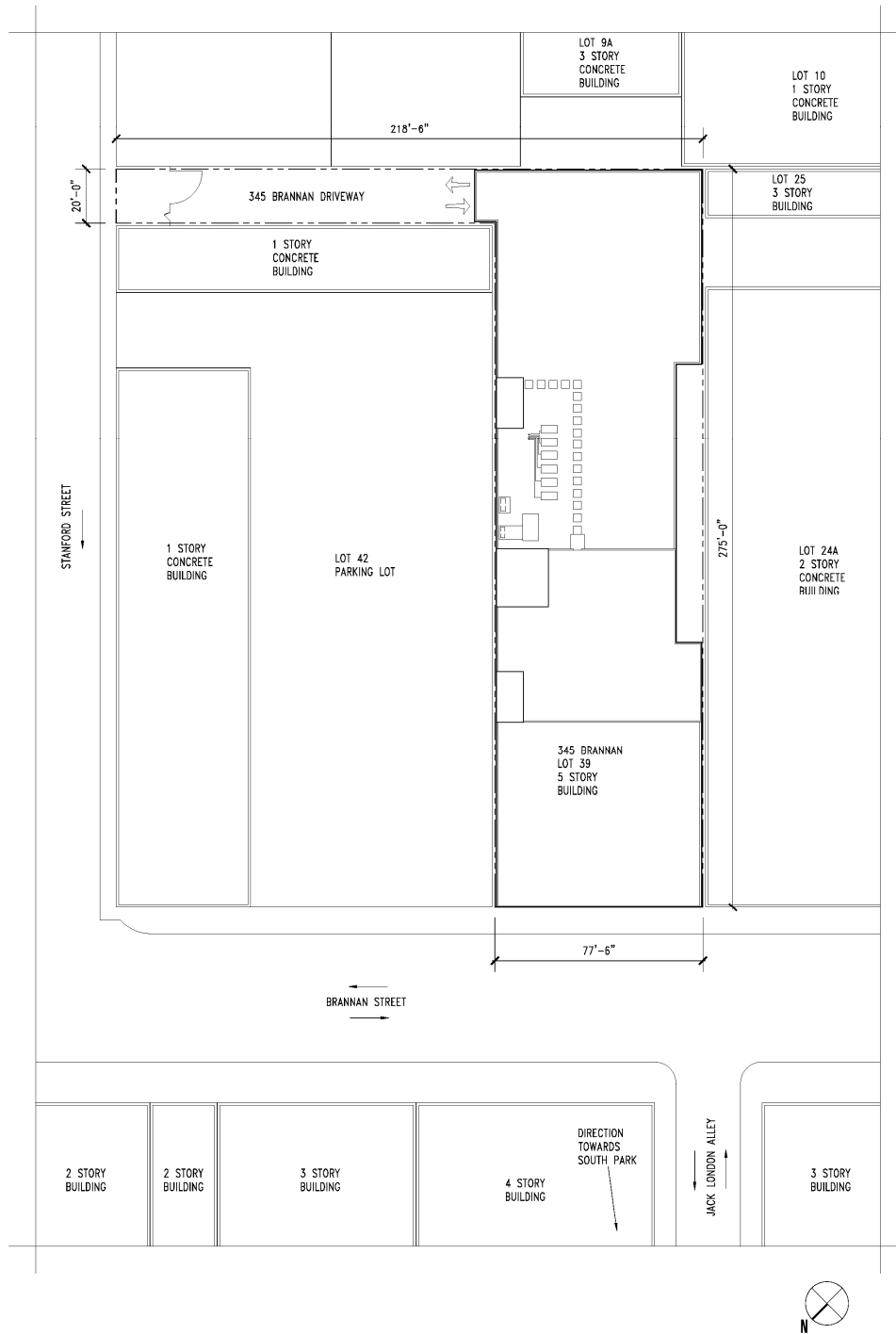


Figure 2 – Proposed Site Plan
 Source: Charles F. Bloszies, December 2012
 (not to scale)

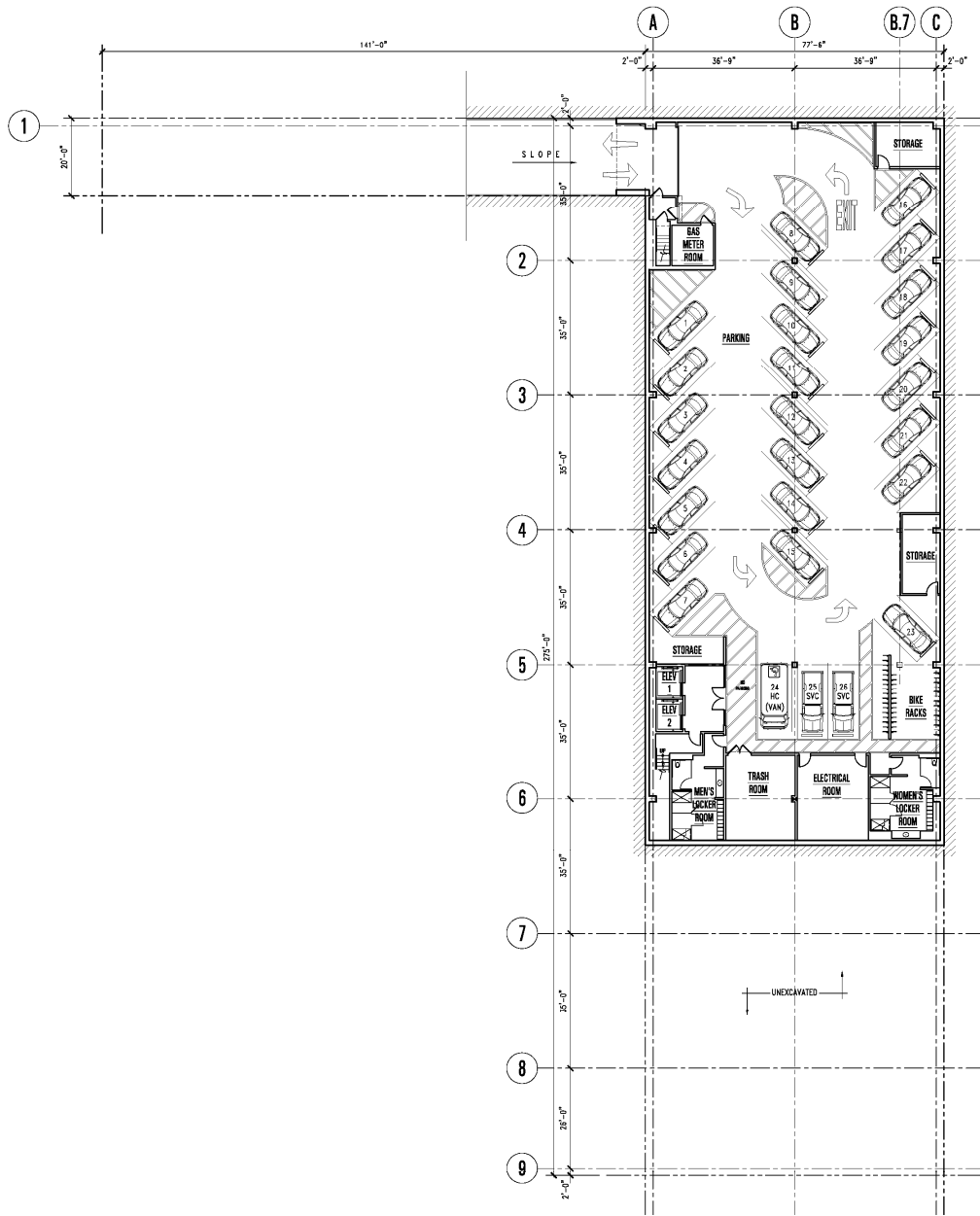


Figure 3 – Proposed Basement Plan
 Source: Charles F. Bloszies, December 2012
 (not to scale)

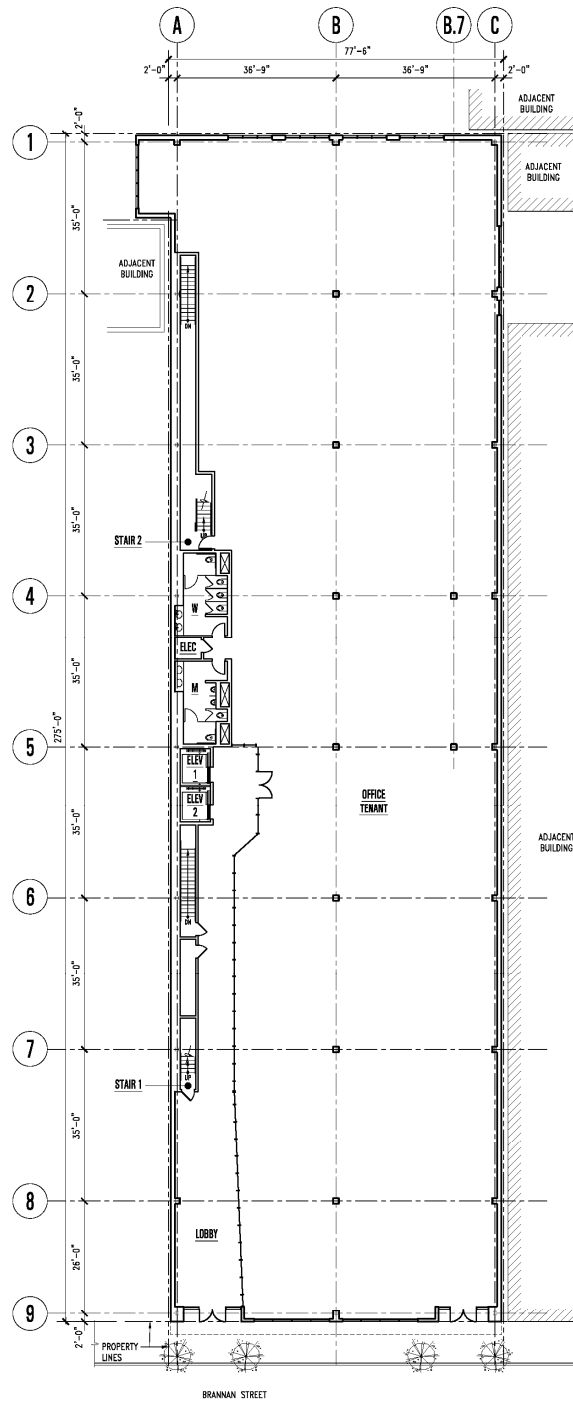


Figure 4a – Proposed First Floor Plan (All Office)
 Source: Charles F. Bloszies, December 2012
 (not to scale)

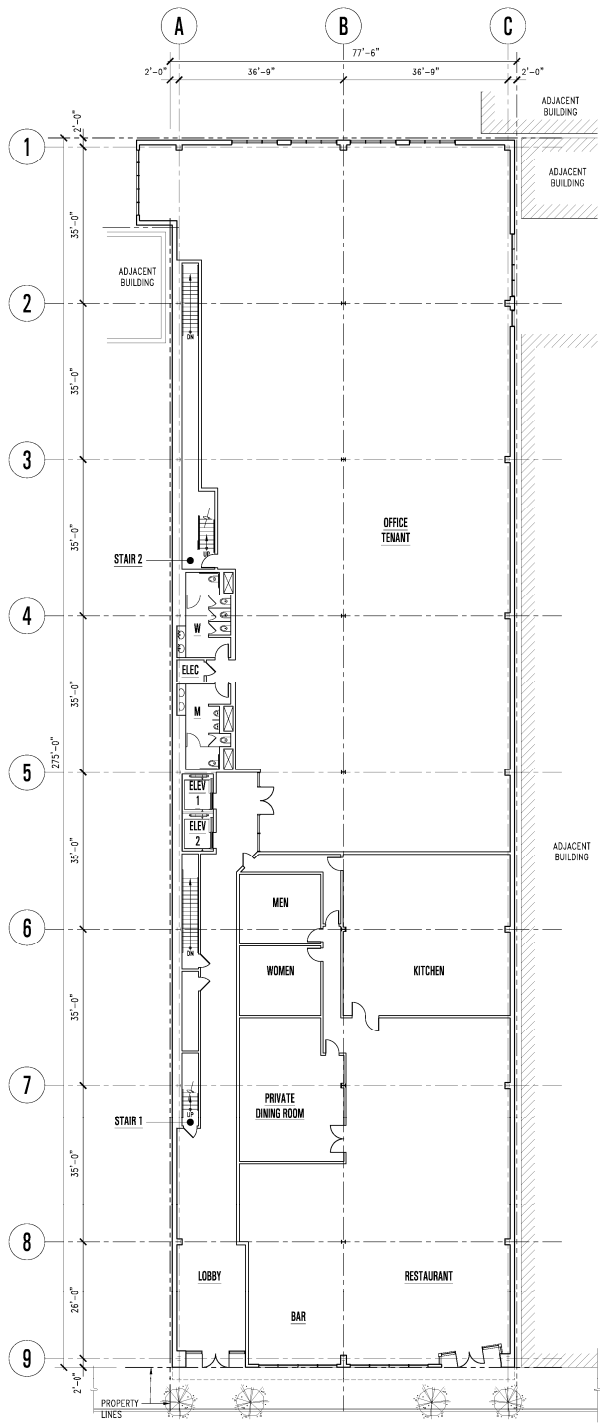


Figure 4b – Proposed First Floor Plan (All Office + Retail/Restaurant)

Source: Charles F. Bloszies, December 2012
(not to scale)

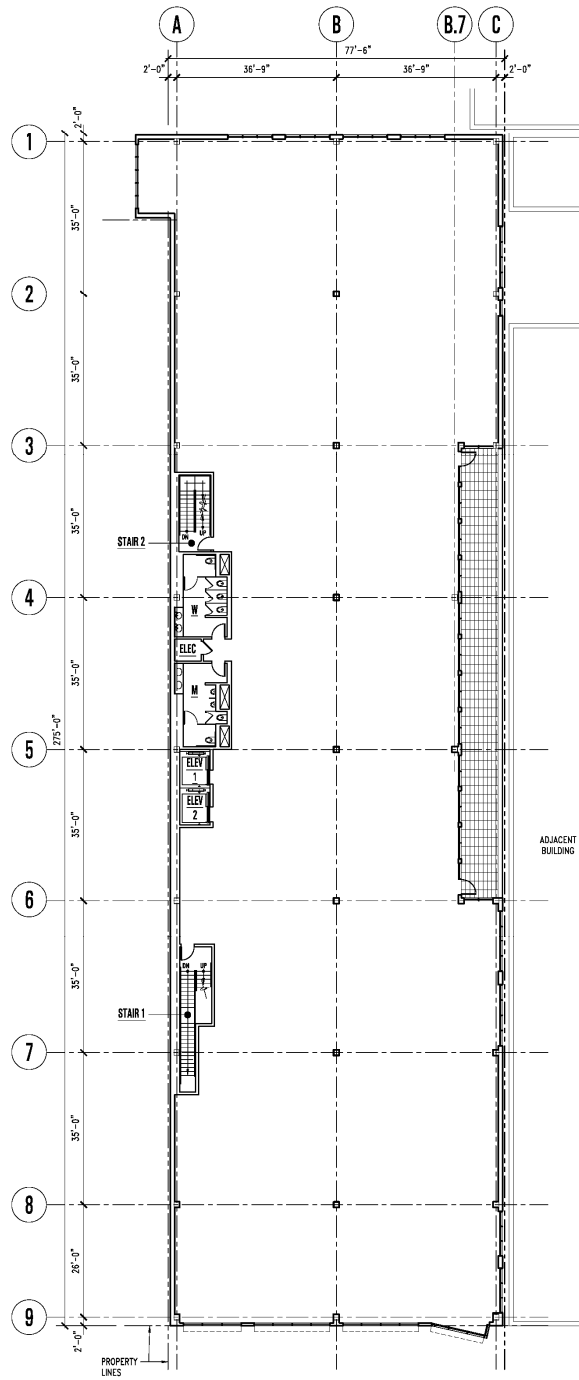


Figure 5 – Proposed Plan for Second Floor
 Source: Charles F. Bloszies, December 2012
 (not to scale)

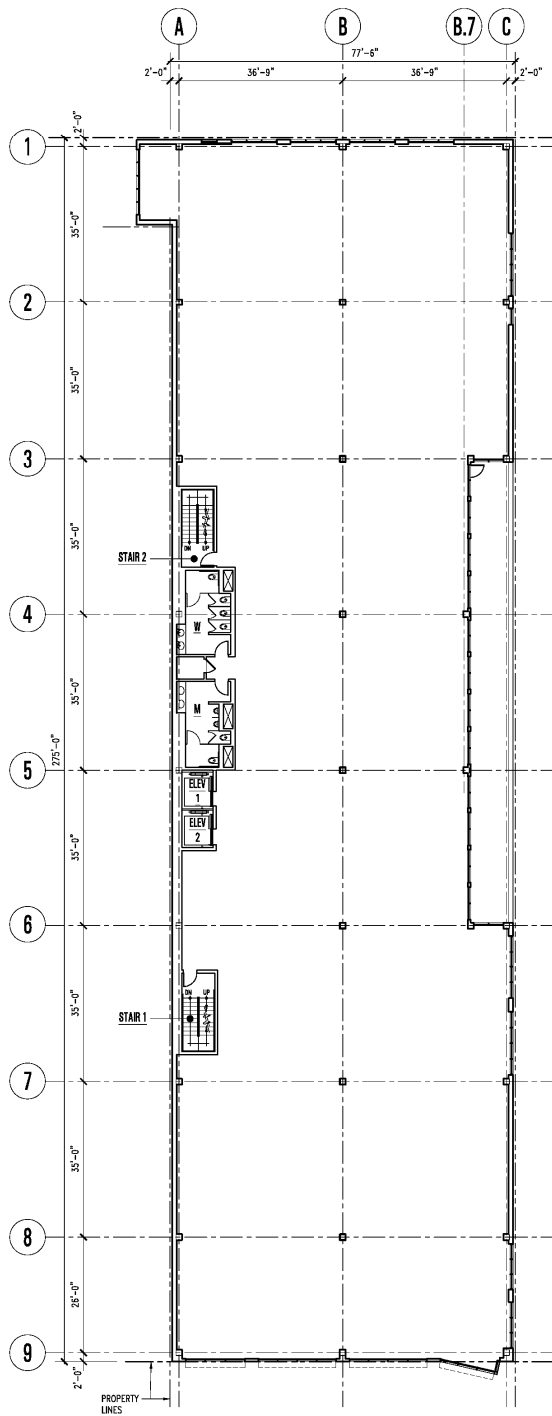


Figure 6 – Proposed Plan for Third, Fourth, and Fifth Floors
 Source: Charles F. Bloszies, December 2012
 (not to scale)

