



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** July 7, 2011  
**TO:** San Francisco Planning Commission  
**FROM:** Andrea Contreras, Planning Department, EP  
**RE:** Appeal of Preliminary Mitigated Negative Declaration for  
3151-3155 Scott Street, Assessor's Block 0937, Lot 1,  
Planning Department Case No. 2010.0420E

**HEARING DATE:** July 14, 2011

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

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

Case No. 2010.0420E – 3151-3155 Scott Street: The proposed project would convert the existing three-story-over-basement, 29-room hotel (“Edward II Inn & Suites”) to 25 units of group housing with approximately 1,856 sf of supportive services/community space and associated building alterations. The project would include interior reconfiguration of the building for the proposed use, and minor exterior work including repainting, window replacement, and façade enhancements. The site is in a NC-3 (Moderate-Scale Neighborhood Commercial District) Use District and a 40-X Height and Bulk District. The project would include the creation of the “Lombard and Scott Street Affordable Group Housing Special Use District” to increase the allowable group housing density, from 16 units to 25 units, and grant exemptions from the exposure requirement pursuant to Planning Code Section 140, the open space requirement pursuant to Planning Code Section 135, and the rear yard requirement pursuant to Planning Code Section 134, and Conditional Use authorization for SUD implementation (proposed Planning Code Section 249.55).

This matter is calendared for public hearing on July 14, 2011. Enclosed are the appeal letter and comment letters, the staff response, the amended mitigated negative declaration, and the draft motion.

If you have any questions related to this project’s environmental evaluation, please feel free to contact me at (415) 575-9044 or [andrea.contreras@sfgov.org](mailto:andrea.contreras@sfgov.org).

Thank you.

Memo



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Appeal of Preliminary Mitigated Negative Declaration Executive Summary

HEARING DATE: July 14, 2011

*Date:* July 7, 2011  
*Case No.:* 2010.0420E  
*Project Address:* 3151-3155 Scott Street  
*Zoning:* NC-3 (Moderate-Scale Neighborhood Commercial District)  
40-X Height and Bulk District  
*Block/Lot:* 0937/001  
*Project Sponsor:* Hershey Hirschkop, Community Housing Partnership  
*Staff Contact:* Andrea Contreras – (415) 575-9044  
andrea.contreras@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**

### PROPOSED COMMISSION ACTION:

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

### PROJECT DESCRIPTION:

The proposed project would convert the existing three-story-over-basement, 29-room hotel ("Edward II Inn & Suites") to 25 units of group housing with approximately 1,856 sf of supportive services/community space and associated building alterations. The project would include interior reconfiguration of the building for the proposed use, and minor exterior work including repainting, window replacement, and façade enhancements. The site is in a NC-3 (Moderate-Scale Neighborhood Commercial District) Use District and a 40-X Height and Bulk District. The project would include the creation of the "Lombard and Scott Street Affordable Group Housing Special Use District" to increase the allowable group housing density, from 16 units to 25 units, and grant exemptions from the exposure requirement pursuant to Planning Code Section 140, the open space requirement pursuant to Planning Code Section 135, and the rear yard requirement pursuant to Planning Code Section 134, and Conditional Use authorization for SUD implementation (proposed Planning Code Section 249.55).

### ISSUES:

The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) on May 25, 2011, and received an appeal letter from Steven L. Hammond of Hammond Law representing the Marina Community Association, Marina Merchants Association, Mariana Cow Hollow Neighbors and Merchants, Union Street Merchants Association, and Cow Hollow

Association (“Appellants”) on June 14, 2011, appealing the determination to issue a MND. The appeal letter states that the PMND fails to adequately address the following issues:

1. The Planning Department’s noticing procedures violated CEQA Guidelines and did not provide for sufficient opportunity for agency review of the PMND;
2. The project site is a historic resource;
3. The project would result in transportation impacts that are not mitigated and cumulative traffic impacts have not been adequately addressed;
4. The PMND identifies air quality impacts without consultation from the Bay Area Air Quality Management District;
5. The PMND did not received adequate review from the Department of Toxic Substances Control or the Division of Occupational Safety and Health although the document identifies hazardous materials on the project site;
6. The PMND did not analyze potential cumulative or growth inducing impacts of the Special Use District and the Department should prepare an Environmental Impact Report (EIR);
7. The project would result in significant changes to the neighborhood with regard to density, urban decay, use of public services, and parking, and the PMND did not analyze or disclose these changes;
8. The PMND understates project-generated noise levels and impacts; and
9. The PMND’s geological analysis is inadequate.

The Appellants also raised the issue that the analyses and mitigation measures in the PMND are not consistent with the document prepared by the Mayor’s Office of Housing under the National Environmental Policy Act (NEPA), for this project. However, CEQA significance criteria are separate and distinct from NEPA. The Planning Department has evaluated the project as required by CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code, California Environmental Quality Act Procedures and Fees, which describes the local administration of CEQA.

In addition to the appeal letter summarized above, the Planning Department received four additional comment letters on June 14, 2011 from the following parties: John Millar, President of the Marina Community Association; Howard and Pamela Squires, Cow Hollow property and business owners; Patricia Vaughney, interested party, and Frank Hung, interested party. The comment letters repeat some issues raised in the appeal letter, including concerns related to

public notification, historic architectural resources, transportation, planning/zoning issues, and seismicity. In addition, the comment letters raised the following issues:

10. The project description is deficient;
11. The PMND's land use analysis is inadequate;
12. The PMND's traffic analysis is inadequate and did not identify transportation impacts related to traffic and circulation, transit, loading, pedestrian and bicycle safety, and parking;
13. The PMND does not adequately analyze and disclose noise impacts of the project on adjacent neighbors;
14. The PMND did not adequately address and disclose indoor air quality requirements;
15. The PMND does not adequately disclose the project's impacts on neighborhood parks and recreational facilities;
16. The PMND does not adequately address the project's impacts on wastewater and stormwater systems;
17. Information submitted by a Commenter is evidence that the project will result in increased crime and the need for increased police service in the project area; additionally, the project will result in added strain on fire service; and
18. Additional study is needed to evaluate the building's foundation material and seismic safety; in addition, publically-funded projects should have the same requirements and privately developed projects.

All of the issues raised in the appeal letter and comment letters have been addressed in the attached materials, which include:

1. A draft Motion upholding the decision to issue a Mitigated Negative Declaration;
2. Exhibit A: Planning Department Response to the Appeal of Preliminary Mitigated Negative Declaration, which includes Department responses to comment letters;
3. Exhibit B: Appeal Letter from Steven L. Hammond of Hammond Law representing the Marina Community Association, Marina Merchants Association, Mariana Cow Hollow Neighbors and Merchants, Union Street Merchants Association, and Cow Hollow Association; and Comment Letters from John Millar, Howard and Pamela Squires, Patricia Vaughey, and Frank Hung;
4. Exhibit C: MND and Initial Study, as amended, with deletions shown in ~~striketrough~~ and additions shown in double-underlined text. The amendments in the PMND do not change the overall conclusions of the PMND.

**RECOMMENDATION:**

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



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Draft Planning Commission Motion [XXXX]

HEARING DATE: July 14, 2011

*Hearing Date:* July 14, 2011  
*Case No.:* 2010.0420E  
*Project Address:* 3151-3155 Scott Street  
*Zoning:* NC-3 (Moderate-Scale Neighborhood Commercial District)  
40-X Height and Bulk District  
*Block/Lot:* 0937/001  
*Project Sponsor:* Hershey Hirschkop, Community Housing Partnership  
280 Turk Street  
San Francisco, CA 94102  
*Staff Contact:* Andrea Contreras – (415) 575-9044  
andrea.contreras@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

### ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2010.0420E FOR THE PROPOSED DEVELOPMENT ("PROJECT") AT 3151-3155 Scott Street

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

1. On October 6, 2010, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.
2. On May 25, 2011, the Department determined that the Project, as proposed, could not have a significant effect on the environment.
3. On May 25, 2011, a notice of determination that a Mitigated Negative Declaration would be issued for the Project was duly published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration posted in the Department offices, and distributed all in accordance with law.
4. On June 14, 2011, an appeal of the decision to issue a Mitigated Negative Declaration was timely filed by Steven L. Hammond of Hammond Law, representing the Marina Community Association, Marina Merchants Association, Marina Cow Hollow Neighbors and Merchants, Union Street Merchants Association, and Cow Hollow Association.
5. A staff memorandum, dated July 7, 2011, addresses and responds to all points raised by appellant in the appeal letter and by commenters in the comment letters. That memorandum is attached as Exhibit

A and staff's findings as to those points are incorporated by reference herein as the Commission's own findings. Copies of that memorandum have been delivered to the City Planning Commission, and a copy of that memorandum is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

6. On July 6, 2011, amendments were made to the Preliminary Mitigated Negative Declaration, adding the following text to clarify the description of the proposed elevator, the garbage collection and storage plan, and cumulative transportation impacts accounting for the 34th America's Cup. Such amendments do not include new, undisclosed environmental impacts and do not change the conclusions reached in the Preliminary Mitigated Negative Declaration. The changes do not require "substantial revision" of the Preliminary Mitigated Negative Declaration, and therefore recirculation of the Preliminary Mitigated Negative Declaration would not be required.
7. On July 14, 2011, the Commission held a duly noticed and advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.
8. All points raised in the appeal of the Preliminary Mitigated Negative Declaration at the July 14, 2011 City Planning Commission hearing have been responded to either in the Memorandum or orally at the public hearing.
9. After consideration of the points raised by appellant, both in writing and at the July 14, 2011 hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.
10. In reviewing the Preliminary Mitigated Negative Declaration issued for the Project, the Planning Commission has had available for its review and consideration all information pertaining to the Project in the Planning Department's case file.
11. The Planning Commission finds that Planning Department's determination on the Mitigated Negative Declaration reflects the Department's independent judgment and analysis.

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

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission on July 14, 2011.

Linda Avery  
Commission Secretary

Motion No. XXXXXX  
Hearing Date: July 14, 2011

Case No. 2010.0420E  
3151-3155 Scott Street

AYES:

NOES:

ABSENT:

ADOPTED: [Date]



# **Exhibit A**





# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

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

CASE NO. 2010.0420E – 3155 SCOTT STREET PROJECT  
PUBLISHED ON MAY 25, 2011

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### BACKGROUND

An environmental evaluation application (Case No. 2010.0420E) for the proposed project at 3155 Scott Street (Assessor's Block 0937, Lot 001) was filed on behalf of Community Housing Partnership on June 22, 2010 for a proposal to convert the existing three-story-over-basement, 29-room hotel ("Edward II Inn & Suites") to 25 units of group housing with approximately 1,856 sf of supportive services/community space and associated building alterations. The project would include interior reconfiguration of the building for the proposed use, and minor exterior work including repainting, window replacement, and façade enhancements. The site is in a NC-3 (Moderate-Scale Neighborhood Commercial District) Use District and a 40-X Height and Bulk District. The project would include the creation of the "Lombard and Scott Street Affordable Group Housing Special Use District" to increase the allowable group housing density, from 16 units to 25 units, and grant exemptions from the exposure requirement pursuant to Planning Code Section 140, the open space requirement pursuant to Planning Code Section 135, and the rear yard requirement pursuant to Planning Code Section 134, and Conditional Use authorization for SUD implementation (proposed Planning Code Section 249.55).