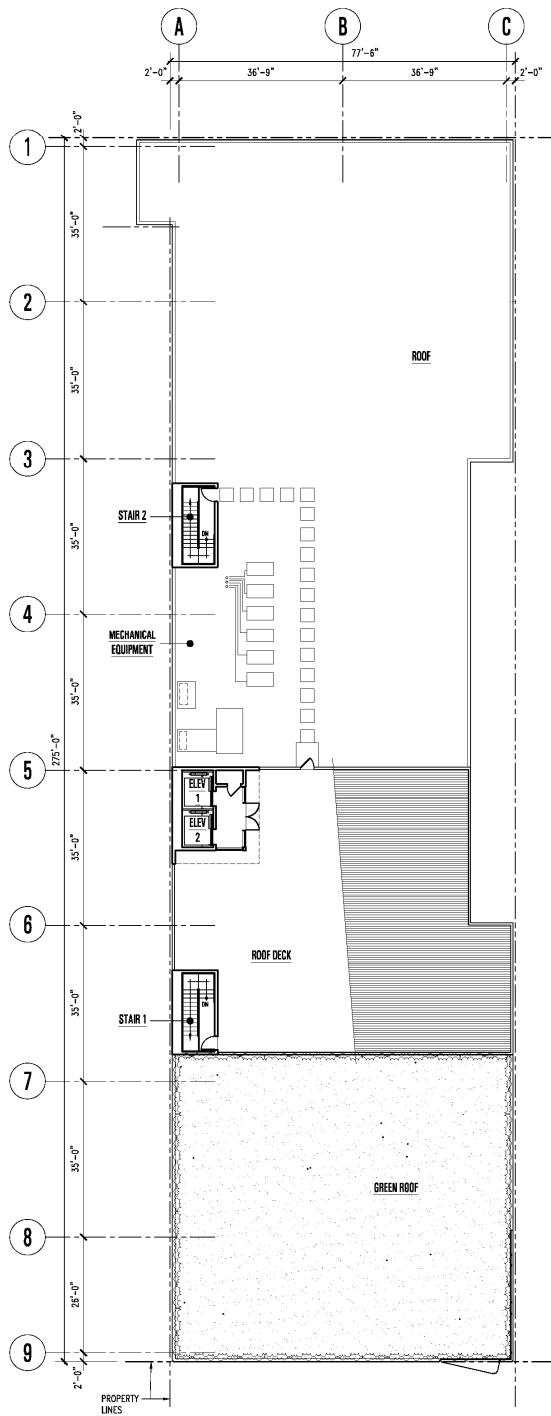


Figure 7 – Proposed Roof Plan
 Source: Charles F. Bloszies, December 2012
 (not to scale)

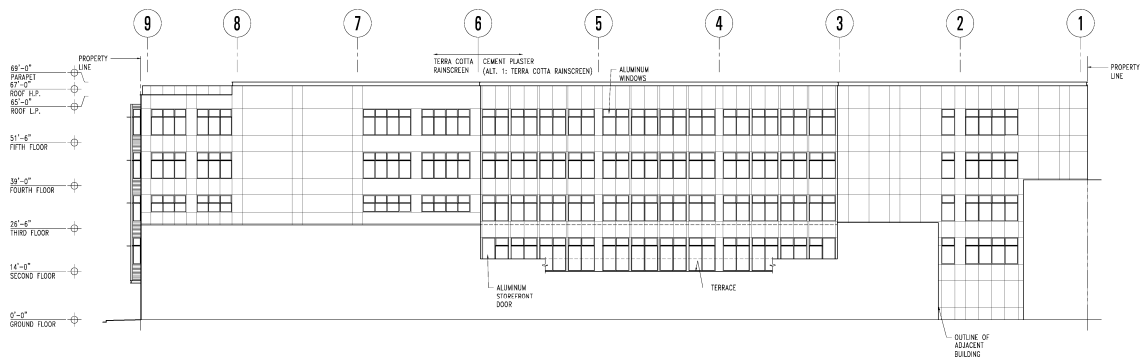
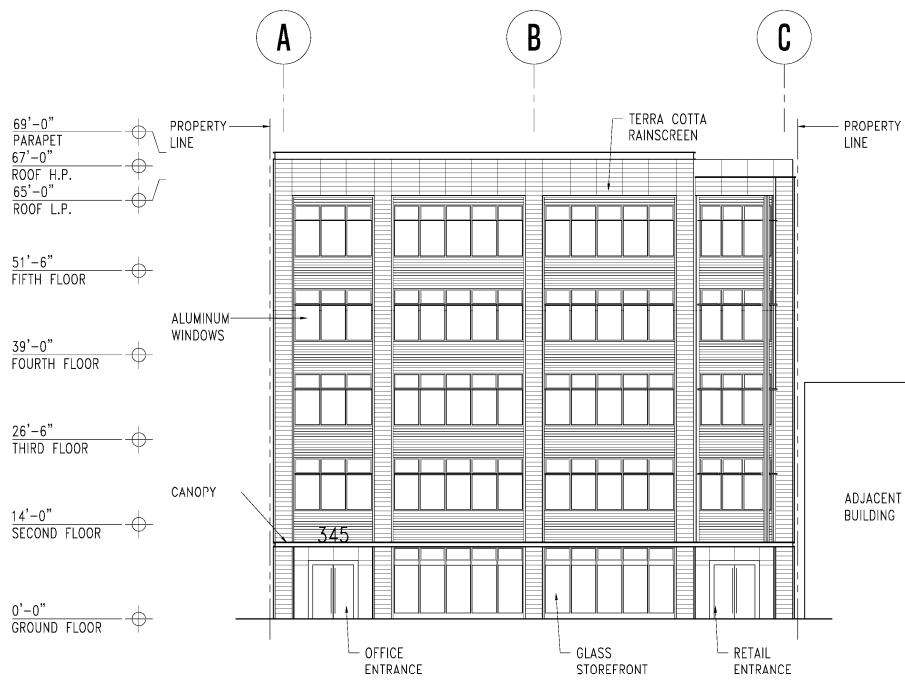


Figure 8 – Proposed Elevations (West and South)
 Source: Charles F. Bloszies, December 2012
 (not to scale)

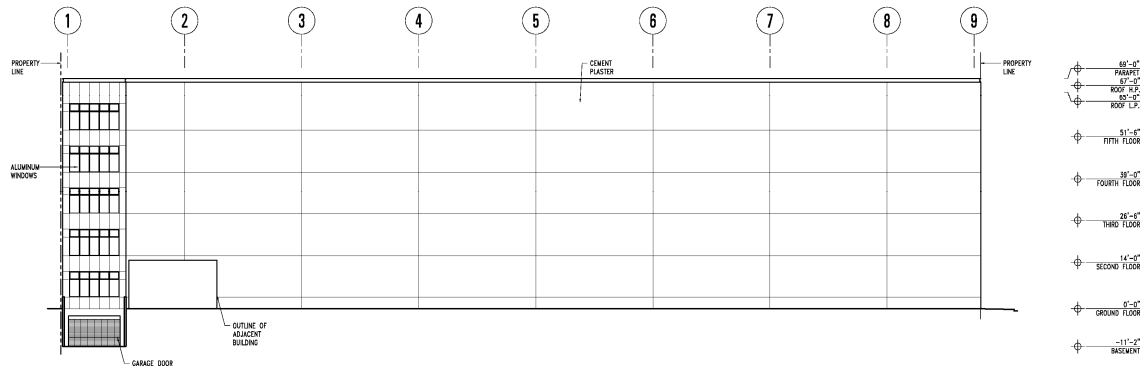
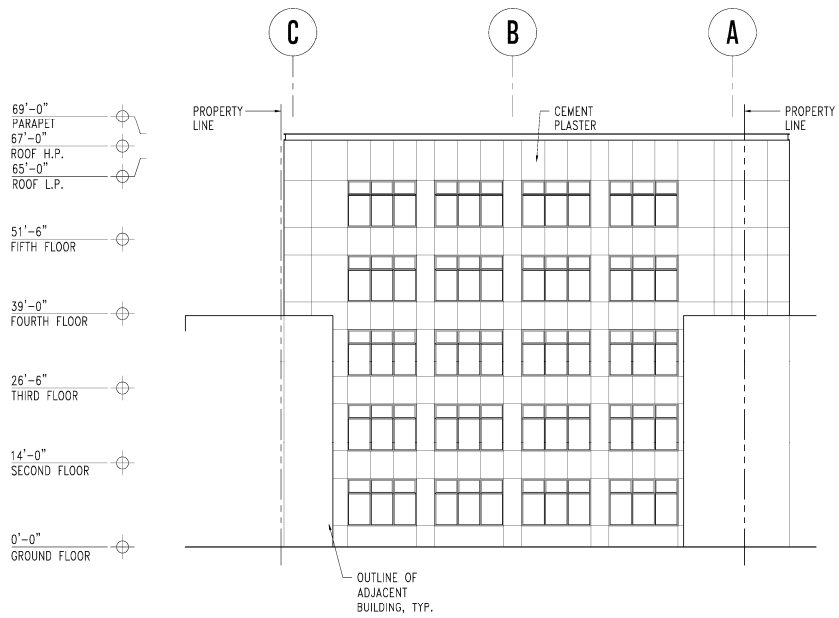


Figure 9 – Proposed Elevations (East and North)
 Source: Charles F. Bloszies, December 2012
 (not to scale)

B. PROJECT SETTING

The project site is located at 345 Brannan Street, on the south side of Brannan Street, on the block bounded by Brannan Street to the north, 2nd Street to the east, 3rd Street to the west, and Townsend Street to the south, in San Francisco's South of Market neighborhood. Land uses in the surrounding neighborhood are mixed, and include office, residential, commercial and industrial. The parcels immediately adjacent to the site include a two-story industrial building being used as offices to the west, and a vacant one-story office building with an adjacent surface parking lot to the east.

Development on the south side of Brannan Street from 3rd Street to 2nd Street includes a two-story office building (constructed in 1920) with an adjacent surface parking lot with approximately 25 spaces, a one-story industrial building with office use (constructed in 1979), a two-story industrial building with office use (constructed in 1928), a two-story industrial/warehouse building (constructed in 1928), an existing surface parking lot (the project site), a vacant one-story office building with surface parking lot, and a six-story office building (constructed in 1909).

Development across from the project site along the north side of Brannan Street from 3rd Street to 2nd Street includes a three-story condominium with 24 live-work units (constructed in 2001), a three-story industrial building with office use (constructed in 1908), a two-story commercial building (constructed in 1908), a two-story industrial building with office uses (constructed in 1937), a two-story manufacturing building (constructed in 1925), a two-story, single-family residence (constructed in 1910), a three-story industrial building with office use (constructed in 1929), a four-story office building (constructed in 1911), a three-story industrial building with office use (constructed in 1929), a one-story industrial building (constructed in 1959), a two-story office building (constructed in 1962), and a six-story industrial building with office use (constructed in 1912).

The project site also fronts on Stanford Street, which is a north-south alley that runs northbound between Townsend and Brannan Streets with one travel lane. Development along Stanford Street on the east side from Brannan Street to Townsend Street is composed of office buildings, ranging from three stories to six stories.

Across Brannan Street from the project site is Jack London Alley, which is a north-south, two-way alley that connects Brannan Street to the middle of South Park, a public open space under the jurisdiction of the Recreation and Park Department. Development along Jack London Alley consists of two- to five-story office buildings and a three-story apartment building.

The existing development outside of the immediate project's setting consists of taller office and residential buildings to the south and smaller mixed-use and residential buildings to the north surrounding South Park.

The subject property is surrounded by the boundaries of the locally-designated South End Historic District to the north, east, and south. The district boundaries directly abut the rear property line of the subject property. The subject property is also adjacent to 361 Brannan Street, which has previously been identified in the South of Market Historic Resource Survey as individually-eligible for listing in the National Register of Historic Places (National Register). The building heights are generally within a six-story range, and many of the oldest structures are one or two stories in height. The buildings in the vicinity are of typical warehouse design, large in bulk, often with large arches and openings originally designed for easy vehicular access.

The project setting is relatively flat with a gradual slope along Brannan Street to the west. South Park is located a block north of the project site, and AT&T Park is located approximately two blocks to the south. The San Francisco Bay is located 1,500 feet to the east.

The project site, similar to parcels along Brannan Street near 2nd Street, is zoned Mixed Use Office (MUO). Along Brannan Street towards 3rd Street, parcels are zoned Service/Light Industrial (SLI). Beyond the immediate project setting are parcels within the South Park District (SPD), located around South Park, and South Beach Downtown Residential (SB-DTR), located to the east and northeast of project site. In relation to height and bulk regulations, surrounding parcels on the south side of Brannan Street are within the 65-X district, with areas transitioning to 45-X and 40-X districts around South Park.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	Not Applicable
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SAN FRANCISCO PLANNING CODE

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

The proposed project includes an office development with a potential ground-floor retail/restaurant space, which are both permitted uses in the MUO zoning district. Per Section 842.66, office use is permitted in the MUO. The MUO is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses. The future tenants of the proposed ground-floor retail/restaurant space are not known at this time. However, per Section 842.45, retail sales and services are principally permitted up to 25,000 gross square feet per lot, and Proposed Project Option 1 proposes 7,000 square feet of ground-floor retail. Therefore, the proposed retail option would be principally permitted.

The site is in a 65-X height and bulk district, which would permit construction to a height of 65 feet with no bulk requirements. The proposed project height of 65 feet, which is measured in accordance with the provisions of Section 102.12 and 260, would be in conformance with the 65-X height and bulk district.

Section 151.1 of the Planning Code would permit up to 7 percent of the gross floor area of such uses and subject to pricing conditions of Section 155(g). Option 1 proposes 95,575 square feet of

office use. Therefore, 22 spaces are required for the office use.³ Section 151 permits up to one parking space per each 1,500 square feet of gross floor area for retail use. The project proposes 7,000 square feet of retail and therefore, 5 spaces would be permitted. The project proposes 2 spaces for retail use, and therefore meets the requirement. In summary, the Planning Code would allow up to 29 parking spaces for Option 1 and Proposed Project Option 1 would provide 26 parking spaces and therefore is compliant with the Planning Code. For Option 2, Section 151.1 would allow up to 26 parking spaces. Proposed Project Option 2 would provide 26 parking space and therefore is also compliant with Planning Code Section 151.

Pursuant to Section 155.4 and 155.5 (Bicycle Parking), no bicycle spaces are required for projects with less than 25,000 square feet of retail, and 12 bicycle spaces are required where gross square feet of professional services exceeds 50,000 square feet. Proposed Project Option 1 includes 95,585 square feet of office use and 7,000 square feet of retail use, and therefore 12 bicycle spaces are required. Proposed Project Option 2 includes 102,585 square feet of office use, and therefore 12 bicycle spaces are required. Both Option 1 and Option 2 would provide 24 bicycles spaces, and therefore the proposed project complies with Planning Code Sections 155.4 and 155.5.

Pursuant to Section 135.3 of the Planning Code, the minimum usable open space requirement for the proposed office use would be one square foot per 50 square feet of occupied floor area. Approximately 2,000 square feet of usable open space would be required. The proposed project would provide approximately 825 square feet of private open space on the second floor and approximately 4,000 square feet of common open space on the roof deck. Therefore, the project would provide more open space than the required amount.

Since the proposed project would cast new shadow on South Park, which is a Section 295 protected park, the proposed project would be presented to both the Recreation and Parks Commission and then the Planning Commission for a determination of the project's shadow impact on South Park.

A Conditional Use Authorization from the Planning Commission is required Per Section 329 (Large Project Authorization), since the proposed project involves new construction of more than 25,000 gross square feet. In addition, Conditional Use Authorization is also required per Section

³ 95,575 square feet of office space is multiplied by 0.07 which comes to 6,690. This number is then divided into 300, which calculates to 22 spaces

321 (Office Development: Annual Limit) since the proposed project involves construction of up to 102,585 square feet of office space.

The proposed project would require building permits from the Department of Building Inspection (DBI). Any curb or street modifications would require approval by the Department of Parking and Traffic within the Municipal Transportation Agency and from the Department of Public Works. Protection and addition of street trees would require approval from the Department of Public Works (DPW).

PLANS AND POLICIES

San Francisco General Plan Priority Planning Policies

The *San Francisco General Plan (General Plan)*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City's *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 8 a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Space). Prior to issuing a permit for any project which requires an Initial Study under the California

Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects.

Other Plans and Policies

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

The project site is located in the East SoMa area of the Eastern Neighborhoods Plan area. The primary intent of the Eastern Neighborhoods was to ensure a stable future for Production, Distribution and Repair (PDR) businesses in the city, mainly by reserving a certain amount of land for this purpose and to provide a significant amount of new housing affordable to low, moderate and middle income families and individuals, along with "complete neighborhoods" that provide appropriate amenities for these new residents. In addition to the Eastern Neighborhoods-wide goals, the following community driven goals were developed specifically for East SoMa over the course of many public workshops: encourage an appropriate mix of uses; retain and promote businesses and organizations that contribute to the diversity of the neighborhood; encourage more neighborhood-serving businesses; attract jobs for local residents; encourage a mix of incomes in renter- and owner-occupied housing; increase affordable housing opportunities; improve the character of streets and encourage pedestrian safety; improve community facilities and enhance open spaces; and offer a variety of transportation options. The proposed project is consistent with the goals and objectives of the East SoMa sub-area plan.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The topic areas that are checked are those in which impacts that could potentially be significant unless mitigated are identified in Section E, Evaluation of Environmental Effects. The following pages present a more detailed checklist and discussion of each environmental factor.

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

E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "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. For items that have been checked "Less Than Significant with Mitigation Incorporated," staff has determined that the proposed project would not have a significant adverse environmental effect provided that the project sponsor implements mitigation measures presented in Section G of this document. A discussion is included for most issues checked "Less Than Significant with Mitigation Incorporated," "Less Than Significant Impact," "No Impact," or "Not Applicable." For all of the items 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 Department, such as the Department’s Transportation Impact Analysis Guidelines for Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

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

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

The proposed project involves the removal of an existing 94-space surface parking lot and construction of a new, five-story, 65-foot-tall, office building totaling approximately 116,615 square feet in size. The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,585 square feet of office use, 7,000 square feet of ground-floor retail use, and 26 off-street parking spaces. Under Option 2, the building would contain 102,585 square feet of office use and 26 off-street parking spaces.

The Eastern Neighborhoods Rezoning and Area Plans re-zoned much of the city’s industrially-zoned land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern Neighborhood planning process were to reflect local values, increase housing, maintain some industrial land supply, and to improve the quality of all existing areas with future development. The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods previously zoned for industrial, warehousing, and commercial service use.

The Eastern Neighborhoods Final EIR evaluated three land use “alternatives” or “options” and under each of these options the subject property was designated MUO. The MUO is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Office, general commercial, most retail, production, distribution, and repair uses are also principally permitted uses.

The proposed project would replace an existing vacant lot with a 65-foot-tall office building. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted within the MUO zoning controls. Further, the project is proposed on an in-fill site, and would not substantially affect the existing character of the vicinity. As the proposed building would be located within the existing lot configuration, it would not physically divide an established community.

The Eastern Neighborhoods Final EIR identified an unavoidable significant land use impact due to the cumulative loss of PDR. The proposed project would contribute to this impact because the project precludes an opportunity for PDR; however, the incremental loss in PDR opportunity is not considerable due to the relatively small size of the project site.

Land use impacts are considered significant if they disrupt or divide the physical arrangement of an established community, or if they have a substantial impact on the existing character of the vicinity. While the proposed project would create a new use on the subject property, the project would not cause a significant land use impact. The proposed project is located within a mixed-use area and the new building would be constructed within existing lot configuration. Surrounding uses would be expected to continue in operation and to relate to each other as they do presently, without disruption from the proposed project. The proposed office building would be incorporated within the established street network and it would not disrupt or divide the physical arrangement of existing uses on or adjacent to the project site or impede the passage of persons or vehicles. The surrounding uses and activities would remain and would continue to interrelate with each other as they do at present. They would not be affected substantially by the proposed project. Therefore, the proposed project would not physically divide an existing community.

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

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues. Therefore, the proposed project would have a less-than-significant impact with regard to consistency with existing plans, policies, and regulations.

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

Land uses in the vicinity of the site are dominated by office, and there are also residential, industrial and commercial uses. The proposed project involves the removal of the existing surface parking lot and the construction of a new five-story office building with either ground-floor retail or office uses. The proposed project would therefore be compatible with surrounding uses.

Although the project site would be converted from a surface parking lot to an office building (with potential retail uses on the ground floor), the project would not be substantially or demonstrably incompatible with the existing office and retail uses in the project area.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The change in land use on the site would not be considered a significant impact because the site is within the Mixed-Use Office (MUO) zoning district, where the proposed uses are permitted and would be compatible with existing uses on adjacent and surrounding properties. Although the proposed project would result in a different land use than what now exists on the site, it would not introduce a new or incompatible land use to the area. As discussed in the Project Setting section, land uses in the

surrounding neighborhood are mixed, and include office, residential, industrial, and commercial. While the proposed project would be a larger development at this site compared to some of the existing development and some buildings in the vicinity, it would not be out of character with the range of one- to six-story buildings that are found in this area. In addition, the existing development outside of the immediate project's setting consists of taller office and residential buildings to the south, approximately 100 feet tall.

The proposed project would be at a density allowed under the MUO, would be developed within the existing allowable height and bulk limits of the site, and would include land uses principally permitted and already existing within the district. The proposed project would be physically compatible with the existing character of the area, and therefore, the proposed project's impact on the existing character of the project's vicinity would be less than significant.

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

Immediately east of the project site, is a project proposed at 333 Brannan Street (aka 329 Brannan Street), which includes the demolition of a surface parking lot and an industrial building totaling 13,740 square feet and the construction of a 65-foot tall, six-story building with 175,881 square feet of office use, 2,572 square feet of ground-floor retail along Brannan Street, and 72 underground parking spaces.⁴ Approximately 200 feet to the southwest from the project site, a proposed project at 178 Townsend Street includes the addition and conversion of a one-story industrial building into a 62-foot-tall, six-story, 72,700-square foot, mixed-use building containing 94 residential units, 3,500 square feet of ground-floor retail and daycare space, and up to 45 at- or partially-below grade parking spaces.⁵ Approximately 360 feet to the south from the project site, a proposed project at 111 Townsend Street involves the change of use from an existing 22,884-square-foot warehouse/industrial use to a mixed-use building containing 16,786 square feet of office use and 6,098 square feet of commercial use.⁶ Approximately 550 feet to the west, a proposed project at 275 Brannan Street involves interior renovations that include a change of use of a 48,411-square-foot industrial building to office use.⁷ Approximately 720 feet to the northeast, a proposed project at 270 Brannan Street includes the demolition of an existing building and construction of a new six-story office building containing approximately 189,000 square feet of

⁴ Planning Department Case No. 2012.0906E.

⁵ Planning Department Case No. 2009.0476E.

⁶ Planning Department Case No. 2011.0135E.

⁷ Planning Department Case No. 2011.1410E.

office uses and an approximately 13,000 square foot sub-grade parking garage containing 16 off-street parking spaces.⁸ There are no other known future/pipeline development projects within one-quarter mile of the project site.

In addition to the proposed project, the cumulative projects discussed above would be consistent with the existing mixed-use nature of the project area. Taken together, these projects would result in noticeable physical change to the surrounding area in terms of larger buildings and increasing office and ground-floor commercial use. These cumulative land use changes would be regulated by, and be consistent with, the General Plan and Planning Code provisions. Further, the proposed project would not contribute in a cumulatively considerable way to divide an established community; conflict with plans, policies, and regulations; or create an adverse change to neighborhood character. Therefore, the project would not result in any significant cumulative land use impacts.

For the reasons described above, land use impacts, both project-specific and cumulative, would be less than significant.

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

A visual quality/aesthetics analysis is somewhat subjective and considers the project design in relation to the surrounding visual character, heights and building types of surrounding uses, its potential to obstruct scenic views or vistas, and its potential for light and glare. The proposed

⁸ Planning Department Case No. 2012.0799E.

project's specific building design would be considered to have a significant adverse environmental effect on visual quality only if it would cause a substantial and demonstrable negative change.

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

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as buildings and structures that direct lines of sight and control view directions available to the public. Scenic views and vistas are limited in the project vicinity due to surrounding urban development and intervening buildings.

There are no public scenic vistas in the area that would be substantially affected by the proposed project. Views from surrounding sidewalks and street corridors consist primarily of surrounding urban development. The proposed building would be built to the lot lines and would block views of portions of Brannan Street that are currently available in the project vicinity. However, this impact would not be substantial since these views are not considered to be scenic. The proposed project would therefore not degrade or obstruct any publicly accessible scenic views.

The public open spaces located near the project site are South Park, approximately one block northwest of the project site, South Beach Playground, approximately two blocks west of the project site, and China Basin Park, approximately three blocks south of the project site. The project site is not visible from these public spaces due to intervening development and trees. Accordingly, the proposed project would not degrade or obstruct any scenic views or vistas now observed from a public area.

The proposed building, which would be larger in scale than some buildings in the vicinity, would be readily apparent in short- and mid-range views of the site; however, the proposed building would be indistinguishable in long-range views and would tend to blend into the urban mix of office, residential, industrial, and commercial land uses and surrounding elevated and taller development in the area. The proposed office building would therefore, not block or degrade a public scenic view or vista.

Since the project proposes a new five-story office building, private views from some nearby residences on the block could be affected by the project. Such changes for some nearby residents would be an unavoidable result of the proposed project and could be undesirable for those individuals affected. Although some reduced private views would be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, the reduction in private views would not affect a substantial number of people and would not be considered a significant impact on the environment as defined by CEQA.

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

Impact AE-2: The proposed project would not substantially damage any scenic resources. (No Impact)

The project would not result in the removal of existing trees, and there are no scenic resources present on the project site or in the area that would be affected by the project.

Impact AE-3: The proposed project would not degrade the visual character or quality of the site and its surroundings. (Less than Significant)

The visual character of the project site and vicinity is urban with a diversity of building types, sizes, and ages. Land uses in the surrounding neighborhood are mixed, and include office, residential, industrial, and commercial. The proposed five-story office building would be approximately two- to four-stories taller than adjacent development. Development in the area ranges from one to six stories in height with existing development outside of the immediate project's setting to the south consisting of taller office and residential buildings.

A new larger development and visual element on the project site would not, in and of itself, constitute a significant impact. The proposed building would be within the allowable height and bulk district in which it would be located (65-X), and within the allowable density/scale established in the Planning Code. In terms of visual character and existing resources, the proposed project would be architecturally consistent with the mixed-use, office, residential,

industrial, and commercial neighborhood of one- to six-story buildings and would not have a significant impact on the visual character of the area. The proposed building would also be compatible with the building heights on neighboring blocks, which range from one to six stories. While the proposed project would be visible to neighboring residents and workers, it would be visually similar to existing development in the project vicinity in terms of its building materials, massing, and height.

The proposed project would intensify the use of the project site but would not change nor be inconsistent with the mixed-use visual character of surrounding development. The proposed project would be in-fill development that is located in a densely developed urban area within surrounding buildings of comparable height and bulk. It would not appear out of scale with other existing buildings.

The project would be visible from public sidewalks and streets surrounding the project site. Street-level views from Brannan Street would change. However, since these views would be consistent with the surrounding urban development in the project vicinity, the project would not contribute to any substantial visual degradation of existing conditions or obstruction of views.

The proposed project would be visible from some office, residential, industrial, and commercial buildings within the project site vicinity. Some reduced views from private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those views would not constitute a significant impact under CEQA. In cases where views would be altered and where the amount of natural light may be diminished, the resulting views and lighting conditions would be comparable to those that are available elsewhere in the neighborhood, where existing buildings built to the property line define the urban viewscales. In a developed urban area such as the project neighborhood, the loss of some existing private views is not generally considered a significant adverse effect on the environment, as limited views are commonplace and an accepted part of the urban fabric. Therefore, this effect would be less than significant.

The proposed project's final architectural design and articulation would undergo evaluation by the Planning Department through the Conditional Use Authorization process, which is separate

from the environmental review. The proposed project's final design would be available at that time.

As previously stated, design and aesthetics are by definition subjective and open to interpretation by decision-makers and members of the public. A proposed project would have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. The proposed project would not cause such a change, and its visual quality impact would be less than significant.

For all of the above reasons, the proposed project would not be expected to cause a substantial and demonstrable negative change, or disrupt the existing visual character of the project vicinity.

Impact AE-4: The proposed project would create a new source of light and glare, but not to an extent that would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. (Less than Significant)

The proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The proposed project would include outdoor lighting typical of other surrounding building uses in the project vicinity. The nighttime lighting generated by the proposed project would be typical of some other similar structures in the area. Because the proposed project would comply with Planning Commission Resolution 9212, light and glare impacts would not be expected to have a substantial, demonstrable negative aesthetic impact. Based on the above analysis, the project would not have a significant impact associated with light and glare.

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

Cumulative projects are discussed on page 22. The new development proposed at 333 Brannan Street, 178 Townsend Street, and 270 Brannan Street are contemporary in architectural design and surrounded by a mixed scale and mixed historic structures and would be generally consistent to the buildings in the area. The proposed projects at 111 Townsend Street and 275 Brannan Street involve interior renovations with no changes to the building envelope.

As stated above, there are no scenic resources on the project site. Therefore, the proposed project would not contribute to a cumulative impact associated with the loss of scenic resources.

Implementation of the proposed project, in combination with the cumulative projects would result in a change to the visual character of the project site vicinity. The four cumulative projects are also predominantly office buildings and the two proposed buildings would be six stories tall. Therefore, the cumulative projects would also change the visual character of their respective project sites. However, this change would not result in a significant adverse impact to the existing visual character of the vicinity. The proposed project and other proposed projects would be consistent with the dense, mixed-use character of the project area. As described above, the project would appear similar to a number of existing or planned buildings and would not significantly affect public views. In addition, the proposed project and cumulative projects would generate additional nighttime illumination to the area. However, with compliance of all the projects with the City's regulations regarding light and glare, the additional nighttime light and glare added to the area would not substantially affect views, people, or properties in the area. Therefore, the proposed project, in conjunction with past, present and reasonably foreseeable future projects, would have a less than significant cumulative aesthetic impact.

Further, even if these projects did have impacts related to aesthetics, the proposed project would not contribute in a cumulatively considerable way to substantially degrade views, damage scenic resources, or degrade the existing visual character of the area.

While the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods) would result in visual changes within the Area Plans area, these aesthetic changes are intended to improve the overall visual quality. Future uses and building designs would be developed pursuant to the guidelines imposed by the Eastern Neighborhoods. These measures would minimize potential adverse visual impacts in the project area, and therefore, the Eastern Neighborhoods FEIR concluded that visual impacts would be less than significant.

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

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

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

San Francisco consistently ranks as one of the most expensive housing markets in the United States. San Francisco is the central city in an attractive region known for its agreeable climate, open space and recreational opportunities, cultural amenities, strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support strong housing demands in the City. New housing to relieve the market pressure created by the strong demand is particularly difficult to provide in San Francisco because the amount of land available for residential use is limited, and because land and development costs are relatively high.

During the period of 1990-2000, the citywide annual average of new housing units completed was about 1,130 units.⁹ In June 2008, the Association of Bay Area Governments (ABAG) released their Housing Needs Plan for years 2007-2014.¹⁰ The projected housing need of the City through 2014 is 31,193 net new dwelling units, or an average yearly need of 4,456 new dwelling units. The proposed project does not propose residential uses.

⁹ City and County of San Francisco Planning Department, Housing Element of the *General Plan*, February 2003.

¹⁰ Association of Bay Area Governments, *San Francisco Bay Area Housing Needs Plan 2007-2014*, June 2008.

Currently there are no residential units on the project site. The site is currently used as a surface parking lot with no employees. The project sponsor proposes two options for the ground-floor. Option 1 would include ground-floor retail use, while Option 2 would include ground-floor office use. Under Option 1, the building would contain 95,575 square feet of office use and 7,000 square feet of ground-floor retail use. Under Option 2, the building would contain 102,575 square feet of office use. Option 1 would result in an estimated 366 employees, while Option 2 would result in an estimated 372 employees.¹¹ Potential jobs at the project site would likely be filled by residents within the San Francisco Bay Area. Even if these new employees needed to relocate to the Bay Area, the number of new employees would not be substantial in the context of San Francisco's population and would not necessitate the construction of new housing in San Francisco or the region. Therefore, the proposed project would not result in a substantial increase in housing demand in the City or region, and the proposed project's potential to induce population growth would be less than significant.

Impact PH-2: The proposed project would not displace substantial numbers of people or existing housing units or create demand for additional housing, necessitating the construction of replacement housing. (No Impact)

As noted above, the project site exists as a surface parking lot and includes no dwelling units. Hence, there would be no residents displaced as a result of the proposed project. Overall, the proposed project would result in less-than-significant impacts related to displacement. The project site does not currently include residential uses, therefore the proposed project would have no impact with respect to displacement of existing housing or displacement of people that necessitates the construction of replacement housing elsewhere. The potential for the proposed project to induce population growth is addressed above.

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

Cumulative projects within the vicinity include 333 Brannan Street, 178 Townsend Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street as described on page 22. The

¹¹ LCW Consulting, Transportation Impact Study, 345 Brannan Street, January 7, 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, 4th Floor in Case No. 2007.0385!

increase in population that would result from implementation of these cumulative projects, combined with the proposed project would be within the anticipated growth in population identified for the area, as well as within ABAG's projections. These ABAG projections are used by the City to plan for and guide future population growth and housing needs. Because the proposed project would not result in a cumulatively considerable contribution to population growth and housing demand, and the cumulative population growth from the aforementioned projects would be within the City's anticipated growth, the proposed project would result in less-than-significant cumulative population impacts.

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

Impact CP-1: The proposed project would not result in a substantial adverse change in the significance of historic architectural resources. (No Significant Impact)

The following discussion is based on historical resources, which are those properties that meet the terms of the definitions in Section 21084.1 of the California Environmental Quality Act (CEQA) Statute and Section 15064.5 of the CEQA Guidelines. "Historical Resources" include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources, or listed in an adopted local historic register. The term "local historic register" or "local register of historical resources" refers to a list of resources that are officially designated or recognized as historically significant by a local government pursuant to resolution or ordinance. Historical resources also include resources identified as significant in an historical

resource survey meeting certain criteria. Additionally, properties which are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered a historical resource.

The subject property contains a surface parking lot with no structures which has not been previously surveyed or assigned an historic rating. Therefore, the subject surface parking lot is not considered a historic resource for the purposes of CEQA.¹² The subject property is near the boundaries of the locally-designated South End Historic District to the north, east, and south. The district boundaries directly abut the rear property line of the subject property. The subject property is also adjacent to 361 Brannan Street (the former B.F. Goodrich Rubber Company building), which has previously been identified in the South of Market Historic Resource Survey as individually-eligible for listing in the National Register of Historic Places (National Register).

Based upon its location adjacent to the South End Historic District and 361 Brannan Street, the proposed new construction has the potential to have an indirect impact on historical resources. However, the configuration of the front façade with symmetrical window openings and the overall form, bulk, massing of the proposed new construction appear to be compatible with the surrounding historical resources. As noted in Article 10 of the San Francisco Planning Code, the character-defining features of the South End Historic District are:

1. Overall Form and Continuity - Building height is generally within a six-story range, and many of the oldest structures are one or two stories in height.
2. Scale and Proportion - The buildings are of typical warehouse design, large in bulk, often with large arches and openings originally designed for easy vehicular access. There is a regularity of overall form. The earlier brick structures blend easily with the scaled-down Beaux Arts forms of the turn of the century and the plain reinforced concrete structures characteristic of twentieth-century industrial architecture.
3. Fenestration - The earliest structures have few windows, expressing their warehouse function. They are varied in size, rhythmically spaced, deeply recessed, produce a strong shadow line, and relate in shape and proportion to those in nearby buildings. Larger industrial sash windows began to be incorporated in structures built from the 1920s and onward. Door openings are often massive to facilitate easy access of bulk materials.
4. Materials - Standard brick masonry is predominant for the oldest buildings in the district, with reinforced concrete introduced after the 1906 fire, although its widespread use did not occur until the 1920s. Brick and stone paving treatments on Federal and First and De Boom Streets respectively are extant as well as Beltline Railroad Tracks which run throughout the District.

¹² Memorandum from Richard Sucre, Technical Specialist, to Don Lewis, Environmental Planner, March 27, 2012. This memo is available for review in Case File No. 2007.0385E at 1650 Mission Street, Suite 400.

5. Color - Red brick is typical, with some yellow and painted brick. Muted earth tones predominate in shades of red, brown, green, gray and blue.
6. Texture - Typical facing materials give a rough textured appearance. The overall texture of the facades is rough grained.
7. Detail - Arches are common at the ground floor, and are frequently repeated on upper floors. Flattened arches for window treatment are typical. Cornices are simple and generally tend to be abstract versions of the more elaborate cornices found in downtown commercial structures from the nineteenth century. Most of the surfaces of the later buildings are plain and simple reflecting their function. Some of the earlier brick work contains suggestions of pilasters, again highly abstracted. Where detail occurs, it is often found surrounding entryways.

The new construction relates to these character-defining features, since it is: five-stories tall, regular in form, and large in bulk, which is consistent with the scale and design of the larger warehouses within the surrounding historic district; features a rhythmically-spaced, consistent pattern of window openings; and, has a simple cornice, distinguished by a flat tile pattern.

With regard to the adjacent historic resource at 361 Brannan Street, the new construction steps down one-story along the south property line, and only rises two-stories above the adjacent property. The new construction does not physically impact the adjacent property, and is generally compatible with the adjacent property's ground floor design, scale and window patterns.

Therefore, the proposed new construction would not have a significant adverse effect on off-site historical resources, since the new construction would be compatible with the surrounding historic resources in size, scale, and design.

Given that the project vicinity includes predominantly one- to six-story office, commercial and residential buildings, the proposed project would not have a substantial impact upon the existing character of the vicinity; therefore it would not impact these nearby historical resources. The proposed project would therefore, not have an adverse effect on either on-site or adjacent, off-site, historic resources.

Impact CP-2: The proposed project could result in damage to, or destruction of, as-yet unknown archeological remains, should such remains exist beneath the project site. (Less than Significant with Mitigation)

Factors considered in determining the potential for encountering archeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. Development of the proposed project would include a partial underground level for a parking garage occupying the rear (southern) portion of the project site

and extending approximately ten feet below ground surface (bgs). According to the project geotechnical consultant, the proposed building would be supported on a shallow spread footing foundation. The use of spreading footings for support of the proposed one-level below grade parking garage would result in soils disturbance on the order of approximately 13 to 14 feet bgs.

According to the preliminary archeological evaluation conducted by Planning Department staff, the project site historically was located on the windward northwestern slope of 100-foot-tall Malakoff Hill. Malakoff Hill, like Rincon Hill, Telegraph Hill and the Pacific Heights ridge were sedimentary landforms created in the Cretaceous era and, thus, much younger than the Jurassic Serpentinite deposit that runs diagonally across the City. This steeper side of this hill along the shoreline was excavated in the 1860's to provide fill for along the flank of the southeastern shore of Rincon Point extending this to the current intersection of Townsend and First Streets. During the 1870's, the major portion of the remaining part of Malakoff Hill was removed including where it covered most of the project site. Remaining was a 25-foot-tall bank of the deeply sand-covered windward slope of the Hill. The portion of the sand bank was located in the extreme western portion of the project site but by the late 1880's this entire landform had been excavated.