The Planning Department, the lead agency under CEQA, mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties on June 29, 2010. The Planning Department received several comments in response to the notice. Concerns and issues raised in the public comments on the environmental review are discussed in the Initial Study. The Initial Study discussed all of the environmental issue areas required by Section 15063 of the CEQA Guidelines and found either no adverse impacts or less than significant impacts in most issue areas for the project. The analysis found one air quality effect to be less than significant with incorporation of Mitigation Measure M-AQ-1, which was agreed to by the project sponsor and determined to be feasible by the Lead Agency. Subsequently, a Preliminary Mitigated Negative Declaration (PMND) was published on May 25, 2011 for a 20-day review and comment period concluding on June 14, 2011.

On June 14, 2011, the Marina Community Association, Marina Merchants Association, Marina Cow Hollow Neighbors and Merchants, Union Street Merchants Association, and Cow Hollow Association, represented by Steven L. Hammond of Hammond Law, filed a letter appealing the PMND (collectively, "Appellants"). The concerns listed below are summarized from the Appeal Letter, which is included with this Memorandum as Attachment A.

While the Appellants state a general opinion that the PMND and/or the responses to public comments on the PMND are deficient with regard to certain topics, the Appellants do not provide substantial evidence or argument to support such claims. Further, the Department finds that the concerns stated by the Appellants do not raise any issues not already addressed in the PMND. The Department's responses include summary text from the full CEQA record, which includes the Initial Study and PMND Findings, and other background and technical studies prepared for this analysis, as appropriate.

### Public Notification

**Concern 1:** The PMND was not properly noticed to the public. The PMND should have been noticed for 30 days instead of the 20 that were provided and should have been noticed through the State Clearinghouse and Planning Unit of the Governor's Office of Planning and Research ("SCH"). Responsible and trustee agencies, including the State Office of Historic Preservation (OHP), the Department of Toxic and Substances Control (DTSC), Caltrans, the Department of Occupational Safety and Health (Cal-OSHA), and the Bay Area Air Quality Management District (BAAQMD) should have been provided notice of this PMND, and should have been allowed to comment. Therefore, the noticing procedures were a violation of CEQA Guidelines Section 15073(d). The PMND should be re-noticed for a 30-day time period in compliance with this section.

**Response 1:** The PMND was properly noticed in compliance with the applicable CEQA Guidelines Section 15073, Public Review of a Proposed Negative Declaration or Mitigated Negative Declaration. In addition, the project is not of statewide, regional, or area-wide environmental significance, and a 20-day public review and circulation period is consistent with CEQA requirements as well as those in Chapter 31 of the San Francisco Administrative Code.

The Appellants incorrectly reference CEQA Guidelines Sec. 15073(d) by stating that a trustee agency with jurisdiction over natural resources affected by the project must send copies of the "Negative Declaration" to the SCH. It is the role of the Lead Agency under CEQA to determine the proper noticing requirements and to correspond with responsible trustee agencies, where applicable. In addition, CEQA Guidelines Sec. 15381 and 15386 define responsible and trustee agencies as:

*Responsible Agency* (CEQA Guidelines Sec. 15381) -- a public agency that proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency that have discretionary approval power over the project.

*Trustee Agency* (CEQA Guidelines Section 15386) -- a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. Trustee agencies include:

- A) California Department of Fish and Game
- B) State Lands Commission
- C) State Department of Parks and Recreation
- D) University of California

The Appellants lists the OHP, DTSC, Caltrans, and Cal-OSHA, and the BAAQMD (under the California Air Resources Board) as state agencies that were required to receive the PMND. None of these agencies meets the definition of a responsible or trustee agency as defined above. To be a "responsible agency," an agency must have some discretionary authority for carrying out or approving a project. (*RiverWatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal.App.4th 1186, 1201, 1205.) The agency's "power to approve need not have extended to every aspect of the project," but it must have extended to an "activity integral to the project" and not just to an imposed mitigation measure. (*Lexington Hills Assn. v. State of California* (1988) 200 Cal.App.3d 415, 431, 433.) Similarly, a "trustee agency," is a public agency with "jurisdiction by law over natural resources affected by the project which are held in trust for the people of the State of California." (Pub. Res. Code Sec. 21080.3(a); CEQA Guidelines, Sec. 15386; *see also Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359.) Here, there are no responsible or trustee agencies.

In addition, the reconfiguration of an existing building in a fully developed urban area to house 25 residents, with the required Special Use District (SUD), does not constitute a project of statewide, regional, or area-wide environmental significance within the meaning of CEQA (*See* CEQA Guidelines Sec. 15073(d); CEQA Guidelines Sec. 15206(b) [defining projects of statewide, regional, or area-wide significance].)

Given the fact that these state agencies cannot be defined as responsible or trustee agencies, the Lead Agency has the responsibility of determining if any regional, state, or federal agencies should receive the PMND, for the purpose of soliciting agency feedback and coordination regarding the environmental determination for a project. The Planning Department determined that none of these agencies had a compelling interest in receiving or commenting on a CEQA document with such a localized content area. Moreover, the PMND determined that no state resources, threatened or endangered species, highways, recreational areas, or other resources would be impacted by the proposed project.

The Appellants state that the Planning Department has violated state law by not noticing the PMND through the SCH and requests the Department rescind the Notice of Intent to Adopt a Mitigated Negative Declaration (incorrectly dated by the Appellants as May 24, 2011). Further, the Appellants state that the PMND be re-noticed through the SCH for a period of 30 days. Since the PMND for the Proposed Project was noticed in accordance with state law, and no violation of any applicable CEQA provision occurred, there is no basis to re-notice the PMND.

### Historic Architectural Resources

**Concern 2:** The PMND was not provided to the OHP to afford it the opportunity to comment on the determination that the building was not considered to be historic under CEQA. The analysis relies on the Historic Resources Evaluation Report (HRER) and the concurrence of Planning staff that the building did not appear to be eligible for listing on the California Register under any of the four required criteria. The Cow Hollow Association believes the building may be historic and intends to supplement the record at the hearing to show that it is historic under CEQA. Since the Proposed Project was the recipient of federal funding and could potentially affect a property eligible for the National Register of Historic Places, an analysis and consultation per Sec. 106 of the National Historic Preservation Act should have occurred.