The project site was first improved sometime between 1853 and 1857 by a large structure with several appended architectural wing-like structures,¹³ which may have been a large multi-story single-family residence such as had been and were being constructed on Rincon Hill until 1860. According to the 19th century Sanborn Fire Insurance maps for this area, no further construction occurred within the project site until the 20th century.

There are a number of recorded prehistoric (CA-SFR-2, -SFR-113, -SFR-114, -SFR-154, -SFR-175, MCE 3-1, 888 Howard Street) and historical archeological sites (CA-SFR-94H, -SFR-130H) near to and in the vicinity of the project site. There is also a National Register-eligible prehistoric shell midden district to the north to which newly discovered prehistoric midden sites in the SoMa area must be evaluated as contributing elements to the district under Evaluating Criteria A and D of the National Register. The majority of the prehistoric sites in the SoMa area are shell midden sites and smaller sites related to the occupation sites, such as lithic workshops, food processing areas, and cemeteries. It may very well be that some of the contemporaneous prehistoric midden sites

¹³ *Preliminary Archeological Evaluation of 345 Brannan Street* by Randall Dean, San Francisco Planning Department, January 14, 2013. This document is on file and is available for public review at the Planning Department 1650 Mission Street, Suite 400, San Francisco, CA as part of Case File No. 2007.0385E.

were configurations of large, long-occupied multi-component shell mound site with ancillary occupation or activity sites. The recorded and also historically documented (not yet archeologically investigated) historical period archeological sites in the vicinity include pre-1870 maritime industries along the shoreline of Steamboat Point. These sites included *Tichenor's Boatways* (CA-SFR-130H) in operation from the early 1850's through the 1860's and the 1830's-constructed whaleship, the *Lydia* (CA-SFR-94H). In addition to the northwest of the project site a block-size archeological sites contains a number of later 19th century artifact-filled features (privies, etc.) associated with households of different size, demographic composition, economic, occupation, ethnic, racial, national/regional origin, education, and confessional status.

The evaluation of the project site indicates that the proposed excavation has the potential to adversely affect subsurface archeological resources. Therefore, in order to reduce the impact to any CEQA-significant archeological resources resulting from soils disturbance from the proposed project to a level that is less than significant, the project sponsor has agreed to implement **Mitigation Measure M-CP-2**, detailed below and within Section F. at the end of this Initial Study. With implementation of **Mitigation Measure M-CP-2**, which addresses the accidental discovery of archeological resources, the proposed project would result in a less-than-significant impact to archeological resources.

The following mitigation measure has been agreed to by the project sponsor and 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)(c).

Mitigation Measure M-CP-2: Archeology (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)(c). 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 in consultation with the California State Lands Commission (CSLC) determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO and the CSLC 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.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the requirements of the ERO and the CSLC. Any required archeological investigation or data recovery plan shall conform to the requirements of State law for a salvage/excavation permit involving a submerged archeological site (Pub. Res. Code §. 6313 (d), (e), and (f)). The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

Copies of the Draft FARR shall be sent to the ERO and the CSLC for review and approval. Once approved by the ERO and the CSLC, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major

Environmental Analysis division of the Planning Department and the CSLC shall receive two copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO and the CSLC may require a different final report content, format, and distribution than that presented above.

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

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. Paleontological resources, or fossils, are the remains, imprints, or traces of once-living organisms preserved in rocks and sediments. Paleontological resources include vertebrate, invertebrate, and plant fossils or the trace or imprint of such fossils. The fossil record is the only evidence that life on earth has existed for more than 3.6 billion years. Fossils are considered nonrenewable resources because the organisms from which they derive no longer exist. Thus, once destroyed, a fossil can never be replaced. Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous include sedimentary and volcanic formations.

The project site is underlain by undocumented fill, native soil consisting of clayey sand and clay, and bedrock. The proposed excavation of approximately 13 to 14 feet bgs is not deep enough to reach geologic formations containing lithological units containing fossils. Therefore, the proposed project would have less-than-significant impacts on paleontological resources or geological features.

Impact CP-4: The proposed project may disturb human remains. (Less than Significant with Mitigation)

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate

tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco (CCSF) Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (PRC Section 5097.98).

The Planning Department's 2013 archeological sensitivity analysis¹⁴ did not identify the project site as a site of potential Native American burials. As such the project is not anticipated to disturb any human remains, including Native American burials. Nonetheless, Mitigation Measure M-CP-2, specified above, contains language to ensure the sound handling of any encountered human remains.

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

The Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods FEIR) anticipated that program implementation may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

Eastern Neighborhoods FEIR Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area, required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission). This mitigation measure is no longer relevant because the Showplace Square/Northeast Mission historic resource survey was completed and adopted by the Historic Preservation Commission on June 15, 2011.

¹⁴ *Ibid*

Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply the proposed project because it is not located within the South End or Dogpatch Historic Districts.

As stated above, the project site is currently used as a surface parking lot that does not contain any structures. Cumulative projects within the vicinity include 333 Brannan Street, 178 Townsend Street¹⁵, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street. Neither of these projects would involve demolition or significant alternation of a historic building, nor would they have a significant impact on a historic district or off-site historical resource.

Given the above, it is unlikely that 333 Brannan Street, 178 Townsend Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street projects would have historic impacts that could combine with the impacts of the proposed project. Further, even if these projects did have impacts related to historic resources, the proposed project would not contribute in a cumulatively considerable way to any substantial adverse effect to historical resources. The proposed project would not affect on- or off-site historic resources. Therefore impacts to historic architectural resources are less than significant and the proposed project would not result in cumulative impacts to historic architectural resources. In addition, the proposed project would not result in any individual or cumulative impacts to archeological resources.

¹⁵ While the 178 Townsend Street building is a designated contributor building to the South End Historic District, the proposed project, which includes structural upgrades, would preserve the building so it could remain a contributor.

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

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, topic 5c is not applicable.

Setting

The project site is an “L”-shape lot located mid-block between Stanford and Third Streets on the block bounded by Townsend Street to the south, Third Street to the west, Second Street to the east, and Brannan Street to the north within the South of Market neighborhood.¹⁶ The project site

¹⁶ It should be noted that in the South of Market area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets.

fronts on Brannan Street (primary frontage) and Stanford Street (driveway access). Brannan Street, in the vicinity of the project site, has two travel lanes in each direction, and the General Plan identifies certain segments of Brannan Street as a Major Arterial in the Congestion Management Program (CMP) Network and a Metropolitan Transportation System (MTS) Street. Townsend Street generally has one travel lane in each direction and Bicycle Route 36 runs its entire length. Second Street, in the vicinity of the project site, has two travel lanes in both the northbound and southbound directions, is designated as a Neighborhood Commercial Street, and contains Bicycle Route 11. Third Street, north of Townsend Street, is a one-way northbound roadway, and in the vicinity of the project site has five to six travel lanes with one lane reserved for transit vehicles. Third Street is designated as a Major Arterial in the CMP Network, a MTS street, a Transit Preferential Street (transit important), a Citywide Pedestrian Network Street and a Neighborhood Commercial Street. Stanford Street is a north-south alley that runs northbound between Townsend and Brannan Streets, and has one travel lane.

The project site is well-served by public transit, with both local and regional service provided nearby. Local service is provided by the San Francisco Municipal Railway (Muni) bus and light rail lines. Service to and from the East Bay is provided by BART, AC Transit and ferries, which are accessible via local transit. Service to and from the North Bay is provided by Golden Gate Transit buses and ferries, which are accessible via local transit. Service to and from the Peninsula and South Bay is provided by Caltrain, SamTrans, and BART. There are no transit stops adjacent to the project site. Muni operates seven bus lines (10 Townsend, 30 Stockton, 45 Union-Stockton, 47 Van Ness, 80X Gateway Express, 81X Caltrain Express, and 82X Levi Plaza Express) and one light rail line (K-T Ingleside-Third) within the vicinity of the project site, including several cross-town bus lines that serve the vicinity of the Transbay Terminal, located on Mission Street between First and Fremont Streets, about 0.7 miles northeast of the project site.

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

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City will "Consider the transportation system performance measurements in all decisions for projects

that affect the transportation system." To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section analyzes the proposed project's effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts. A Transportation Impact Study was prepared for the proposed project.¹⁷ The Transportation Impact Study provides a description of existing transportation, circulation, parking, and alternative modes of transportation characteristics associated with the existing facilities, and provides an evaluation of potential impacts from the proposed project on transportation, circulation, parking, and alternative modes of transportation conditions.

Trip Generation

The Planning Department directed the preparation of a transportation impact study for the proposed project, the results of which are summarized below. As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review, October 2002 (Transportation Guidelines)*¹⁸, the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6PM) typically represent the worst-case conditions for the local transportation network. Based on the *Transportation Guidelines*, the Proposed Project Option 1 (office and ground floor retail/restaurant) is anticipated to generate approximately 3,130 daily person trips while the Proposed Project Option 2 (office only) is anticipated to generate approximately 1,857 daily person trips.¹⁹

Total PM peak hour person trips for Option 1 are estimated to be approximately 336 while those of Option 2 are estimated to be approximately 158. Of these person trips for Option 1, about 124 would be by auto, 102 trips by transit, 110 pedestrian trips, and 336 trips would be by "other" modes (including bicycles, motorcycles, and taxis). This would result in about 64 PM peak hour vehicle trips. For Option 2, about 61 trips would be by auto, 75 trips by transit, 22 pedestrian trips, and 158 trips by "other" modes (including bicycles, motorcycles, and taxis), and would result in about 37 PM peak hour vehicle trips.

¹⁷ LCW Consulting, Transportation Impact Study, 345 Brannan Street, January 7, 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, 4th Floor in Case No. 2007.0385!

¹⁸ This document can be located at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

¹⁹ LCW Consulting, 345 Brannan Street Transportation Impact Study, January 7, 2013. This document is available for public review as part of Case No. 2007.0385! at 1650 Mission Street, Suite 400, San Francisco, CA.

Although Proposed Project Option 1 is calculated to generate approximately 336 PM peak hour person trips, with approximately 64 PM peak hour vehicle trips, these vehicle trips are not anticipated to change the level of service (LOS) at the intersections in the project vicinity, and would not be considered a substantial traffic increase relative to the existing capacity of the local street system. Because Proposed Project Option 2 would only include office uses (and not the higher trip generating ground floor retail/restaurant uses) the total travel demand would be lower than for Option 1. Therefore, Option 2 would also result in relatively small changes in the average delay per vehicle at the study intersections, and study intersections would continue to operate at the same service level as under existing conditions.

The eight intersections analyzed in the transportation study include Second/Townsend; Second/Brannan; Third/King; Third/Townsend; Third/Brannan; Stanford/Townsend; Stanford/Brannan; and Essex/Harrison. Except for Third/King, Third/Townsend, and Essex/Harrison, the intersection LOS are at an acceptable LOS C or better, would continue to operate acceptably with the addition of project traffic, and would all remain at their current LOS with implementation of the project.

At the intersection of Third/King, which currently operates at LOS E conditions during the PM peak hour, the Proposed Project Option 1 would add 21 vehicles trips during the PM peak hour. The existing poor operating conditions are generally due to the high volume of vehicles that are approaching and departing the I-280 ramps on King Street. At this intersection the eastbound left turn and westbound through/right critical movements currently operate at LOS F conditions. The Proposed Project Option 1 would add three vehicles to the eastbound left turn movement, which represents 0.4 percent of the PM peak hour eastbound left turn volume of 822 vehicles, and 12 vehicles to the westbound through movement, which represents 1.2 percent of the westbound through/right volume of 1,006 vehicles. Thus, project's contribution to the movements that operate poorly would be minimal, and therefore, the contribution to the overall intersection LOS E conditions would not be considered significant.

At the intersection of Third/Townsend, which currently operates at LOS E conditions during the PM peak hour, the Proposed Project Option 1 would add 13 vehicles trips during the PM peak hour. At this intersection the eastbound left turn and westbound through/right currently operate at LOS F conditions. The Proposed Project Option 1 would not add any vehicles to the eastbound

left turn critical movement, but would add four vehicles to the westbound through traffic, which represents 0.9 percent of the PM peak hour westbound through/right critical movement volume of 423 vehicles. Thus, the project's contribution to the movements that operate poorly would be minimal, and the contribution to the overall intersection LOS E conditions would not be considered significant.

At the intersection of Essex/Harrison, which currently operates at LOS F conditions during the PM peak hour, the Proposed Project Option 1 would add three vehicles trips during the PM peak hour. The existing poor operating conditions are generally due to the high volume of vehicles that are approaching the Bay Bridge on-ramp at Essex Street. Proposed Project Option 1 would not add any vehicles to the southbound approach, and would add three vehicles to the eastbound right turn movement, which represents 0.4 percent of the total PM peak hour eastbound right turn volume of 775 vehicles. Thus, the project's contribution to this approach would be minimal (less than 1 percent), and the contribution to the overall intersection LOS F conditions would not be considered significant.

Proposed Project Option 1 would not substantially change traffic conditions during baseball games and other events at AT&T Park. The greatest impact of game day operations on the transportation network occurs after weekday afternoon sellout games (the number of sellout games varies by season) during the 3:30 to 4:30 PM period, when traffic, transit, and pedestrian flows exiting the ballpark coincide with the early commute period. There are about 13 weekday afternoon games per season, and the peak hour of activity of Proposed Project Option 1 would generally be after the peak game day conditions. In addition, there are about 43 weekday evening/night games (which start at 7:15 PM) and 26 weekend afternoon games (which start at 1:05 or 6:05 PM), which would also not coincide with the peak activity of the Proposed Project Option 1 uses.

As described previously, proposed Project Option 1 traffic would not represent a considerable contribution to the Existing plus Project Option 1 intersection operating conditions. Therefore, the Proposed Project Option 1 would not result in significant traffic impacts at these intersections. Because the Proposed Project Option 1 would not change the LOS at any study intersections and would not represent a considerable contribution at the three study intersections currently operating at LOS E or LOS F, the Proposed Project Option 1 impacts on traffic operations would

be less than significant. Similarly, Option 2, which would result in less persons and vehicle trips than Option 1, would also result in less-than-significant impacts on traffic operations.

Parking

Proposed Project Option 1 would provide 26 independently-accessible parking spaces (including one handicapped-accessible van space and two service vehicle spaces) for the office and retail/restaurant uses. All parking spaces would be located within the basement-level garage, and would have access via the driveway on Stanford Street. Under Proposed Project Option 1, the two curb cuts on Brannan Street would be eliminated and the project sponsor would request that the curb currently allocated to the driveways and that the metered parking space between the driveways be designated as a commercial vehicle loading/unloading zone (i.e., an 80-foot long commercial vehicle loading/unloading zone that would accommodate three to four trucks, depending on truck size). Option 1 could, therefore, result in the loss of one on-street vehicle parking space.

The San Francisco Planning Code would permit the Proposed Project to provide up to 29 parking spaces for the office and retail/restaurant uses. Since the Proposed Project Option 1 would provide 26 parking spaces, it would meet the Planning Code requirements. Option 1's office and retail/restaurant uses would be estimated to generate a parking demand for about 33 short-term and 92 long-term parking spaces, for a total of 125 parking spaces. The parking demand of 125 spaces would not be accommodated within the parking supply of 26 parking spaces, which would result in a shortfall of 99 spaces. The parking shortfall would be accommodated both on-street and in nearby off-street parking facilities, depending on whether the parking demand is short-term (accommodated on-street) or long-term (accommodated off-street). If the parking shortfall were to be accommodated within off-street facilities, the overall parking occupancy of off-street facilities during the midday would increase from 82 to up to 87 percent.

Under Proposed Project Option 1, the existing private parking facility on the project site would be eliminated. The 94 vehicles currently parking on the project site would be displaced to other off-street facilities in the area, or to on-street parking spaces, and both on-street and off-street parking demand and occupancy would be anticipated to increase. Combined, the project-generated and displaced parking demand would increase the off-street parking occupancy during the weekday midday from 82 percent to up to 92 percent.

The Proposed Project Option 2 would also provide 26 independently-accessible parking spaces (including one handicapped-accessible van space and two service vehicle space) for the office uses, and also under Option 2 the project sponsor would request that the curb currently allocated to the west driveway and the metered parking space to the east of the west driveway be designated as a commercial vehicle loading/unloading zone (i.e., a 65-foot long commercial vehicle loading/unloading zone that would accommodate two to three trucks, depending on truck size). It is anticipated that under Option 2, SFMTA would convert the east driveway to a metered parking space, and therefore, Option 2 would not result in a net loss of on-street parking.

The Planning Code would permit Option 2 to provide up to 26 parking spaces for the office uses. Since Option 2 would provide 26 parking spaces, it would meet the Planning Code requirements. The office uses would generate a parking demand for about 16 short-term and 94 long-term parking spaces, for a total of 110 parking spaces. The parking demand of 94 spaces would not be accommodated within the vehicle parking supply of 26 parking spaces, which would result in a shortfall of 84 spaces. The parking shortfall would be accommodated both on-street and in nearby off-street parking facilities, depending on whether the parking demand is short-term (accommodated on-street) or long-term (accommodated off-street). If the parking shortfall were to be accommodated within off-street facilities, the overall parking occupancy of off-street facilities during the midday would increase from 82 to up to 87 percent.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. The San Francisco Planning Department acknowledges, however, that parking conditions may be of interest to the public and the decision makers. Therefore, this report presents a parking analysis for information purposes.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As stated above, the project site is well served by public transit.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

Loading

The Proposed Project Option 1 would include two service vehicle spaces within the basement-level parking garage. Because the Option 1 would eliminate two driveways on Brannan Street, the project sponsor would request that the curb currently allocated to the driveways, and the

metered parking space between the driveways, (for a total of about 80 feet, accommodating two to four trucks, depending on truck size) be designated as a commercial vehicle loading/unloading zone. The proposed commercial loading/unloading zone would need to be approved at a public hearing through the SFMTA Board of Directors.

Pursuant to Planning Code Section 152.1, off-street freight loading spaces would not be required for retail or restaurant uses with less than 10,000 feet. Per Planning Code Section 153, one off-street freight loading space (or two service vehicle spaces) would need to be provided for the office uses. Since Option 1 proposes to include two service vehicle spaces and because the proposed retail use would be 7,000 square feet, it would be in compliance with the Planning Code requirements.

Option 1 would generate a demand for three loading spaces during the peak hour of loading activities, and two loading spaces during the average hour of loading activities. The loading demand would be accommodated on-site within the two service vehicle loading spaces (for regularly scheduled deliveries or service calls, and within the proposed 80-foot wide commercial vehicle loading/unloading zone (accommodating between two to four trucks, depending on truck size) on Brannan Street adjacent to the project site.

Since only service vehicle loading spaces would be provided within the garage, it is not anticipated that trucks would access the parking garage. Access to the garage by service vehicles would be similar to vehicular access, and would be unconstrained. The Stanford Street right-of-way is 35 feet wide, and accounting for the 7-foot-wide sidewalks on both the east and west sides of the street, and an 8-foot wide parking lane, the travel lane is about 13 feet wide. The 20-foot wide access driveway allows for autos and service vehicles to turn into and out of the driveway.