**Response 2:** The analysis of the building at 3155 Scott Street in the PMND considered all applicable criteria as required to determine the eligibility for listing in the California Register and determined the building to be ineligible under all four criteria. In addition, the City and County of San Francisco has consulted with the pertinent state agencies as required under NEPA, a separate environmental review process required by a federal law distinct from CEQA. As required during the NEPA process, the Planning Department determined that the building is not eligible for listing in the National Register and no further historic analysis or consultation is required.

Page 38 of the PMND describes the process of determining whether a building may be a historical resource by evaluating the property per the California Register of Historic Places (CRHP) criteria, which include events (Criterion 1), persons (Criterion 2), architecture (Criterion 3), and information potential (Criterion 4). The property is evaluated for individual historical significance and to determine if it contributes to a historic district or context. To be a historical resource under CEQA, a property must be shown to be not only significant under CRHP criteria, but it also must retain sufficient integrity from the period of significance that qualifies the property for listing on the CRHP. A resource that is designated or recognized as significant on a local register of historical resources or one that is significant under the Public Resources Code, Section 5024.1(g), is also presumed to be significant under CEQA “unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant.” Per these criteria, the PMND concluded the building was not eligible for listing in the CRHP.

The Appellants state that it is beyond dispute that Charles J. Rousseau was a historic architect and that the building retains the character and appearance of his original design. In fact, the PMND does not dispute the architect’s historical significance, but finds that the building is not a strong representation of his work due to the extensive alterations that have taken place over the years. The Department concurred with the Historic Resource Evaluation Report prepared by the Architectural Resources Group (ARG) that the subject building retains integrity of location,

association, workmanship and feeling. However the Department did not find the building to retain sufficient integrity of design, setting or materials to convey historical significance under Criterion 3 primarily due to the demolition of approximately one-fifth of the building's original volume, the alteration of the building's storefronts, and the widening of Lombard Street. The Appellants state that the building is one of the few remaining buildings from the Pan American Expo, presumably referring to the Panama-Pacific International Exposition of 1915 held nearby the project site. In fact, the building was not part of the exposition. The PMND explains that the building was constructed for lodging purposes around the time of the exposition; this provides an indirect connection with the exposition, but the building was not constructed to be part of the exposition, and never had a relationship linkage with this event. The Appellants have provided no information to support the contention that the property is an historic resource.

The City and County of San Francisco Mayor's Office of Housing, the NEPA lead agency, conducted a NEPA review of the proposed project as a result of the project's federal funding.<sup>1,2</sup> During NEPA review, the City consulted with the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation pursuant to Section 800.14(b), 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act (16 USC 470f), which is a specific requirement under NEPA, a federal environmental law distinct from the CEQA. The proposed project would not have required Department consultation with OHP as part of the CEQA process, as described in Response 1 of this Exhibit.

Under NEPA, the Planning Department is identified as a Certified Local Government under a legally binding document (Programmatic Agreement) between the City and County of San Francisco, California State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Historic Properties Affected by Use of Revenue from the Department of Housing and Urban Development Part 58 Programs. In accordance with the Programmatic Agreement, the Department made a determination of eligibility of 3155 Scott Street for listing in the National Register of Historic Places. On June 17, 2010, the Department determined that the subject property is ineligible for listing on the National Register. As the Department has

---

<sup>1</sup> The City and County of San Francisco Mayor's Office of Housing has completed an Environmental Assessment (EA) under the provisions of the National Environmental Policy Act (NEPA) for the project at 3155 Scott Street due to the project's intent to use federal funding apportioned between Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974 and the Home investment Partnership Program grants under Title II of the Cranston-Gonzales National Affordable Housing Act of 1990. The NEPA process consists of an evaluation of the environmental effects of a federal undertaking including its alternatives. The NEPA process is comparable to the CEQA process; there are three levels of environmental analysis depending on whether or not an undertaking could significantly affect the environment. These three levels include: Categorical Exclusion determination; preparation of an Environmental Assessment/Finding of No Significant Impact (EA/FONSI); and preparation of an Environmental Impact Statement (EIS).

<sup>2</sup> During the course of the project's review, federal funding was withdrawn and the NEPA process discontinued.

determined that the building is not eligible for listing in the National Register, no further review of the project is required or necessary under NEPA.

As Department determined the project site is not a historic resource, the project would not result in any impacts in on-site or adjacent historic resources. Thus, preparation of an EIR would not be required.

### Transportation

**Concern 3:** The PMND states that the development and construction phase will impact congestion and traffic flow on Lombard Street, and no mitigation is included to address this impact. Rather, mitigation is deferred to a meeting with the City's Transportation Advisory Staff. Caltrans should have been notified to adequately respond to comments regarding any potential disruption of traffic on Lombard Street from construction or operation of the project; potential cumulative traffic impacts of the 34<sup>th</sup> America's Cup and Doyle Drive's re-routing plan were not adequately addressed in the PMND. Also, the PMND conflicts with the mitigation presented in the NEPA document prepared for the project.

**Response 3:** The PMND accurately described the projects impacts to traffic and transportation. The project will not affect traffic flows or otherwise interfere with traffic operations on Lombard Street, and the project will not affect or conflict with the Doyle Drive reconfiguration project or the 34<sup>th</sup> America's Cup. The Environmental Assessment did not identify any significant transportation impacts resulting from the project, and thus did not identify any mitigation measures related to transportation impacts.

The Appellants state the development and construction of the project will impact congestion and traffic flow on Lombard Street, and that no mitigation is proposed to address or otherwise reduce this potential impact. The Appellants references the discussion in the PMND regarding construction truck trips and staging to emphasize that Lombard Street could be impacted by project construction.

The existing building is located at the corner of Scott Street and Lombard Street and the project would involve exterior façade renovations and improvements to the roof, as well as installation of an elevator. This work would involve the possibility of temporary and intermittent traffic and transit impacts resulting from truck movements to and from the site. These impacts would be minor since no heavy earthmovers or grading vehicles are necessary for project construction. If a boom lift or crane is required, it would likely be staged from the Scott Street side of the building since the majority of building frontage is located along this street, and potential impacts of building equipment on Scott Street would be less-than-significant. Construction vehicle staging along the Lombard Street frontage would utilize the on-street parking recommendations of the



City's Transportation Advisory Staff Committee. Given the maximum building height of 40 feet, it is unlikely that any boom or crane would need a clearance beyond that provided by the existing Lombard Street parking area. If a temporary lane closure is required on Lombard Street, the closure would be coordinated with the Transportation Advisory Staff Committee, which would include notification and coordination with Caltrans. No mitigation would be required as these construction impacts are temporary and intermittent and do not constitute a permanent change to the physical environment.

On page 49, the PMND considered the reconstruction of Doyle Drive in the discussion of cumulative impacts, and concluded that the construction and operation of the project would not present any potentially significant cumulative impacts due to the minor scale of the project at 3155 Scott Street and lack of heavy construction equipment that would impede traffic on Lombard or Scott Streets. The September 2008 South Access to the Golden Gate Bridge-Doyle Drive FEIS/R, page 3-82 to 3-90 describes the construction related impacts from the Doyle Drive project, including those resulting from road closures lasting four to 24 months. The FEIS/R states that the San Francisco Traffic Demand Model (SF-TDM) was used to assess the effects of such closures. The SF-TDM model indicated ramp and street closures necessary for construction would result in the dispersion of traffic to a variety of other local streets. The model showed no streets showing a change of more than 100 vehicles in any direction. In addition, the section of Lombard Street at the project site is utilized by an average of 34,500 vehicles per day, cited by Caltrans reference data. Traffic volumes along Lombard Street gradually increase on the westerly approach to Doyle Drive and the Golden Gate Bridge due to additional feeder traffic from Divisadero Street and other streets in the area. However, the FEIS/R prepared for the Doyle Drive project did not identify any significant traffic-related impacts along Lombard or Scott Streets.

The Appellants state that Caltrans should have been provided the opportunity to comment on the PMND. As described in Response 1 of Exhibit A, given the lack of regional and/or statewide significance from the project, such review is not warranted.

The Appellants have provided no evidence to support their argument that construction of the relatively minor project at 3155 Scott Street would contribute considerably to significant impacts resulting from the 34<sup>th</sup> America's Cup. The following text addresses the Appellants' concern regarding the project's cumulative impacts and has been included on page 49 of the PMND, under Impact TR-4, Cumulative Impacts:

The CEQA document for the 34th America's Cup has not been finalized; however, it is possible that the project could have adverse transportation effects. The project at 3155 Scott Street would generate approximately 17 net new trips, which would not be considered a substantial contribution to cumulative impacts. While the 34th America's Cup may have adverse transportation effects, those effects would occur regardless of whether the project at 3155 Scott Street is implemented.

The Environmental Assessment prepared under NEPA did not identify any transportation-related mitigation measures for the proposed project. Both the Environmental Assessment and the PMND identified transportation impacts to be less-than-significant, thus not requiring any mitigation measures. Contrary to the Appellants' assertion, the PMND and Environmental Assessment do not conflict in their presentation of transportation-related mitigation measures, and neither document found any significant transportation impacts resulting from the project.

### Air Quality

**Concern 4:** The PMND identifies air quality impacts and mitigation, yet no consultation was made with the Bay Area Air Quality Management District (BAAQMD), and the PMND was not sent to the California Air Resources Board (CARB) for review. The BAAQMD was not provided with an opportunity to review the Initial Study, and this is a violation of CEQA guidelines.

**Response 4:** The BAAQMD was consulted during preparation of the PMND. The air quality analysis in the PMND was conducted per the BAAQMD 2010 CEQA Air Quality Guidelines. Additional BAAQMD review of the PMND was not warranted, and no violation of the CEQA guidelines has occurred.

The Appellants state that although air quality impacts and mitigation measures were identified in the PMND, no consultation was made with the BAAQMD. In fact, the BAAQMD was consulted throughout preparation of the PMND and provided recommendations for Air Quality Mitigation Measure AQ-1.

The air quality analysis was made in compliance with CEQA 2010 Air Quality Guidelines, adopted on June 17, 2010. These guidelines establish thresholds of significance and provide procedures for evaluating criteria air pollutants, greenhouse gas (GHG) emissions, and health risks from new sources of emissions consistent with CEQA requirements. Given the location of the project and the potential health risk from emissions from Lombard Street traffic, an Air Quality Technical Report was prepared. This report included a Health Risk Analysis conducted pursuant to modeling criteria established through the Environmental Protection Agency (EPA), California Air Resources Board (CARB) and BAAQMD guidelines. A separate Construction Emissions Analysis was conducted, using established modeling criteria from EPA, CARB, BAAQMD, and Department significance thresholds and guidelines.

The Health Risk Analysis found a potentially significant impact, which could be mitigated to a less-than-significant level through the incorporation of Mitigation Measure AQ-1, described on page 103 of the PMND. The BAAQMD provided consultation on the preparation of Mitigation Measure AQ-1, and the mechanical ventilation equipment necessary to remove at least 80 percent of PM2.5 was determined in accordance with the American Society of Heating, Refrigerating and

Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%).

### **Hazards and Hazardous Materials**

**Concern 5:** The PMND notes that the site may contain hazardous materials, which would have to be abated, and cites the Department of Toxic Substances Control (DTSC) and the Division of Occupational Safety and Health (Cal-OSHA) as agencies that would regulate such approval. The PMND was not circulated among these agencies for consultation or comment, and therefore were denied the opportunity to comment on the adequacy of the PMND.