The Proposed Project Option 2 would include two service vehicle spaces within the basement-level parking garage. Because Option 2 would not include ground floor retail/restaurant use the loading demand would be less, and therefore, the project sponsor would request that a smaller amount of the curb currently allocated to the west driveway and the metered parking space to the east of the west driveway, (about 65 feet total) be designated as a commercial vehicle loading/unloading zone. It is anticipated that under Option 2, SFMTA would convert the east

driveway to a metered parking space. The proposed commercial loading/unloading zone would need to be approved at a public hearing through the SFMTA Board of Directors.

Per Planning Code Section 153, one off-street freight loading space (or two service vehicle spaces) would need to be provided for the office uses. Since Option 2 would include two service vehicle spaces, it would be in compliance with the Planning Code requirements.

The Proposed Project Option 2 would generate a demand for one loading space during the peak hour and average hour of loading activities. The loading demand would be accommodated on-site within the two service vehicle loading spaces (for regularly scheduled deliveries or service calls it is anticipated that some arrangements would be made with the building engineer or tenant for service vehicles to obtain access into the parking garage), and within the proposed 65-foot wide commercial vehicle loading/unloading zone (accommodating between two to three trucks, depending on truck size) on Brannan Street adjacent to the project site.

Similar to Proposed Project Option 1, only service vehicle loading spaces would be provided within the garage, and therefore, it is not anticipated that trucks would access the parking garage. The 20-foot wide access driveway allows for autos and service vehicles to turn into and out of the driveway.

Under both Options 1 and 2, a trash room would be located within the basement-level parking garage, and would be the primary garbage/recycling area for the Proposed Project. For garbage/recycling pickup, trash containers would be transported by the trash/recycling service from the trash room to the curb via the garage driveway to Stanford Street, and would be returned following pick-up. Garbage storage would not occur on Stanford Street.

Both Options 1 and 2 would provide on-site loading spaces and the loading demand could be accommodated within the proposed on-site supply and within the proposed on-street commercial vehicle loading/unloading zone. Therefore, the proposed project's loading would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians and loading impacts would be less than significant.

Construction Impacts

Construction impacts would be the same under both Proposed Project Option 1 and Proposed Project Option 2, and it is anticipated that construction would take approximately 12 months. Construction related activities would typically occur Monday through Saturday, between 7:00 AM and 8:00 PM. Construction staging would occur primarily within the project site, and possibly adjacent to the project site on Brannan Street. It is anticipated that the sidewalk along the Brannan Street frontage would be closed during a portion of the construction duration, and that a temporary pedestrian walkway would be provided.

It is anticipated that no regular traffic lanes would need to be closed during construction. However, if it is determined that temporary traffic lane closures would be needed, they would be coordinated with the City in order to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by the Department of Public Works and SFMTA. Since there are no Muni bus stops along the project site frontage, it is not anticipated that any Muni bus stops would need to be relocated during project construction.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the site. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect traffic operations. It is anticipated that there would be between 15 and 80 construction workers per day at the project site, depending on the construction phase. Construction workers that drive to the site would be able to park on-site for a portion of the construction duration, and would also park at nearby commercial parking facilities. It is anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions, as any impacts on local intersections or the transit network would be similar to, or less than, those associated with the proposed project.

Overall, given the temporary nature of the Proposed Project's (either Option 1 or Option 2) construction activities, construction-related transportation impacts would be less than significant and the project would not conflict with any applicable congestion management program. Although no significant traffic impacts would result from the proposed project, the transportation analysis recommended the following improvement measure to further reduce potential conflicts between construction activities and pedestrians, transit and autos, including

the preparation of a traffic control plan for construction, carpool and transit access for construction workers, and construction truck traffic management.

Improvement Measure I-TR-1: Coordination of Construction Activity

Traffic Control Plan for Construction – As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall prepare a traffic control plan for project construction. The Project Sponsor and construction contractor(s) would meet with DPW, SFMTA, the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the Proposed Project. The contractor would be required to comply with the City of San Francisco's Regulations for Working in San Francisco Streets, which establish rules and permit requirements so that construction activities can be done safely and with the least possible interference with pedestrians, bicyclists, transit and vehicular traffic.

Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor should include methods to encourage carpooling and transit access to the project site by construction workers in the Construction Management Plan.

Project Construction Updates for Adjacent Businesses and Residents – As an improvement measure to minimize construction impacts on access for nearby institutions and businesses, the SFDPW could require the project sponsor to provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures.

The project sponsor and construction contractor(s) would meet with the Agency, the Traffic Engineering Division of the SFMTA, the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion. Prior to construction, the project contractor would coordinate with Muni's

Street Operations and Special Events Office to coordinate construction activities and reduce any impacts to transit vehicles.

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

The project site exists within a developed block of San Francisco. The proposed building would be built to the edge of the street-facing lot line along Brannan Avenue and would maintain Stanford Street for driveway access. The proposed project would retain the two existing access points and would not propose a new access point. These and other project features would not substantially increase traffic-related hazards. In addition, as discussed in Section E.1, Land Use and Land Use Planning, the project does not include incompatible uses. Therefore, transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

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

Emergency vehicle access to the project site would remain unchanged from existing conditions, and the proposed project would not change adjacent travel lanes. Emergency vehicles would continue to access the site from Brannan Street or Stanford Street. Aside from the general increase in vehicle traffic that would result from the proposed project, the proposed project would not inhibit emergency access to the project site. The proposed project would not be expected to affect emergency response times or access to other sites. Therefore, the project would have a less than significant impact on emergency access to the project site or any surrounding sites.

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

Transit Conditions

As discussed above, the project site is well served by local and regional public transit. The Proposed Project Option 1 would generate approximately 102 PM peak hour transit trips while Proposed Project Option 2 would generate approximately 75 PM peak hour transit trips. These transit trips to and from the project site would utilize nearby Muni lines and regional transit lines.

A substantial number of transit riders would be expected to take one of the seven bus lines (10 Townsend, 30 Stockton, 45 Union-Stockton, 47 Van Ness, 80X Gateway Express, 81X Caltrain Express, and 82X Levi Plaza Express) and one light rail line (K-T Ingleside-Third) that are located within the vicinity of the project site.

To analyze potential local impacts to these routes, the maximum transit loads near the project site were identified, and project transit trips were added. A significant transit impact would ensue if the addition of project-generated riders to the four screenlines (Northeast, Northwest, Southeast, and Southwest) exceeded Muni's 85 percent standard. With implementation of the proposed project, capacity utilization for all screenlines would remain similar to those under existing conditions. Capacity utilization of the screenlines would be below 85 percent capacity utilization, with the exception of the subway lines within the Southwest screenline, which are now and would continue to operate at capacity utilization of 87 percent. The addition of the seven transit trips generated by Option 1 to the Southwest screenline subway corridor ridership of 5,890 (representing a contribution of 0.1 percent) would not represent a substantial contribution to the existing conditions. Furthermore, the addition of project-related passengers would not have a substantial effect on the regional transit providers during the weekday PM peak hour, as the capacity utilization for all screenlines would remain similar to those under existing conditions.

The project would not include new curb cuts or off-street parking that would conflict with bus operations on Brannan Street, and there are no bus stops adjacent to the project site. In addition, only the 82X-Levi Plaza Express travels westbound on Brannan Street (within the travel lanes across the street from the project site). Therefore, no impacts to bus circulation were identified.

Both Option 1 and Option 2 would not substantially affect transit conditions during baseball games and other events at AT&T Park. As noted above, the peak hour of activity associated with the proposed uses would generally not coincide with the peak periods of congestion associated with AT&T Park ballgames and other events.

Because Option 1 and Option 2 would not substantially affect the capacity utilization of the local and regional transit lines, and would not affect the operations of the adjacent and nearby Muni bus stops, transit impacts would be less than significant.

Bicycle Conditions

In the vicinity of the project site, Townsend Street, Second Street and The Embarcadero are designated Bicycle Routes. These routes are interconnected to the Citywide Bicycle Network and provide access to and from the project area from locations throughout the City. Bicycle Route 5 runs in both directions along The Embarcadero and King Street and is a Class II facility (signed route with bicycle lane). Bicycle Route 11 runs in both directions along Second Street, and is a Class III facility (shared travel route) between Market and King Streets. Bicycle Route 19 runs in both directions on Fifth Street, and is a Class III facility between Market and Townsend Streets. Bicycle Route 36 runs along Townsend Street between Division Street and The Embarcadero. It is a Class II facility between Division Street and Second Street, and as a Class III facility between Second and The Embarcadero.

Both Proposed Project Option 1 and Option 2 would include 24 bicycle parking spaces to be located within the basement-level parking garage. Access to the bicycle parking spaces would be from Stanford Street (via the access driveway to the garage) and from Brannan Street (through the ground-floor lobby and elevator). Planning Code Sections 155.3 and 155.4 would require both Option 1 and Option 2 to provide 12 bicycle parking spaces, and both options would meet the Planning Code requirement.

As noted in above, there are several bicycle routes near the project site, including along Second Street, Fifth Street, Townsend Street, and The Embarcadero. With the current bicycle and traffic volumes on the adjacent streets, bicycle travel generally occurs without major impedances or safety problems. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas, and therefore, impacts to bicyclists would be less than significant.

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

to bicycle conditions in the project area and would therefore not conflict with the City's bicycle plan, or other plan, policy or program related to bicycle use in San Francisco.

Pedestrian Conditions

Pedestrian trips generated by the proposed project would include walking trips to and from the office and/or retail uses, plus walking trips to and from the local and regional transit operators, and some walking trips to and from nearby parking facilities. Overall, Option 1 would be expected to add about 212 pedestrian trips (102 trips to/from transit and 110 walk/other trips) to the surrounding streets during the weekday PM peak hour while Option 2 would add about 97 pedestrian trips (75 trips to/from transit and 22 walk/other trips).

Under both project options, pedestrians would enter and exit the project site via Brannan Street. These new pedestrian trips could be accommodated on the existing sidewalks and crosswalks adjacent to the project site and would not substantially overcrowd the current pedestrian conditions along Brannan, Second or Third Streets. As sidewalks in the project vicinity are generally between 10 and 15 feet wide, and currently have low to moderate levels of pedestrian activity, pedestrian conditions would continue to remain acceptable.

Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for pedestrians or otherwise substantially interfere with pedestrian accessibility to the site and adjoining areas. Furthermore, the proposed project, under both options, would eliminate two existing curb cuts on Brannan Street, reducing potential existing conflicts between pedestrians and vehicles. Overall, project impacts to pedestrians would be less than significant.

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

The transportation impact study evaluated the transportation impacts of the proposed project under cumulative conditions. Future year 2030 cumulative traffic volumes were developed in order to assess the cumulative effects of the proposed project and other development that could occur through the year 2030. For the future year 2030 cumulative intersection traffic volumes

were estimated based on the travel demand forecasting effort conducted by the Planning Department for the Eastern Neighborhoods Rezoning and Area Plans EIR. However, the travel demand forecasts for the intersection of Essex/Harrison were obtained from the Transit Center District Plan Transportation Impact Study. The growth attributable to the 333 Brannan Street, 178 Townsend Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street projects is consistent with the land use forecasts for the Eastern Neighborhoods; therefore, the cumulative transportation impact analysis takes the impacts of these projects into account.

Four of the eight study intersections would operate at LOS F under the 2030 Cumulative conditions, as compared to three intersections operating at LOS E or LOS F under Existing conditions. In general, the poor operating conditions would occur along the access routes to and from the I-280 King Street ramps (at Third/King, Third/Townsend, and Third/Brannan) and the Bay Bridge (Essex/Harrison).

Because the Proposed Project Option 1 would generate more vehicle trips during the PM peak hour than Option 2, the proposed project contributions at the four intersections projected to operate at LOS F under 2030 Cumulative conditions were calculated using the higher Option 1 project-generated vehicle trips. Option 1 would add 21 vehicles trips during the PM peak hour at the Third/King intersection, 13 vehicles trips at Third/Townsend, 14 vehicle trips at Third/Brannan, and 3 vehicle trips at Essex/Harrison. The poor operating conditions during the PM peak hour at four of the eight study intersections under 2030 Cumulative conditions would be due to traffic volume increases associated with other developments in the project vicinity. Since Option 1 and Option 2 would not result in considerable contribution to the poor operating conditions, project impacts at these intersections would be considered less than significant.

Future year 2030 Cumulative Muni and regional transit screenlines were obtained from the transit analysis conducted for the Transit Center District Plan Transportation Impact Study. Under 2030 Cumulative weekday PM peak hour conditions, the future year ridership would exceed Muni's capacity utilization standard of 85 percent at the following corridors: Northwest Screenline – Geary, California, Sutter/Clement, Chestnut/Union; Southeast Screenline – Third, Other; and Southwest Screenline – Subway.

The contribution of the proposed project to 2030 Cumulative PM peak hour transit ridership on the corridors and screenlines exceeding Muni's capacity utilization standard of 85 percent was conducted to determine if they would have a significant contribution to transit ridership. Option 1 and Option 2 would both contribute between one and seven transit trips to the Muni corridors and screenlines operating at greater than 85 percent capacity utilization under 2030 Cumulative conditions, which would be less than 1.0 percent of total ridership. The proposed project would therefore not result in substantial contributions to the Muni corridors and screenlines that exceed the 85 percent capacity utilization standard, and therefore, project impacts to cumulative Muni operations would be less than significant.

Under 2030 Cumulative conditions, transit ridership on regional transit lines is projected to exceed the available capacity at several corridors, and capacity utilization standards would not be met for BART and AC Transit to the East Bay, and Golden Gate Transit to the North Bay bus lines. In addition, ferry service to the North Bay would approach 100 percent of capacity (99 percent). During the PM peak hour, the proposed project's contribution to cumulative ridership on these regional transit operators would not represent a considerable contribution to a significant cumulative impact. The contributions of the proposed project to the regional operators that would exceed 100 percent capacity utilization under 2030 Cumulative conditions would be less than one percent contribution to these screenlines/operators. Therefore, the proposed project's contribution to the 2030 Cumulative capacity utilization exceedances for the regional transit operators would be less than significant.

It is possible that project-related construction activities may overlap with the construction activities of other projects in the area. The construction activities associated with the cumulative projects would affect access, traffic, and transit operations, and pedestrian and bicycle movements. It is anticipated that the construction manager for each project would be required to work with the various departments of the City to develop a detailed and coordinated plan that would address construction vehicle routing, traffic control, and pedestrian movement adjacent to the construction area for the duration of the overlap in construction activity.

Given the limited duration (up to 12 months) and extent of project-related construction activities, the project would not result in a cumulatively considerable contribution to transportation-related construction impacts that could affect access, traffic and transit operations, and pedestrian/bicycle

movements. The proposed project would result in a less-than-significant cumulative transportation impact. Improvement Measure 1, Coordination of Construction Activity, would further reduce potential conflicts between construction activities and pedestrians, transit, and vehicles.

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

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

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable.

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

Exposure to Noise during Operation

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas.

The Environmental Protection element of the General Plan contains Land Use Compatibility Guidelines for Community Noise.²⁰ These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable ambient noise levels for various newly developed land uses. For an office project, the maximum satisfactory ambient noise level without the need to incorporate noise insulation is 60 A-weighted decibels (dBA) on the day-night equivalent level (Ldn). The guidelines state that new office development is satisfactory up to 70 dBA Ldn with no special noise insulation requirements. According to the San Francisco City-wide Noise Map²¹ prepared by the San Francisco Department of Public Health, noise levels along Brannan Street are between 65.1 and 70 dBA (Ldn).^{22,23} Therefore, the proposed project would not be required to undergo a detailed analysis of noise reduction requirements.

Generation of Traffic Noise during Operation

Generally, traffic must double in volume to produce a noticeable increase in average noise levels. Based on the transportation analysis prepared for the project, traffic volumes would not double on area streets as a result of the proposed project. Therefore, the proposed project would not

20 San Francisco General Plan. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise, http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm.

21 San Francisco City-wide Noise Map, San Francisco Department of Public Health, March, 2009. This document is available for review at the Planning Department in Case File No 2004.0976E.

22 Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient and manageable level. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting and expressed in units of A-weighted decibels (dBA).

23 Based on noise modeling conducted by the San Francisco Department of Public Health (DPH). DPH modeling has yielded GIS-compatible noise contours for the City, based on vehicle noise.

cause a noticeable increase in the ambient noise level in the project vicinity, and this impact would be less than significant.

Generation of Building Noise during Operation

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. These operations would be subject to Section 2909 of the City's Noise Ordinance (Article 29 of the San Francisco Police Code). As amended in November 2008, this section establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the limit is 5 dBA in excess of ambient, while for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. Compliance with Article 29, Section 2909, would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant, and building would not contribute to a considerable increment to any cumulative noise impacts from mechanical equipment.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less than significant impact. (Less than Significant)

The construction of the proposed office building would temporarily increase noise in the vicinity. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. No heavy external excavation equipment, such as pile drivers, would be used during construction. Construction noise would fluctuate depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. Further, construction noise would be intermittent and limited to the period of construction.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have boot intake and exhaust muffled to the satisfaction of DPW or DBI. Section 2908 of the ordinance prohibits construction between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by DPW or DBI. Compliance with the noise ordinance would reduce potential construction noise impacts to a less than significant level, including noise effects on residential uses in the immediate vicinity, which are considered sensitive receptors.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative noise impacts. (Less than Significant)

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. As such, construction noise effects associated with the proposed project are not anticipated to combine with proposed developments at 333 Brannan Street, 178 Townsend Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street. Therefore, cumulative construction-related noise impacts would be less than significant.

Local traffic noise would increase in conjunction with foreseeable office, residential, and commercial growth in the project vicinity, though this increase would be result in considerably less than a doubling of traffic noise that would result in an audible change. Because neither the proposed project nor the other cumulative impacts in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project would not contribute considerably to any cumulative traffic-related increases in ambient noise. Moreover, the proposed project’s mechanical equipment and occupants would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any significant cumulative increases in ambient noise as a result of the building equipment or occupants. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
7. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Topics:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air

pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment²⁴ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.²⁵

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 1, below, identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter (PM₁₀ and PM_{2.5}²⁶). 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 criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per

²⁴ "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.

²⁵ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.

²⁶ PM₁₀ is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

year (or 54 pounds (lbs.) per day).²⁷ These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

**Table 1
Criteria Air Pollutant Significance Thresholds**

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average 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	

Particulate Matter (PM₁₀ and PM_{2.5}). The BAAQMD has not established an offset limit for PM_{2.5}. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.²⁸ Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because

²⁷ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

²⁸ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.²⁹ Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.³⁰ The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.³¹ 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 BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. A TAC is defined in California Health and Safety Code §39655 as an air pollutant 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 BAAQMD 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

²⁹ Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at http://www.wrapair.org/forums/dejffdlh/content/FDHandbook_Rev_06.pdf, accessed February 16, 2012.

³⁰ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

³¹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.³²

Vehicle tailpipe emissions contain numerous TACs, including benzene, 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, and diesel exhaust.³³ Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases, with collective and individual toxicological characteristics. While each constituent pollutant in engine exhaust may have a unique toxicological profile, health effects have been associated with proximity, or exposure, to vehicle-related pollutants *collectively* as a mixture.³⁴ 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.³⁵ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.³⁶ Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled roadways. 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.

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. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

³² In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

³³ San Francisco Department of Public Health (SFDPH), *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

³⁴ Delfino RJ, 2002, "Epidemiologic evidence for asthma and exposure to air toxics: linkages between occupational, indoor, and community air pollution research," *Environmental Health Perspectives*, 110(S4):573-589.

³⁵ SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

³⁶ California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed “air pollution hot spots,” were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter (µg/m³).

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criterion is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.³⁷ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,³⁸ the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.³⁹

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. Air pollution hot spots for San Francisco are based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for error bounds in emissions modeling programs.

Land use projects within these air pollution hot spots require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

³⁷ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

³⁸ 54 Federal Register 38044, September 14, 1989.

³⁹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

Construction Air Quality Impacts

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

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

Construction activities (short-term) typically result in emissions of fugitive dust, criteria air pollutants, and DPM. Emissions of criteria pollutants and DPM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting or other types of architectural coatings or asphalt paving activities. The proposed project includes the removal of the surface parking lot and the construction of a five-story office building. During the project's approximately ten to twelve month construction period, construction activities would have the potential to result in fugitive dust emissions, criteria air pollutants and DPM.

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 California Air Resources Board, reducing ambient particulate matter from 1998-2000 levels to natural background concentrations in San Francisco would prevent over 200 premature deaths.

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 to add to particulate matter in the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control

Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

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

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site 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. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). 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 materials, 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.

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

The site-specific Dust Control Plan would require the project sponsor to: submit of a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down

areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third-party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements.

Compliance with these regulations and procedures set forth by the San Francisco Building Code would ensure that potential dust-related air quality impacts would be reduced to a level of insignificance.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 1, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the proposed 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 greenfield⁴⁰ 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. For projects that are mixed-use, infill, and/or proximate to transit service and local services, emissions would be expected to be less than the greenfield-type project that the screening criteria are based upon.

⁴⁰ A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

The proposed project involves the removal of a surface parking lot and construction of a five-story office building with potential ground-floor retail use. The proposed project would be below the criteria air pollutant screening sizes for a General Office Building (277,000 square feet) and Quality Restaurant⁴¹ (277,000 square feet) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less-than-significant construction criteria air pollutant impact.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.⁴² Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.⁴³ This reduction in emissions is due, in part, to effects of the economic recession and refined emissions estimation methodologies. For example, revised particulate matter (PM) emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous estimates for the SFBAAB.⁴⁴ Approximately half of the reduction can be attributed to the economic recession and approximately half can be attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).⁴⁵

⁴¹ Although the retail use of the proposed project Option 1 has not yet been determined, a Quality Restaurant represents a best estimate at this time and is closest to any of uses list on Table 3-1.

⁴² 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.

⁴³ 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.

⁴⁴ 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.

⁴⁵ 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.

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.⁴⁶ Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to DPM emissions.⁴⁷

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

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."⁴⁸

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within air pollution hot spots, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The project site is not located within an identified air pollution hot spot. Although on-road heavy-duty diesel vehicles and off-road equipment would be used during the ten- to twelve-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the

⁴⁶ United State Environmental Protection Agency (USEPA), "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

⁴⁷ California Code of Regulations, Title 13, Division 3, § 2485.

⁴⁸ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors exposure to temporary and variable DPM emissions. Therefore, construction period TAC emissions would result in a less-than-significant impact to sensitive receptors.

Operational Air Quality Impacts

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

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

As discussed above in Impact AQ-1, the BAAQMD, in its CEQA Air Quality Guidelines (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment. The proposed project includes two options for the ground-floor. Option 1 (office and ground floor retail/restaurant) is anticipated to generate approximately 423 daily vehicle trips while the proposed project Option 2 (office only) is anticipated to generate approximately 276 daily vehicle trips. The proposed project would be below the criteria air pollutant screening sizes for a Quality Restaurant (47,000) and General Office building (346,000) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to criteria air pollutants.

Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in

combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's 423 vehicle trips (Proposed Project Option 1) would be well below this level, therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Siting Sensitive Land Uses

The proposed project does not include development of sensitive land uses for purposes of air quality evaluation. As discussed above, San Francisco, in partnership with the BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary and area sources within the City. This assessment has resulted in the identification of air pollutant hot spots. The proposed project would not site sensitive land uses, and the project site is not located within air pollution hot spots. Therefore, the proposed project would result in a less-than-significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

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

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

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

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project would be consistent with energy and

climate control measures as discussed in the below Greenhouse Gas Emissions section, 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 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 *2010 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 applicable to the proposed project. By complying with these applicable requirements, the project would include relevant transportation control measures specified by the *2010 Clean Air Plan*.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project involves the construction of a five-story office building (with either office or commercial space at the ground-floor) 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 avoid disrupting or hindering implementation of control measures identified in the CAP.

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

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially

affected by sources of odors. Additionally, the proposed project includes the construction of office uses with either retail or office uses at the ground floor, and would therefore not create a significant source of new odors. Therefore, odor impacts would be less than significant.

Cumulative Air Quality Impacts

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

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present and future projects contribute to the region’s adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulative adverse air quality impacts.⁴⁹ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project’s construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

Although the project would add new vehicle trips, the project site is not located within an air pollution hot spot. The project’s incremental increase in localized TAC emissions resulting from new vehicle trips would be minor and would not contribute substantially to cumulative TAC emissions that could affect nearby sensitive land uses. Therefore, cumulative air quality impacts would be considered less than significant.

<u>Topics:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

⁴⁹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 2-1.

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO₂E).⁵⁰

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.⁵¹

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO₂E (MMTCO₂E), or about 535 million U.S. tons.⁵² The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG

⁵⁰ 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.

⁵¹ California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

⁵² California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

emissions.⁵³ In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCO₂E emitted in 2007.⁵⁴ Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.⁵⁵

Regulatory Setting

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

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.⁵⁶ The Scoping Plan estimates a reduction of 174 million metric tons of CO₂E (MMTCO₂E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 2, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.⁵⁷ Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

⁵³ Ibid.

⁵⁴ Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at:
http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

⁵⁵ Ibid.

⁵⁶ California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at:
http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

⁵⁷ California Air Resources Board. AB 32 Scoping Plan. Available Online at:
http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

Table 2. GHG Reductions from the AB 32 Scoping Plan Sectors⁵⁸

GHG Reduction Measures By Sector	GHG Reductions (MMT CO₂E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	174
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste	
• Commercial Recycling	
• Composting	
• Anaerobic Digestion	
• Extended Producer Responsibility	
• Environmentally Preferable Purchasing	9
Total	42.8-43.8

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

⁵⁸ Ibid.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *2010 CEQA Air Quality Guidelines* provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance have been incorporated into this analysis accordingly.

Impact GG-1: The proposed project would generate greenhouse gas emissions, but not in 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)

The most common GHGs resulting from human activity are CO₂, CH₄, and N₂O.⁵⁹ State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. 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

⁵⁹ Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed March 3, 2010.

sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by the construction of a new office building with either retail or office at the ground-floor which would result in an increase in energy use. The new building could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The new building could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 CEQA Air Quality Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.⁶⁰ This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

⁶⁰ San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO₂E and 2005 GHG emissions are estimated at 7.82 MMTCO₂E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."⁶¹

Based on the BAAQMD's 2010 CEQA *Air Quality Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for

⁶¹ Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

private projects and municipal projects are required to comply with San Francisco’s ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 3.

Table 3. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (Environment Code, Section 421)	<p>All employers must provide at least one of the following benefit programs:</p> <p>1. A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or</p> <p>(2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or</p> <p>(3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would employ more than 20 persons and therefore must comply with the commuter benefits ordinance.
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with this program.
Transportation Management Programs (Planning Code, Section 163)	Requires new buildings or additions over a specified size (buildings >25,000 sf or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City’s eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Section 163.
Transit Impact Development Fee	Establishes the following fees for all commercial developments. Fees are	<input checked="" type="checkbox"/> Project Complies	The proposed project would be required to pay a TIDF fee of \$10/ gross square

Regulation	Requirements	Project Compliance	Discussion
(Administrative Code, Chapter 38)	paid to the SFMTA to improve local transit services.	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	foot.
Jobs-Housing Linkage Program (Planning Code Section 413)	<p>The Jobs-Housing Program found that new large scale development attract new employees to the City who require housing. The program is designed to provide housing for those new uses within San Francisco, thereby allowing employees to live close to their place of employment.</p> <p>The program requires a developer to pay a fee or contribute land suitable for housing to a housing developer or pay an in-lieu fee.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Planning Code Section 413.
Bicycle Parking in New and Renovated Commercial Buildings (Planning Code, Section 155.4)	<p>Professional Services:</p> <p>(A) Where the gross square footage of the floor area is between 10,000-20,000 feet, 3 bicycle spaces are required.</p> <p>(B) Where the gross square footage of the floor area is between 20,000-50,000 feet, 6 bicycle spaces are required.</p> <p>(3)Where the gross square footage of the floor area exceeds 50,000 square feet, 12 bicycle spaces are required.</p> <p>Retail Services:</p> <p>(A) Where the gross square footage of the floor area is between 25,000 square feet - 50,000 feet, 3 bicycle spaces are required.</p> <p>(2) Where the gross square footage of the floor area is between 50,000 square feet- 100,000 feet, 6 bicycle spaces are required.</p> <p>(3) Where the gross square footage of the floor area exceeds 100,000 square feet, 12 bicycle spaces are required.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Planning Code Section 155.4
Parking requirements for San Francisco's Mixed-Use zoning districts (Planning Code)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does	The project site is located within a mixed-use neighborhood and would be required to comply with Section 151.1

Regulation	Requirements	Project Compliance	Discussion
Section 151.1)		Not Comply	
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be at a minimum 14% more energy efficient than Title 24 energy efficiency requirements. By 2008 large commercial buildings will be required to have their energy systems commissioned, and by 2010, these large buildings will be required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings will be required to have their systems commissioned by 2009, with enhanced commissioning by 2011.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the City's Green Building Ordinance.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. These projects are required to comply with LEED® Sustainable Sites Credits 6.1 and 6.2, or comply with the City's Stormwater ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project will be disturbing more than 5,000 square feet and will therefore be required to comply with the City's Stormwater Management Ordinance.
San Francisco Green Building Requirements for water efficient landscaping (SF Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 square feet are required to reduce the amount of potable water used for landscaping by 50%.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the City's Green Building Ordinance.
San Francisco Green Building Requirements for water use reduction (SF Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the City's Green Building Ordinance.

Regulation	Requirements	Project Compliance	Discussion
Commercial Water Conservation Ordinance (SF Building Code, Chapter 13A)	<p>Requires all existing commercial properties undergoing tenant improvements to achieve the following minimum standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Commercial Water Conservation Ordinance.
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (SF Building Code, Chapter 13C)	<p>By 2012, all new commercial buildings will be required to provide on-site renewable energy or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6.</p> <p>Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with this section of the Green Building Ordinance.
Waste Reduction Sector			
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is the construction of an office building which would be required to comply with the San Francisco Green Building Code requirements for solid waste.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Mandatory Recycling and Composting Ordinance.

Regulation	Requirements	Project Compliance	Discussion
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (Planning Code Section 428)	Planning Code Section 428 requires new construction, significant alterations or relocation of buildings within many of San Francisco’s zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would be required to comply with Section 428.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would not include a wood burning fireplace.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): <ul style="list-style-type: none"> • All diesel generators to be registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology. 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with Article 30 of the San Francisco Health Code.

Depending on a proposed project’s size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State’s ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City’s ability to meet San Francisco’s local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco’s sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project’s contribution to climate change; and (5) San Francisco’s *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD’s requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco’s regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to

be consistent with San Francisco’s *Strategies to Address Greenhouse Gas Emissions*.⁶² As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

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

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

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The proposed project, at 65-feet-tall and five stories, would not be substantially taller than the development in surrounding neighborhood which ranges from one- to six-story buildings, and would not be oriented differently than existing buildings on the block. The proposed project would thus not result in adverse effects on ground-level winds and the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent to or near the project site. Therefore, the proposed project would result in less-than-significant wind impacts.

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

The project site is located approximately 300 feet south of South Park. South Park is approximately 36,999 square feet in size located in the middle of a rectangle bounded by 2nd, 3rd, Bryant, and Brannan Streets. South Park is under the jurisdiction of the Department of Recreation and Parks, and is an elongated ellipse in plan. At the ends of the park are grassy areas with two playgrounds towards the middle of the park and a concrete area with picnic tables in

⁶² Greenhouse Gas Analysis: Compliance Checklist. May 9, 2012. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, in Case No. 2007.0385E.

between the two playgrounds. South Park currently has some shadow from existing buildings, and there are also a number of mature trees along the edges of the park that create shade.

Section 295 of the Planning Code was adopted in response to Proposition K (passed in November 1984) to protect certain public open spaces (under Recreation and Park jurisdiction) from shadow by new structures during the period between one hour after sunrise and one hour before sunset, year-round. Section 295 restricts new shadow on public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet in height unless the Planning Commission finds the impact not to be significant and adverse. Shadow limits have been developed for some Section 295 parks in the Downtown area; however, no shadow limit has been identified for South Park.

Pursuant to the Eastern Neighborhoods Rezoning and Area Plans, the height limits in the East SOMA subarea, in which the project site is located, were increased along many of the primary streets in the neighborhood, maintained around South Park, and lowered on certain residential alleys. The height limit for the project site was increased from 50 feet to 65 feet. The shadow analysis conducted for the Eastern Neighborhoods Area Plan EIR addressed potential impacts to South Park.⁶³ The shadow analysis in that EIR found that under existing conditions 75 percent of the park would be shaded at 6:45 a.m., while under build-out with the proposed height increases on Second Street, 85 percent of the park would be shaded at this time. Shadows would recede from the park's long southeastern edge at the same time under both existing and proposed heights. However, with the proposed building height increase along Second Street, shadows would recede from the far northeastern end of the park one hour later, at 10:30 a.m. instead of 9:30 a.m. In the evening hours, the only discernible different in shadow patterns would occur between 3:30 p.m. and 3:54 p.m. when shadows on the park's southwestern end would occupy approximately 15 percent of the total park area compared to 10 percent under the future no-project scenario with existing height limits. The Eastern Neighborhoods EIR notes that Section 295 would limit potential new shadow impacts on South Park and that new shadow impacts would be evaluated on a project-specific basis, but that without detailed development proposals, the potential for new shadow impacts could not be determined and the EIR concluded that

⁶³ *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

increasing heights as part of the rezoning effort could potentially result in significant shadow impacts on South Park, requiring individual projects to undergo a detailed shadow analysis.

To determine whether this project would comply with Section 295, a shadow fan analysis was prepared by the Planning Department. This analysis determined that the proposed project has the potential to impact properties protected by the ordinance by casting net new shadow on South Park and that a more precise shadow analysis is required.⁶⁴

A more refined project-specific analysis was conducted for the proposed project to determine the project's shadow impact on South Park.⁶⁵ The shadow analysis analyzed the proposed building, which is 65 feet tall. The maximum shadow impact on a specific day and time from the proposed 65-foot-tall building would be on December 19th when new shadow would be cast on the park between 8:30 a.m. to 8:40 a.m. On this day, new shadow would reach a maximum area of approximately 660 square foot hours of the park. Therefore, at its greatest extent at a single time, the new shadow would not cover in a substantial area of the park. Figure 10 shows the shade that would be cast upon the park during this period. This new narrow, rectangular slot of shadow would affect a portion of the concrete area of the Park which contains two picnic tables. The shadow analysis found that the theoretically available amount of sunlight (TAAS) on South Park is approximately 137,688,079 square feet.⁶⁶ The project would add approximately 24,693 square feet of new shade, resulting in a 0.018 percent decrease in the theoretically available sunlight.

The proposed project will be presented to both the Recreation and Parks Commission and then the Planning Commission for a determination of the project's shadow impact on South Park, under Section 295 of the Planning Code.

Under CEQA, a project is considered to have a significant shadow impact if the project would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. The new shadow created by the proposed project would not be substantial. All net new shadow on South Park from the proposed project occurs for a fraction of an hour during the first minutes of winter days, when it in-fills a narrow slot of lighted area of sunlight reaching the

⁶⁴ Diego Sanchez, San Francisco Planning Department, letter dated January 23, 2009, 345 Brannan Street Shadow Analysis. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2007.0385K.

⁶⁵ Zone Consulting and Office of Charles Bloszies, 345 Brannan Street Shadow Analysis, December 17, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2007.0385E.

⁶⁶ TAAS does not account for shadows cast by existing buildings or trees.

park down Jack London Alley. All net new shadow on South Park from this project occurs from the first of November to early February. The proposed project would decrease the potential theoretical sunlight availability by only 0.018 percent by adding 24,693 square feet of net new shadow throughout the year.

In summary, new shadow from the proposed project on South Park would be relatively minimal. Because new additional shadow would occur for a relatively short duration per day and would cover relatively small areas during portions of the year, the new shadow would not be expected to preclude or substantially reduce the use of the outdoor facilities, including the playground and the grassy areas, at South Park.

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



The Office of Charles F. Bloszies, AIA, Ltd | ARCHITECTURE | STRUCTURES | 228 Grant Avenue, San Francisco, CA
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Figure 10. Maximum Project Shadow Impact on South Park, December 19th, 8:30-8:40 AM

Source: Office of Charles Bloszies
Not to scale

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

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind impact in the project vicinity. The design of the 333 Brannan Street, 178 Townsend Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street projects would be required to comply with the applicable height and bulk requirements, as defined in the Planning Code. As such, the proposed project, in combination with projects currently proposed in the vicinity, would not substantially alter the wind patterns that could affect public areas, and cumulative wind impacts would be considered less than significant.

The proposed project, along with other potential and future development in the vicinity, could result in net new shadows in the vicinity. However, these projects would be subject to Section 295 controls to avoid substantial net new shading of public open spaces. Thus the proposed project, in combination with cumulative projects considered in this analysis, would not be expected to contribute considerably to adverse shadow effects under cumulative conditions, and cumulative shadow impacts would be considered less than significant.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
10. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact RE-1: The proposed project would increase the use of existing neighborhood parks or other recreational facilities, but not to an extent that substantial physical deterioration of the facilities would occur or be accelerated. (Less than Significant)

The nearest recreation facilities to the project site include South Park, approximately one block northwest of the site; South Beach Playground, approximately two blocks west of the site; and China Basin Park, approximately three blocks south of the site.

The proposed project would add up to 372 full time employees for the 102,585 gross square feet of proposed office space (Option 2), and no residential uses are proposed. Although new employees may utilize parks and recreation spaces in the vicinity of the site, the use would likely be modest (based on the size of projected population and employment increases), and it is unlikely that substantial physical deterioration of nearby parks would occur as a result. In addition, the proposed project would not substantially increase demand for or use of citywide facilities such as Golden Gate Park. Therefore, impacts on recreational activities and facilities would be less than significant.

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

The proposed project does not include recreational facilities or residential use, and would not require the construction or expansion of recreational facilities. Therefore, the project would not result in the construction of recreational facilities that would themselves have a physical environmental impact.

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

The proposed project would not result in the physical alteration of any recreational resource within the vicinity of the project site or in the City as a whole. The proposed project involves the removal of an existing surface parking lot and construction of a five-story, 65-foot-tall office building totaling approximately 116,615 square feet in size. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail use, while Option 2 would contain 102,585 square feet of office use. Approximately 4,125 square feet of private open space would be provided on the upper four floors. Therefore, the project would not physically degrade any existing recreational resources.