**Response 5:** The PMND accurately discussed the existing regulatory framework for the handling and disposal of hazardous materials. These regulations are in compliance with all applicable state provisions and guidelines. Further, the PMND discussed the potential for hazardous substances, including asbestos, and lead-based paint, to be identified during project construction, and the City would take appropriate regulatory action and consultation with state agencies at the appropriate time in accordance with these established state and local provisions.

The Appellants note the PMND discussion regarding the potential presence of hazardous materials in the building, and the agencies that would be responsible in regulating their removal. On pages 92-97, the PMND discusses the results of the Phase I Environmental Site Assessment (ESA) that was conducted, the preliminary findings of that analysis, and the regulatory framework of the handling and disposal of hazards and hazardous materials.

The Phase I ESA report lists current and past site operations, reviews environmental agency databases and records, identifies site reconnaissance observations, and summarizes potential contamination issues about the project site. The Phase I ESA preparers concluded that there is no evidence of recognized environmental conditions in connection with the project site. No electrical transformers, hydraulic equipment, or other potential PCB-containing equipment were observed on the project site. In accordance with the Occupational Safety and Health Administration, items containing PCBs and mercury that are intended for disposal must be managed as hazardous waste. These regulations and procedures are already established as a part of the permit review process.

As discussed in the PMND on page 93, Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California Legislature has vested the BAAQMD with authority to regulate airborne pollutants, including

asbestos, through both inspection and law enforcement. BAAQMD is to be notified ten days in advance of any proposed demolition or abatement work. Notification includes the names and addresses of operations and persons responsible; a description and location of the structure to be demolished or altered, including size, age, and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be used; procedures to be used to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations and would inspect any removal operation for which it has received a complaint.

In addition, the local office of the Occupational Safety and Health Administration must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14, where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors State License Board. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a hazardous waste manifest that details the hauling of the material from the project site and the disposal of it. Pursuant to California law, the San Francisco Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the above notice requirements.

Renovation of the building will be required to comply with Chapter 34, Section 3407, of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Chapter 34 requires specific notification and work standards and identifies prohibited work methods and penalties. This would apply where there is any work that may disturb or remove lead paint on any building built on or before December 31, 1978, or on any steel structures where lead-based paint would be disturbed or removed and where exterior work would disturb more than 100 square feet or 100 linear feet of lead-based paint.

As with the concerns discussed above, the Planning Department, as Lead Agency under CEQA, determines the level of significance of a project, and which agencies are distributed copies or notices of a CEQA document for review. Regional and state regulatory agencies, such as the BAAQMD, Cal-OSHA, and DTSC, are typically not referred all CEQA documents prepared by Lead Agencies throughout the State of California, and the proposed project is not of regional or statewide significance necessary to warrant such review. Existing state and local regulatory provisions are in place in the event of discovery of asbestos, lead-based paints, or other hazardous materials. No mitigation measures would be necessary since no hazardous materials impacts would result that are not already addressed within the existing regulatory framework.

### **Mandatory Findings/Cumulative Analysis/Growth Inducing Impacts**

**Concern 6:** The PMND did not analyze the potential cumulative or growth inducing impacts resulting from the creation of the Special Use District (SUD), as well as nonconformance with open space and rear-yard requirements. The PMND should have reviewed the possibility of additional SUDs in the area. An EIR is required before the Planning Commission and the Board of Supervisors considers any request for a SUD to change the zoning. The Project is part of a larger project and this PMND represents piecemealing. The project constitutes a modification of the Housing Element, which would require an EIR.

**Response 6:** The PMND analyzed the potential for cumulative impacts resulting from development of the proposed project in all environmental topic areas. A Department database search showed no existing or proposed SUDs are located within one mile of the project site and no additional SUD creation is reasonably foreseeable. Environmental review has been conducted before any decision by the Planning Commission or Board and the Department, as the Lead Agency, has determined the appropriate level of environmental review. The project is not part of larger project and the PMND prepared for 3155 Scott Street is not considered “piecemealing”. The project is not a modification of the Housing Element, and does not require preparation of an EIR.

The Appellants state that the PMND did not analyze the potential cumulative or growth inducing impacts resulting from the creation of the SUD, as well as nonconformance with open space and rear-yard requirements, and that the PMND should have reviewed the possibility of cumulative impacts resulting from additional Special Use Districts in the area, including impacts related to Land Use, Population and Housing, Traffic, Air Quality, and other issues. The project’s cumulative impacts are analyzed and disclosed on the following pages of the PMND: page 29 (Land Use), page 32 (Aesthetics), page 39 (Cultural Resources), page 48 – 49 (Transportation and Circulation), page 54 (Noise), page 65 (Air Quality), page 71 (Greenhouse Gas Emission), page 74 (Wind and Shadow), page 75 (Recreation), page 79 (Utilities and Service Systems), page 81 (Public Services), page 83 (Biological Resources), page 86 (Geology and Soils), page 90 (Hydrology and Water Quality), page 98 (Hazardous Materials), page 100 (Minerals and Energy), page 102 (Agriculture and Forest Resources), and page 103 (Mandatory Findings of Significance). No significant cumulative impacts were identified in the PMND.

The creation of the Lombard and Scott Street Affordable Housing SUD is required since the proposed transitional-age youth housing facility would increase the group housing density beyond that allowed in the applicable NC-3 (Moderate Scale Neighborhood Commercial District) zoning for the project site. Creation of the SUD does not, in and of itself, constitute a precedent for the creation of other SUDs within the Marina neighborhood, the Cow Hollow neighborhood, or elsewhere in the City. Other SUDs are located within the City, and formation of each of these had been subject to CEQA requirements, including the analysis of cumulative impacts. Further,

the creation of an SUD is subject to findings; these findings must address the merits of the proposal as well as the determination of environmental impacts.