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

The use of recreational facilities in the vicinity of the project site is not expected to noticeably increase as a result of the proposed project. As mentioned above, the proposed project involves the removal of an existing surface parking lot and construction of a five-story, 65-foot-tall office building totaling approximately 116,615 square feet in size. Under Option 1, the building would contain 95,585 square feet of office use and 7,000 square feet of ground-floor retail use, while Option 2 would contain 102,585 square feet of office use. Approximately 4,125 square feet of private open space would be provided on the upper four floors. Therefore, the contribution of the proposed project to cumulative recreation-related impacts would not be considerable.

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

The project site is located within an area that is served by existing utilities and service systems including solid waste disposal, wastewater, and stormwater collection and treatment, power, water and communication facilities. The proposed project would add new uses to the site that would incrementally increase the demand for utilities and service systems, but not in excess of amounts expected and provided for in the project area.

Impact UT-1: Implementation of the proposed project would not require or result in the construction of wastewater collection and treatment facilities, new storm water drainage facilities, or expansion of existing facilities. (Less than Significant)

The proposed project would not require the construction of new wastewater or stormwater collection and treatment facilities. Project related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into San Francisco Bay.

The project site is completely covered with impervious surfaces and would remain completely covered with the proposed project. Therefore, the project would not substantially increase the amount of stormwater discharged from the project site. Additionally, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO), adopted May 6, 2008. The SFGBO would require that the project meet the performance standard identified in the LEED NC⁶⁷ credit 6.2 for quality control of stormwater. Specifically, this credit requires the project sponsor to implement a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats the stormwater runoff from 90 percent of the average annual rainfall using a variety of best management practices (BMPs). The BMPs must be capable of removing 80 percent of the average annual post-development total suspended solids (TSS). The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Although the project would incrementally increase the demand for wastewater treatment and could increase the demand for stormwater treatment, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Additionally, requirements for stormwater treatment mandated by the SFGBO would decrease the incremental amount of stormwater requiring treatment at the Southeast Water Pollution Control Plant. Therefore, the proposed project would have a less than significant impact on San Francisco's wastewater and stormwater systems.

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

The proposed project would increase the amount of water required to serve the proposed uses. However, the proposed project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Public Utilities Commission's (SFPUC) 2005 Urban Watershed Management Plan.⁶⁸ Additionally, as required by the SFGBO, the project would be required to implement a 20 percent reduction in potable water for other uses (requiring installation of low-flow fixtures). Although the project would increase the amount of water required on site, the increase in water use on the site is accounted for in the SFPUC's 2005 Urban Watershed Management Plan. Also, the project would be required to implement water

⁶⁷ LEED NC stands for Leadership in Energy and Environmental Design- New Construction.

⁶⁸ The SFPUC's 2005 *Urban Water Management Plan* is based on data presented in the Association of Bay Area Government's (*Projections 2002: Forecasts for the San Francisco Bay Area to the Year 2025*, which includes all known or expected development projects in San Francisco through the year 2025).

conservation measures as required by the SFGBO, would be served by the existing water supply and would not require new or expanded water supply resources or entitlements. Therefore, the project's impact on water supply would be less than significant.

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

Solid waste from the project site would be collected by Golden Gate Disposal Company and hauled to the Recology transfer station near Candlestick Point, and recycled as feasible, with non-recyclables being disposed of at the Altamont Landfill in Alameda County. The Altamont Landfill has a permitted maximum disposal of 6,000 tons per day and received about 1.29 million tons of waste in 2007 (the most recent year reported by the State). The total permitted capacity of the landfill is more than 124 million cubic yards; with this capacity, the landfill can operate until 2025.⁶⁹ However, the amount of solid waste that San Francisco can deposit at Altamont Landfill is governed by the City's agreement with the landfill operator, and the City is anticipated to reach its current limit between 2013 and 2015. The City is currently reviewing alternatives for longer-term disposal capacity, which may or may not involve continuing disposal at Altamont Landfill. Although the proposed project would incrementally increase total waste generation from the City, the increasing rate of diversion through recycling and other methods would result in a decreasing share of total waste that requires deposition into the landfill. Given this, and given the long-term capacity available at the Altamont Landfill, the solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would result in a less-than-significant solid waste generation impact. The proposed project would be subject to the City's Mandatory Recycling and Composting Ordinance, which requires all San Francisco residents and commercial landlords to separate their refuse into recyclables, compostables, and trash, thereby minimizing solid waste disposal and maximizing recycling. The project would also be subject to the City's Construction and Demolition Debris Recovery Ordinance, which requires all construction and demolition debris to be transported to a registered facility that can divert a minimum of 65 percent of the material from landfills. Therefore, the project's impact on existing landfill capacity would be less than significant.

Impact UT-4: The construction and operation of the proposed project would follow all applicable statutes and regulations related to solid waste. (No Impact)

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed

⁶⁹ California Integrated Waste Management Board, Active Landfill Profiles, Altamont Landfill, <http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/LFProfile2.asp?COID=3&FACID=01-AA-0009>, accessed May 27, 2010.

by the San Francisco Department of the Environment showed the City generated 1.88 million tons of waste material in 2002. Approximately 63 percent (1.18 million tons) was diverted through recycling, composting, reuse, and other efforts while 700,000 tons went to a landfill.⁷⁰ San Francisco residents currently divert approximately 72 percent of their solid waste to recycling and composting, bringing the city's residents closer to their goal of 75 percent diversion by 2010 and 100 percent by 2020.⁷¹ The solid waste associated with the proposed project's construction would be required to divert 65 percent of all non-hazardous construction waste for recycling and reuse, as required by the Construction, Demolition and Debris Ordinance.

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste.

Therefore, solid waste generated from the project's construction and operation would not substantially affect the projected life of the landfill, and no associated impacts related to solid waste would occur.

Impact C-UT-1: In combination with past, present, and reasonably foreseeable future development in the project site vicinity, the proposed project would not have a substantial cumulative impact on utilities and service systems. (Less than Significant)

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

⁷⁰ San Francisco Office of the Controller, Community Indicators Report. Available on the internet at: http://www.sfgov.org/wcm_controller/community_indicators/physicalenvironment/index.htm. Accessed March 12, 2009.

⁷¹ San Francisco Department of the Environment. Zero Waste. Website available at: <http://sfgov.org/site/frame.asp?u=http://www.sfenvironment.org>. Accessed February 11, 2009.

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

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

The existing surface parking lot currently receives police protection services from the San Francisco Police Department (SFPD). The Southern Police Station is located at 850 Bryant Street, approximately one mile from the project site, and serves the project site. The proposed project would increase development intensity on the site and would increase the demand for, and use of, police services, but not in excess amounts expected and provided for the area. Given the modest increase in population and density as a result of the proposed project, it would not necessitate the construction of a new police station and would have a less than significant effect on police protection services.

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

The proposed project would increase the demand for fire protection services within the project area. The nearest fire station to the project site is Station #8 located at 36 Bluxome Street at 4th Street, which is approximately one-half mile from the project site. Traffic delays and added call volume may result for the San Francisco Fire Department (SFFD), due to cumulative development in the project area; however, the SFFD is able to minimize potential impacts by shifting primary response duties to other nearby fire stations. By replacing the existing surface parking lot with a new office building, with the potential of ground-floor retail use, the number of calls for services from the project site may be expected to increase. However, the increases would be incremental, funded largely through project-related increases to the City's tax base, and would not likely be substantial in light of the existing demand and capacity for fire suppression and emergency medical services in the City. Therefore, this impact would be less than significant.

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

The proposed project involves the development of an office building with either retail or office use on the ground floor. Therefore, the proposed project would not contribute to the need for new school facilities, and would result in no impacts to the physical environment.

Impact PS-4: The proposed project would result in an incremental increase in the use of nearby parks, but this increased use would not result in a substantial adverse effect. (Less than Significant)

The nearest recreation facilities to the project site include South Park, approximately one block northwest of the site; South Beach Playground, approximately two blocks west of the site; and China Basin Park, approximately three blocks south of the site. Combined, these facilities provide a wide range of facilities for recreational and passive uses. In light of the above, the proposed project would not result in substantial adverse physical impacts from the construction or need for new parks.

Although new employees may utilize parks and recreational spaces in the vicinity of the sites, the use would likely be modest (based on the size of the projected population and employment increases), and it is unlikely that substantial physical deterioration would be expected. In addition, the proposed project would not substantially increase demand for or use of citywide facilities such as the Golden Gate Park. Therefore, this impact would be less than significant.

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

The incremental population increase that would result from the proposed office building with either retail or office use on the ground-floor would not necessitate the need for new or physically altered government facilities, and therefore any related impact would be less than significant.

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

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

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

Under CEQA criteria, a project would have significant impacts on biological resources if it were to substantially affect candidate, sensitive, or special status species, riparian habitat or other sensitive natural community or wetlands, interfere with the movement of any migratory fish, wildlife, established native resident, or migratory wildlife corridors, conflict with local policies or ordinances related to biological resources, or conflict with any habitat conservation plan. There are no adopted habitat conservation plans applicable to the project site, so criterion E.13.f is not applicable to the proposed project.

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

The project site and the majority of the South of Market neighborhoods around the project site are developed and covered with structures and other impermeable surfaces. The project site is occupied by an existing surface parking lot, and there are no trees. The project site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect or diminish plant or animal habitats, including riparian or wetland habitat. The project would not interfere with any resident or migratory species, affect any rare, threatened, or endangered species, or involve tree removal. Given the conditions present on the project site and in the area, the proposed project would have no adverse impact on biological resources.

Impact BI-2: Implementation of the proposed project would not conflict with local tree protection regulations. (No Impact)

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark Tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, that is greater than 20 feet in height or which meets other criteria.

A Tree Disclosure Statement prepared for the project in April 16, 2007 indicated that there are no significant trees, landmark trees, or street trees at the project site, and as stated above, the project does not include tree removal. For information, the removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant. The proposed project would include planting four trees along its Brannan Street frontage.

Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact C-BI-1: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in substantial cumulative adverse impacts to biological resources. (Less than Significant)

Cumulative projects are discussed on page 22. The project vicinity is highly urbanized and lacks substantial biological resources. Past projects, including the development of residences, commercial, office and industrial areas, and infrastructure, have substantially reduced the quality and quantity of biological resources in the vicinity of the project site. There are no remaining natural communities within the vicinity of the project site and wildlife diversity is minimal.

Implementation of the cumulative projects would not adversely affect important habitat areas or inhibit migratory routes as the project area is fully urbanized. Nonetheless, these cumulative development projects would be subject to the City’s Urban Forestry Ordinance, Public Works Code Section 8.02-8.11, which requires a permit from DPW to remove any protected trees and tree replacement or in-lieu fees. The Urban Forestry Ordinance would maintain or improve the biological resources in the context of the City’s urban environment.

As previously stated, the proposed project would result in less-than-significant biological impacts. When considered relative to the cumulative impact on biological resources caused by reasonably foreseeable projects, the proposed project would not result in a contribution to cumulative biological impacts.

For the reasons described above, biological impacts, both project-specific and cumulative, would be less than significant.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
14. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to the City’s sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic 14e is not applicable to the project site.

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

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. A preliminary geotechnical analysis has been

completed for the project site.⁷² The analysis examined underlying soils of the project site and made preliminary geotechnical recommendations related to excavation operations on the project site. The analysis indicates that the project site is suitable for the construction of the proposed project and found no evidence of active faulting on the project site. However, during an earthquake at any of the major area faults mentioned above, the project site would experience very strong ground shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,⁷³ lateral spreading,⁷⁴ and cyclic densification.⁷⁵

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to “Violent” ground shaking (structural damage) from earthquakes along the San Andreas Fault (Map 2 of the Community Safety Element) and “Very Strong” shaking intensity from earthquakes along the Northern Hayward Fault (Map 3). The project site is located approximately 6 miles northwest of the San Andreas Fault and approximately 10 miles west of the northern Hayward Fault. Therefore, it is likely that the site would experience periodic minor or major earthquakes associated with a regional fault. The 2007 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake.

Groundshaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as that associated with soil liquefaction, lateral spreading, and differential compaction. The project site is located in an area of liquefaction potential, as shown in the Community Safety Element of the General Plan, but is not in an area of potential landslide hazard (Map 4 of the Community Safety Element).⁷⁶ Project site development would not substantially alter the topography of the project site or vicinity.

⁷² Treadwell & Rollo Geotechnical Consultants, Geotechnical Investigation, June 6, 2008. A copy of this report is available for review at the Planning Department offices at 1650 Mission Street, Suite 400, related to Case No. 2007.0385E.

⁷³ Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

⁷⁴ Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

⁷⁵ Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

⁷⁶ City and County of San Francisco, Community Safety Element, *General Plan*, October 2012.

According to the preliminary geotechnical investigation⁷⁷, the existing ground surface is generally covered by concrete and asphalt pavement consisting of one inch of asphalt pavement over four inches of aggregate base. The asphalt concrete is underlain by undocumented fill, native soil consisting of dense clayey sand and very stiff to hard clay with varying sand and gravel content, and bedrock. Undocumented fill consisting of fine-grained sand was encountered at one boring location near the northeast corner of the site. The sandy fill is very loose and contains brick fragments that extend to a depth of about five feet below ground surface (bgs). The depths to the top of the clayey sand layer range from about five to 0.5 feet bgs and the corresponding bottom of the layer from 7 to 14 feet bgs. Underlying the clayey sand is very stiff to hard clay with varying sand and gravel content. Bedrock of the Franciscan Complex underlies the native clay deposit, and is present below the existing pavement section, and ranges from 0.5 to 23 feet bgs. The top of bedrock elevation typically slopes down to the north. Groundwater was not observed during field investigations. Based on the subsurface conditions, the investigation found that the proposed building can be supported on shallow spread footings bearing on native soil or bedrock.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code, and this impact would be less than significant.

Impact GE-2: The proposed project site would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. (Less than Significant)

⁷⁷ Ibid.

As shown on the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990,⁷⁸ the project site is not within an area subject to landslide (Map 4 of the Community Safety Element). As stated above, the final building plans would be reviewed by DBI, and in reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code. Therefore, the proposed project would not result in landslide-related impacts.

Impact GE-3: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)

The project site is covered entirely with impervious surfaces and does not contain native top soil. Although excavation⁷⁹ would occur for the development of the proposed building, compliance with standard erosion-control measures would ensure that the potential for erosion would be less-than-significant impact.

Impact GE-4: The proposed project would not result in impacts to site topographical features. (Less than Significant)

The topography in the project vicinity is relatively flat, with a gentle downward slope towards the south, and contains no unique topography. The proposed project would have less-than-significant impacts with respect to topographical features of the site.

Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on geology and soils. (Less than Significant)

The proposed project would result in less-than-significant impact to topographical features, loss of topsoil or erosion, or risk or injury or death involving landslides. Geology impacts are generally site specific and in this setting would not have cumulative effects with other projects. Therefore, the project would not have a considerable contribution to related cumulative impacts. In addition, the building plans of planned and foreseeable projects would be reviewed by the Department of Building Inspection (DBI), and potential geologic hazards would be avoided

⁷⁸ The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazards zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

⁷⁹ The proposed project would require approximately six feet of excavation for two elevator pits.

during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

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

Impact HY-1: The proposed project would not violate water quality standards or otherwise substantially degrade water quality. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. As discussed in Section E.11 Utilities and Service Systems, the project site's wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the Pacific Ocean. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction, there would be a potential for erosion and the transport of soil particles during site preparation and excavation. Once in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into San Francisco Bay. Stormwater runoff from project construction would drain into the combined sewer and stormwater system and be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Pursuant to the San Francisco Building Code and the City's NPDES permit, the project sponsor would be required to implement measures to reduce potential erosion impacts. During operation and construction, the proposed project would be required to comply with all local wastewater discharge and water quality requirements. Therefore, the proposed project would not substantially degrade water quality, and impacts on water quality would be less than significant.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (Less than Significant)

Groundwater is not used as a drinking water supply in the City and County of San Francisco. The project site is entirely covered with impervious surfaces. As reported in the Geotechnical Investigation, groundwater levels in the area are located at approximately 20 feet below ground surface.⁸⁰

The project would not result in the use of groundwater, and groundwater is not anticipated to be encountered during project construction. Nonetheless, any groundwater that is encountered during construction of the proposed project is subject to the requirements of the City's Industrial Waste Ordinance (Ordinance Number 199 77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects requiring dewatering, and may require water analysis before discharge. If dewatering is necessary, the final

⁸⁰ Treadwell and Rollo, Geotechnical Investigation for 345 Brannan Street, San Francisco, CA, June 6, 2008. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case No. 2007.0385E.

soils report required for the project would address the potential settlement and subsidence associated with the dewatering. The report would contain a determination as to whether or not a lateral movement and settlement survey should be prepared to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring surface is recommended, the Department of Public Works (DPW) would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring. Because the project site would remain entirely impervious after project implementation, the project would not affect groundwater recharge, and this impact would be less than significant.

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

Because the proposed project would not substantially change the amount of impervious surface area at the site, there would be little change to the quantity and rate of stormwater runoff from the site that flows to the city's combined sewer system. The proposed project would alter drainage on site, but site runoff would continue to drain to the city's combined storm and sanitary sewer system. Therefore, the project would not substantially alter drainage on site. The foundation and portions of the building below grade would be water tight to avoid the need to permanently pump and discharge water. Because stormwater flows from the proposed project could be accommodated by the existing combined sewer system, and because there would not be an expected increase in stormwater flows, the proposed project would not significantly impact surface or ground water quality.

Impact HY-4: The proposed project would not expose people, housing, or structures, to substantial risk of loss due to flooding. (No Impact)

Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (Corps). The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City of San Francisco does not participate in the NFIP, and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a 1.0 percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the floodplain that is at risk from a flood of this magnitude as a special flood hazard area (SFHA). In September 2007, FEMA published a

preliminary FIRM for the City of San Francisco, identifying areas as subject to tidal surge and areas of coastal flooding subject to wave hazards. The project site is not within these zones.⁸¹

On June 10, 2008, legislation was introduced at the San Francisco Board of Supervisors to enact a floodplain management ordinance to govern new construction and substantial improvements in flood-prone areas of San Francisco,⁸² and to authorize the City's participation in NFIP upon passage of the ordinance. The Mayor and Board of Supervisors approved a Floodplain Management Ordinance and prepared accompanying flood zone maps in July 2008 that regulate new construction and substantial improvements to structures in flood-prone areas; that ordinance was amended in March 2010.⁸³ The project site is not located within a flood zone designated on the City's interim floodplain map.⁸⁴ In addition, there are no natural waterways within or near the project site that could cause stream-related flooding. Therefore, there would be no impacts related to the placement of housing or other structures in a 100-year flood hazard area that would impede or otherwise redirect floodwater flows.

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

As discussed in the section pertaining to geology and soils, above, the project site is not in an area subject to tsunami run-up, or reservoir inundation hazards (Maps 5 and 6 in the General Plan Community Safety Element). Therefore, the project is not expected to expose people or structures to risk from inundation by seiche, tsunami or mudflow.

Impact C-HY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on hydrology and water quality. (Less than Significant)

Given the discussion above, the proposed project would not have a significant impact on water quality standards, groundwater, drainage, or runoff and thus would not contribute considerably to any potential cumulative hydrology and water quality impacts in these areas. Flood and inundation hazards are site-specific; thus, the proposed project would not have considerable cumulative impacts. However, other proposed developments in the project area, in combination with the proposed project, could result in intensified uses and a cumulative increase in

⁸¹ TCDP EIR, p. 599.