Department staff have reviewed permit history and planning efforts in the project vicinity and have found no past, present, or reasonably foreseeable future SUDs that would combine with the effects of the proposed SUD and result in significant impacts. Planning staff found no records of environmental review or entitlement applications for SUDs in the Marina District of general vicinity of the project site. As such, the Appellants' assertion is speculative and does not constitute evidence of a reasonably foreseeable development that should be considered in a CEQA cumulative impact analysis.

The Appellants state that the project lacks adequate common areas, common dining facilities and common kitchen facilities. As described on page five of the PMND, the project includes all of these facilities.

In the Appeal Letter, the Appellants assert that a proposed SUD requires preparation of an EIR prior to the project approval consideration by the Planning Commission and Board of Supervisors. An environmental review is required per CEQA when carrying out a project and the CEQA determination must be made by the Lead Agency prior to project determination. The Department is in the process of conducting environmental review, of which the PMND and Appeal Response are a part. This is being done before any decision by the Planning Commission or Board according to CEQA Guidelines. The Department reviewed the impacts of the project and solicited public comment, and determined that the project would not result in any potential significant impacts on the physical environment. Thus, preparation of an EIR is not required.

The Appellants state that that the project, including the creation of the SUD, results in "piecemeal" planning. Piecemeal planning or "piecemealing" is the effect of development activities where a single action is broken down into multiple stages to avoid any environmental review. Piecemealing questions the scope of the project being studied in a CEQA document. Future projects are not necessarily future components or phases of another project. In this case, development of the project at 3155 Scott Street is entirely separate, distinct, and independent of the adoption of the 2009 Housing Element policies, or any other larger proposed projects. Thus, the proposed project is not piecemealing of a greater project.

The EIR prepared for the 2004 and 2009 Housing Element (Case No. 2007.1275E) measured the potential environmental impacts resulting from implementation of the Housing Element's policies. The Housing Element is a policy document that consists of goals and policies to guide the City and private and non-profit developers in providing housing for existing and future residents to meet projected housing demand. The EIR presented growth under the Housing Element by disclosing the possible areas and means by which development could take place in San Francisco. It assumed that future projects that are subject to City policies identified by the adopted Housing Element update, such as the project at 3155 Scott Street, would be required to adhere to the applicable regulations and undergo the appropriate environmental review.

Residential development in the City, such as the project at 3155 Scott Street, would occur regardless of the Housing Elements. The Housing Elements are policy documents that provide direction for how and where new housing, driven by population growth, should be developed. The project at 3155 Scott Street would not set precedent for a policy to implement increased high-density zoning as each proposed SUD would be subject to environmental review and approval/disapproval independent of this project or the Housing Element. The project does not modify the Housing Element, and does not conflict with any adopted housing policy in the Housing Element of the General Plan. Instead, the proposed project supports the objectives and goals of the Housing Element concerning affordable housing and addressing strategies to prevent homelessness, including the following:

*POLICY* 3.2  
*Preserve at-risk, privately owned assisted housing.*

*POLICY* 8.6  
*Increase the availability of units suitable for users with supportive housing needs.*

*POLICY* 10.1  
*Focus efforts on the provision of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.*

*POLICY* 10.2  
*Aggressively pursue other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.*

Since no amendment to the Housing Element is proposed or would occur, and no other potentially significant impacts related to cumulative or related mandatory findings were identified in the Initial Study, the preparation of an EIR is not warranted.

### Planning/Zoning Analysis

**Concern 7:** The project, with the creation of the SUD, will increase the density of the neighborhood resulting in significant changes to the neighborhood environment. The occupants of the project will have nearly unlimited ability to invite overnight guests. The project could result in urban decay, and the Bridge Motel nearby the project site is referenced as a public nuisance that has already contributed to increased police and social services in the neighborhood. The project will impact public services, such as police, fire, schools, parks and the need for new or expanded public services. Additionally, the SUD exempts the project from parking and open space requirements of the Planning Code, and the PMND does not analyze potential impacts resulting from this exemption.

**Response 7:** The PMND analyzed the potential for the increase in residential density for adverse impacts to neighborhood character and potentially significant increases in demand on public service and community facilities. The analysis concluded that neighborhood character would not be significantly altered, and impacts to public services and community facilities would be less than significant. Further, the project would not lead to conditions inducing the potential for blight or urban decay. Finally, the PMND analyzed the project's parking demand and the potential impacts on recreational facilities in the project vicinity and found no new additional impacts.

The PMND analyzed potential impacts on police, fire, schools, parks, and other public services. This analysis included a sample of response time for a similar group housing facility as compared to the response call volume for the Northern District of the San Francisco Police Department, and found that it was less than significant. The project will have no impact on schools since the project is for youth ages 18-24, who are typically out of the primary and secondary public school system. The PMND noted the abundance of neighborhood and regional parks and facilities near the project site on pages 74-75, and concluded that the addition of 24 youth would not significantly impact these recreational parks and facilities. Because the project site was in use formerly as a 29-room hotel, the assumption that the project would increase use of local facilities by 25 additional people is conservative.

The Appellants compared the proposed project with the Bridge Motel at 2524 Lombard Street. The Bridge Motel is a Single-Resident Occupancy (SRO) hotel, serves a different population than the proposed project, and is operated as a profit-making enterprise. The proposed project would provide on-site support services, such as counseling and job placement. In addition, the project would include a resident manager who would live at the site with the youth residents and would be responsible for their behavior and the enforcement of house rules. Moreover, such issues constitute social impacts rather than physical impacts subject to CEQA.

The Appellants state that "the occupants of the Project will have nearly unlimited rights to have overnight guests, nearly doubling the number of transitional-age youth occupying the facility on any given day". There is no evidence of reference to support this statement. The residents would have on-site supervision on a 24-hour/7 day permanent basis during their occupancy at the project.