⁸² New construction means structures for which the start of construction commenced on or after the effective date of the floodplain management regulations were adopted, and includes any substantial improvements to such structures. The proposed renovation project would not involve new construction as defined by the Floodplain Management Ordinance, as amended.

⁸³ Ordinance 56-10 (2010), available at <http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances10/o0056-10.pdf>, accessed August 2, 2012.

⁸⁴ City and County of San Francisco, General Services Agency – Risk Management, Interim Floodplain Maps available at <http://sfgsa.org/index.aspx?page=828>. Accessed August 2, 2012.

wastewater generation. The SFPUC, which provides wastewater treatment in the city, has accounted for such growth in its service projections. Thus, the project’s contribution to any cumulative impacts on hydrology or water quality would be less-than-significant. In light of the above, effects related to water resources would not be significant, either individually or cumulatively.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
16. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within one-quarter mile of an existing or proposed school; therefore, significance criteria 16c does not apply to the proposed project.⁸⁵ The project site is not

⁸⁵ The nearest school, Carmichael Elementary, is approximately 2,000 feet to the west of the project site.

included on the Department of Toxic Substances Control list of hazardous material sites in San Francisco; therefore significance criteria 16d does not apply to the proposed project. The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; therefore, significance criteria 16e and 16f do not apply to the proposed project. In addition, the project site is not subject to the requirements of the City's Maher Ordinance.

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

The proposed project would involve the removal of the existing surface parking lot and the construction of a five-story office building, resulting in the use of relatively small quantities of hazardous materials for routine purposes. The development would likely handle common types of hazardous materials, such as cleaners and disinfectants. 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. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, there would be less-than-significant impacts related to hazardous materials use, with development of the proposed project.

Impact HZ-2: Demolition and excavation of the project site would result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation)

The former property owners engaged All West Environmental to assess the environmental status and subsurface conditions at the project site.⁸⁶ All West prepared a Phase I ESA for the project site and the result of this assessment are summarized below.

A review of historical documents indicate that the subject property has been used for vehicle parking since at least 1935. Sanborn maps indicate that previous to 1935 the subject property was

⁸⁶ All West Environmental, Inc., *Environmental Site Assessment for 345 Brannan Street, San Francisco, CA*, July 11, 2005. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case No. 2007.0385E.

an undeveloped, unoccupied lot. No evidence of USTs, dumping or landfill activities were noted on the subject property in any of the photographs or historical documents.

No hazardous materials are stored or used at the subject property. Typical petroleum hydrocarbons staining from daily vehicular parking was observed at several parking spaces. Inspection of standing water in storm runoff drains revealed a slight sheen on the water surface. No evidence of underground storage tanks (USTs) such as fill covers or vent pipes were observed. No above ground storage tanks were also observed.

In April 1988, Subsurface Consultants, Inc. (SCI) drilled six test borings at the subject site and collected and analyzed soil and groundwater samples. Results indicated an elevated lead concentration in subsurface fill materials at 560 parts per million (ppm), and methylene chloride and acetone in grab groundwater samples in concentrations up to 930 parts per billion (ppb) and 46 ppb, respectively. SCI attributed these detections to laboratory cross-contamination. During May 1988, SCI installed three groundwater monitoring wells near the southern portion of the site, and tested them for VOCs. Analytical results detected 1,1,1-trichloroethane (TCA) at a concentration of 100 ppb in one well. Methylene chloride and acetone were not detected in any wells. No records of the wells were found. All West found no evidence indicating the monitoring wells were removed or properly destroyed.

A previous report for the subject property was prepared by SCI and titled Phase I Environmental Site Assessment, dated June 14, 2000. SCI reviewed current regulatory files, government database lists, historical documents and photographs, as well as performed a site visit. Results of the study revealed no evidence of recognized environmental conditions at the site with the exception of (1) elevated lead in fill materials beneath the site and (2) the past presence of several VOCs detected in groundwater beneath the site. In SCI's opinion, the subsurface lead levels were not a concern and data for groundwater sampling at the site in 1995 found no VOCs in the samples tested. On the basis of their study, SCI concluded that no further action was necessary at the subject site.

SCI also reviewed a previous *Environmental Site Assessment* by California Bank and Trust (CB&T), dated February 22, 2000. The report documented the presences of numerous surrounding properties listed on various regulatory agency databases with leaking USTs that impacted soil and groundwater; however, CB&T identified no recognized environmental conditions at the site.

The site was not listed on any regulatory agency databases of properties with potential environmental concerns. CB&T concluded that no further assessment or remediation activities appeared to be necessary.

No evidence of dumping, landfill activities or large scale hazardous materials storage or usage were noted on the subject property or surrounding properties in any of the photographs or historical documents.

To evaluate off-site environmental concerns, All West reviewed agency lists/databases for recorded sites within the project vicinity. The subject site was not listed on any of the databases searched. No National Priority List (NPL), Comprehensive Environmental Response, Compensation, and Liability Act Information System (CERCLIS/NFRAP), Resource Conservation and Recovery Act Information System/Treatment, Storage, and Disposal (RCRIS/TSD), Calsites-Active Annual Workplan, Toxic Pits, Solid Waste Information System, Spills, Leaks, Investigations, and Cleanup (SLIC) or Emergency Response Notification System (ERNS) sites were identified to be within the search radii. Three RCRA Small Quantity Generators were listed on adjacent properties; however, no violations were identified at these facilities. Based on the lack of reported violations, these facilities are not expected to have impacts the subject property. Fifty-nine (59) LUST sites were identified to be within the search radii for this investigation. Based on hydraulic gradient site distance, regulatory status or contamination magnitude considerations, none of these sites are likely to have impacted the subject property.

Previous investigations in the South of Market district of San Francisco have documented the area wide existence of lead, other metals, and long chain hydrocarbons such as oils and creosotes in shallow soils and fill material. The source of these constituents are from past industrial use and the incorporation of 1906 earthquake debris in near surface fill materials. It is likely these materials may be present in shallow soil at the subject property. Any construction or development that disturbs the underlying soils should anticipate encountering soils containing hazardous levels of lead and other constituents requiring special handling and disposal procedures.

Therefore, workers and members of the public in the area during project construction could be exposed to contaminated soils, and this potential exposure to hazardous materials is a significant

impact. Implementation of **Mitigation Measures M-HZ-2A to M-HZ-2C**, which are described below, would reduce this impact to a less-than-significant level.

Mitigation Measure M-HZ-2A: UST Removal and/or Monitoring

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any underground storage tanks (USTs) that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department's Environmental Review Officer, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. If petroleum hydrocarbon contamination is found in soil or if the UST has holes, it shall be referred to the Local Oversight Program (LOP) for cleanup under State regulations. This may be separate from the soil cleanup for lead if groundwater is impacted. If excavation for the project includes the UST area, the LOP will have appropriate remediation.

Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely capped beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2B: Testing for and Handling, Hauling, and Disposal of Contaminated Soils

Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for contamination. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples. The project sponsor shall submit the report on the soil testing and a fee of \$592 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Hazardous Waste Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of \$592 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of \$197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation/capping, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the Department of Public Health (DPH) for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the

construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.
- Protocols for managing stockpiled and excavated soils.
- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:
 - Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry and based upon the degree of control required.

- Posting of “no trespassing” signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

As described on page 40 in Section E. 5 Transportation and Circulation, the implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, this contribution would be relatively insignificant within the dense urban setting of the project site and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed development. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards nor interfere with emergency access plans.

Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact with hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-2A to M-HZ-2C described above, the proposed project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

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

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and IT). This designation indicates that there is inadequate information available for assignment to any

other MRZ and thus the site is not a designated area of significant mineral deposits. Since the project site is already developed, future evaluation or designation of the site would not affect or be affected by the proposed project. There are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. Accordingly, this topic is not applicable to the proposed project.

Impact ME-1: Implementation of the proposed project would not encourage activities which would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)

Development of the proposed project would not result in the consumption of large amounts of fuel, water, or energy. The generation of electricity to serve the proposed project would consume natural gas and coal fuel. The proposed project would meet or exceed current State and local codes regarding energy consumption, including Title 24 of the California Code of Regulation enforced by the DBI. They would not use fuel or water in an atypical or wasteful manner. Based on the above information, the proposed project would not result in a less-than-significant impact on mineral or energy resources.

Impact C-ME-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to energy and minerals. (Less than Significant)

As described above, no known minerals exist at the project site, and therefore the project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the project would result in a less-than-significant physical environmental effect. The proposed project would not contribute to cumulatively considerable impacts related to energy and natural resources. Overall, the project would not result in cumulatively considerable impacts related to mineral and energy resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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18. AGRICULTURE AND FOREST 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

—Would the project

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (Not Applicable)

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as Urban and Built-Up Land, which is defined as "... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes." Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson contract, nor would it involve any changes to the environment that could result in the conversion

of farmland or conversion of forest land to non-forest use. Therefore, the proposed project would have no impacts to agricultural resources.

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

The foregoing analysis identifies potentially significant impacts to archeological resources and hazards and hazardous materials, which would all be mitigated through implementation of mitigation measures as described below and more fully within Section F, below.

a. As discussed in Topic E.4, it is possible that below-ground archeological resources may be present. Any potential adverse effect to CEQA-significant archeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measure M-CP-2, described within Section F of this Initial Study. Accordingly, the proposed project would not result in a significant impact to archeological resources through the elimination of examples of major periods of California history or prehistory.

b. The proposed project in combination with the 333 Brannan Street, 270 Brannan Street, 111 Townsend Street, and 275 Brannan Street projects would not result in cumulative impacts to land

use, aesthetics, population and housing, cultural resources, transportation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities, public services, biological resources, geology, hydrology, hazardous materials, mineral resources, and agricultural resources. The proposed project's contributions to cumulative traffic at intersections in the vicinity would not be substantial. The proposed project would not be considered to contribute incrementally to cumulative regional air quality conditions, or to contribute to significant cumulative noise impacts. The proposed project would be consistent with the land use and height controls for the site and would not contribute to a cumulatively considerable land use or visual impact. No other significant cumulative impacts are anticipated. In summary, the proposed project would not have unavoidable environmental effects that are cumulatively considerable.

c. The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning), would be generally consistent with local land use and zoning requirements. Mitigation Measures M-HZ-2(a) to M-HZ-2(c), described within Section F, have been incorporated into the proposed project to address potential hazards and hazardous materials effects in order to reduce these impacts to a less-than-significant level.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

Mitigation Measures

The following mitigation measures have been adopted by the project sponsor and are necessary to avoid potential significant effects of the proposed project.

Mitigation Measure M-CP-2: Archeology (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)(c). 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 in consultation with the California State Lands Commission (CSLC) determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO and the CSLC 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.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the requirements of the ERO and the CSLC. Any required archeological investigation or data recovery plan shall conform to the requirements of State law for a salvage/excavation permit involving a submerged archeological site (Pub. Res. Code §. 6313 (d), (e), and (f)). The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

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

Mitigation Measure M-HZ-2A: UST Removal and/or Monitoring

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any underground storage tanks (USTs) that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department's Environmental Review Officer, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. If petroleum hydrocarbon contamination is found in soil or if the UST has holes, it shall be referred to the Local Oversight Program (LOP) for cleanup under State regulations. This may be separate from the soil cleanup for lead if groundwater is impacted. If excavation for the project includes the UST area, the LOP will have appropriate remediation.

Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely capped beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2B: Testing for and Handling, Hauling, and Disposal of Contaminated Soils

Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would

be disturbed and test the soil samples for contamination. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples. The project sponsor shall submit the report on the soil testing and a fee of \$592 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Hazardous Waste Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of \$592 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of \$197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation/capping, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the Department of Public Health (DPH) for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.

Step 3: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such

soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be

removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.
- Protocols for managing stockpiled and excavated soils.
- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:
 - Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry and based upon the degree of control required.
 - Posting of “no trespassing” signs.
 - Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Improvement Measures

The following improvement measure has been adopted by the project sponsor.

Improvement Measure I-TR-1: Coordination of Construction Activity

Traffic Control Plan for Construction – As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall prepare a traffic control plan for project construction. The Project Sponsor and construction contractor(s) would meet with DPW, SFMTA, the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the Proposed Project. The contractor would be required to comply with the City of San Francisco's Regulations for Working in San Francisco Streets, which establish rules and permit requirements so that construction activities can be done safely and with the least possible interference with pedestrians, bicyclists, transit and vehicular traffic.

Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor should include methods to encourage carpooling and transit access to the project site by construction workers in the Construction Management Plan.

Project Construction Updates for Adjacent Businesses and Residents – As an improvement measure to minimize construction impacts on access for nearby institutions and businesses, the SFDPW could require the project sponsor to provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures.

The project sponsor and construction contractor(s) would meet with the Agency, the Traffic Engineering Division of the SFMTA, the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion. Prior to construction, the project contractor would coordinate with Muni’s Street Operations and Special Events Office to coordinate construction activities and reduce any impacts to transit vehicles.

G. PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on April 9, 2012, to the owners of properties within 300 feet of the project site and to neighborhood groups. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into the Initial Study as appropriate for CEQA analysis. One member of the public expressed concerns regarding increased congestion on Stanford Street. As discussed in Section E.5, Transportation and Circulation, a transportation impact study was completed for the proposed project and the results of the study found that the proposed project would not result in significant traffic impacts.

Other comments by members of the public in response to the public notice expressed other support for or opposition to the proposed project. Comments regarding the merits of the project are not relevant to CEQA analysis but may be taken into account by decision-makers as part of the project approval process. While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Planning Department, no significant, unmitigable impacts have been identified.

H. DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Sarah B. Jones
Acting Environmental Review Officer
for

John Rahaim
Director of Planning

DATE March 20, 2013

**EXHIBIT C:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Including the Text of the Mitigation Measures Adopted as Conditions of Approval)**

Mitigation Measures Adopted As Conditions of Approval	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
1. Archeological Resources				
<p>The following mitigation measure is required to avoid any potential adverse effect from the project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). 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, subcontractors), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project Sponsor.	Prior to any soil-disturbing activities.	Project Sponsor to provide affidavit to the ERO confirming that all field personnel have received copies of the "ALERT" Sheet.	Considered complete upon ERO receipt of affidavit.
<p>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.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. 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.</p>	Project Sponsor, Contractor(s), and Archeologist.	During soil-disturbing activities.	Consultant to prepare memorandum to file indicating results of consultation with archeologist.	Considered complete upon later of ERO's drafting of memo or ERO's direction to implement further measures.

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Archeological Resources (cont'd.)				
Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.	(see above)	(see above)	(see above)	(see above)
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project sponsor and Archeological Consultant.	Following completion of any archeological field program.	ERO to review Draft FARR.	Considered complete upon ERO approval of Draft FARR.
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	Project Sponsor.	Upon ERO approval of Draft FARR.	Project Sponsor to provide ERO with copies of transmittals of FARR distribution.	Considered complete upon receipt by ERO of evidence of distribution.
2. Hazardous Materials				
<i>Step 1: Soil Testing</i> Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) and groundwater samples from areas on the site in which soil would be disturbed and test the soil and groundwater samples for petroleum hydrocarbons. The consultant shall analyze the soil borings as discrete, not composite samples.	Project Sponsor	Prior to soil-disturbing activity.	DPH to review soil testing report and advise ERO and Department of Building Inspection (DBI) if Site Mitigation Plan (SMP) is required.	Prior to issuance of grading or excavation permit. Considered complete upon receipt by DPH, ERO, and DBI of monitoring report.

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<p>Hazardous Materials (cont'd.)</p> <p>The consultant shall prepare a report on the soil and groundwater testing for petroleum hydrocarbons that includes the results of the testing and a map that shows the locations of soils and groundwater tested.</p> <p>The project sponsor shall submit the report on the soil and groundwater testing to the Department of Public Health (DPH) and shall pay the applicable fee required by DPH to review the report pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil and groundwater testing report to determine whether the soil or groundwater on the project site are contaminated with petroleum hydrocarbons at or above potentially hazardous levels.</p> <p>If DPH determines that the soils and groundwater on the project site are not contaminated with petroleum hydrocarbons at or above a potentially hazardous level, no further mitigation measures with regard to contaminated soils or groundwater on the site would be necessary.</p>	(see above)	(see above)	(see above)	(see above)
<p><i>Step 2: Preparation of Site Mitigation Plan</i></p> <p>If, based on the results of the soil and/or groundwater tests conducted, DPH determines that the soils and/or groundwater on the project site are contaminated with petroleum hydrocarbons at or above potentially hazardous levels, DPH shall determine whether preparation of a Site Mitigation Plan (SMP) is warranted. If such a plan is requested by DPH, the SMP shall include a discussion of the level of contamination of soils and/or groundwater on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; 3) the specific practices to be used to handle, haul, and dispose of contaminated site soils; and 4) the specific practices to be used to handle, treat, and dispose of contaminated groundwater. The SMP shall be submitted to DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.</p>	Project Sponsor.	Upon DPH determination that SMP is required.	If SMP is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to DBI and ERO, at end of construction.	Prior to issuance of certificate of occupancy. Considered complete upon receipt of monitoring report.

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<p>Hazardous Materials (cont'd.)</p> <p><i>Step 3: Handling, Hauling, Treatment, and Disposal of Contaminated Soils and Groundwater</i></p> <p>a) Specific work practices: If, based on the results of the tests conducted, DPH determines that the soil or groundwater on the project site are contaminated with petroleum hydrocarbons at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil or groundwater odor or soil color and texture and results of on-site soil and groundwater testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately and to treat and dispose of such groundwater appropriately, as dictated by local, state, and federal regulations, including OSHA work practices, when such soils or groundwater are encountered on the site.</p> <p>(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.</p> <p>(c) Surface water runoff control: Where soils are stockpiled, visqueen or comparable plastic sheeting shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles.</p> <p>(d) Soil replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.</p> <p>(e) Handling, treatment, and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California. Contaminated groundwater shall be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system.</p>	<p>Project Sponsor.</p>	<p>During construction.</p>	<p>Project Sponsor to provide DPH with monitoring report following soil-disturbing construction period and final monitoring report at conclusion of building construction. Copies of reports to be provided to DBI and ERO.</p>	<p>Prior to issuance of certificate of occupancy.</p> <p>Considered complete upon receipt of monitoring report.</p>

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<p>Hazardous Materials (cont'd.)</p> <p><i>Step 4: Preparation of Closure/Certification Report</i></p> <p>After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils and groundwater from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.</p>	Project Sponsor.	At completion of foundation.	Project Sponsor to provide closure/certification report to DPH, with copy to DBI and ERO.	<p>Prior to issuance of certificate of occupancy.</p> <p>Considered complete upon receipt of monitoring report.</p>
<p>UST Removal and/or Monitoring:</p> <p>In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any UST that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department, prior to the start of construction.</p> <p>If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely encapsulated beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.</p>	Project sponsor and construction contractor(s).	During construction.	Project sponsor and construction contractor(s).	Considered complete on issuance of building permit.

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<p>Disposal of Contaminated Soil, Site Health and Safety Plan</p> <p>If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.</p> <p>If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum: (1) Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets. (2) Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards. (3) The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph. (4) Protocols for managing stockpiled and excavated soils. (5) The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum: (6) Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required. (7) Posting of "no trespassing" signs. (8) Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.</p>	<p>Project sponsor and construction contractor(s).</p>	<p>During construction.</p>	<p>Project sponsor and construction contractor(s).</p>	<p>Considered complete on issuance of building permit.</p>

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<p>If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.</p> <p>The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.</p> <p>The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.</p>				