The PMND did not include an analysis of urban decay because no such analysis is warranted. In the context of CEQA, urban decay is considered an indirect physical impact that must be analyzed if significant. (See Guidelines Sec. 15064(e).) Urban decay is typically defined as physical deterioration resulting from economic pressures of a project on neighboring or nearby stores. These pressures result in nearby stores going out of business, and in turn leading to deterioration conditions such as vacant buildings and commercial sites, neglect, and vandalism. (See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.) Here, the conversion of the former hotel into 25 units of group housing does not have the potential to result in the closure



of neighborhood commercial facilities or other allowed uses, which, in turn, may result in vacant storefronts or other symptoms of urban decay.

In addition, the proposed project did not result in the closure of the Edward II Inn and Suites in June, 2010. The decision to close the hotel was made by the owners for financial and other reasons not related to existing or potential physical blight or urban decay. It is not reasonable to assume that the project could have such an impact that could result in these conditions, and no further analysis is warranted.

The PMND analyzed the project's demand on parking and recreational facilities and found no new potential environmental impacts, as seen on pages 44-45 (Transportation and Circulation) and page 74-75 (Recreation). Under CEQA, the PMND analyzed the change in physical environmental impacts from the existing condition of the project site, to the proposed physical conditions. The project site currently has no off-street parking or open space, and none are proposed. There is a two-space white curb loading zone in front of the project site on Scott Street. Therefore, the project would not result in any changes to the physical environment.

The Department analyzed the project's demand on off-street parking and recreational facilities as a result of the change in land use, from commercial to residential. It should be noted that under the existing zoning designation of NC-3, no parking is required for group housing per Planning Code Section 151. The SUD does not exempt the project from parking requirements. San Francisco does not consider parking as part of the permanent physical environment and so does not consider changes in parking conditions to be environmental impacts, as defined by CEQA. Secondary impacts associated with lack of parking are discussed in relevant sections of the PMND. Parking conditions may be of interest to the public and decision makers. As stated in the PMND on pages 42-44, "There is no dedicated parking for the site, so on-street parking in the vicinity would continue to be accessed with the proposed project". As described on page 45 of the PMND, the prior hotel use contained 29 guest rooms; unlike most retail and commercial uses, hotel guest parking and some employee parking is usually overnight, so parking spaces are occupied for relatively long periods, including the possibility of multiple days/evenings. According to the *SF Guidelines*, a 29-room hotel would generate a demand for 23 parking spaces, with up to three required for hotel staff, while the proposed project would generate a demand for 11 spaces for residents and up to nine spaces for staff and visitors. This would result in a net decrease in demand of six parking spaces under the proposed project. The PMND concluded that parking demand would decrease with the proposed project in comparison to the prior hotel use.

As mentioned above, the PMND disclosed the potential impacts of the project's demand on recreational facilities in the vicinity on pages 74-75. Based on the most conservative assumption, the project would generate 25 new users of area facilities. Given the number and size of facilities around the project site, the additional use by 25 new area residents would not result in any significant recreational impacts. Thus, there are no new impacts not already disclosed in the PMND, and the preparation of an EIR is not warranted.

## Noise

**Concern 8:** The noise analysis in the PMND presented different impact findings and conclusions related to noise impacts than that project's NEPA document. The PMND states that the project will be subject to noise levels not normally acceptable for residential uses, and understates noise levels. In addition, the PMND should consider all of the findings and mitigation measures from the NEPA document.

**Response 8:** The noise analysis in the PMND determined the level of exterior noise consistent with the analysis in the NEPA document. The noise mitigation in the NEPA document is part of the project and is required for the HUD approval of that document. The PMND concluded that required compliance with existing City and State codes would reduce interior noise to acceptable levels and impacts would be less-than-significant; therefore, no additional mitigation measures are required.

The Appellants state that the PMND "understates exterior noise levels as 65-70dB, when in fact, the (NEPA document) reports noise levels in excess of 70dB." The PMND, page 50, states that exterior noise measurements from the noise study showed noise levels from 67dB to as high as 80dB and concluded that this is a "normally unacceptable" noise range for residential uses.<sup>3</sup> The PMND states that, as part of its design, the proposed project would comply with the California Building Code interior noise requirements of 45 Ldn by installing such building materials as sound-rated windows, gypsum board, and batt and blown-in insulation. The Department of Building Inspection would review project plans for compliance with Title 24 noise standards. Compliance with Title 24 standards and with the City's General Plan would ensure that effects from exposure to ambient noise would result in less than significant impacts.

The Appellants also claims that the mitigations listed in the NEPA document should have been adopted as part of the PMND. The recommended mitigation measures listed in the NEPA document do not require adoption by the CEQA process. They are part of the project and their compliance is required as part of the HUD approval of the NEPA document. These noise abatement measures have been incorporated as part of the project prior to CEQA review and are considered part of the project, not mitigation. Regulatory criteria discussed in the PMND on pages 51-54 would ensure that noise impacts are reduced to a less than significant level.

---

<sup>3</sup> Charles M. Salter and Associates, Inc., Edward II-Environmental Noise Study, San Francisco, CA, June 15, 2010.

### Seismicity (Geology and Soils)

**Concern 9:** The geology analysis in the PMND is inadequate because it is based on “voluntary” compliance with seismic strengthening measures and is not based on a site-specific geological or soils survey. Potential seismic hazards and other geologic concerns could be located at the site that requires additional analysis and mitigation.

**Response 9:** The geology analysis in the PMND is appropriate for the renovation of a building that does not include and would not require extensive sub-surface grading or excavation. In addition, the renovation would include extensive upgrades to the building, in accordance with all applicable state and City seismic codes and regulations.

The Appellants state that a geotechnical report, similar to that conducted for a project at 2395 Lombard Street, should have been conducted. The City required an extensive geotechnical investigation for the project at 2395 Lombard Street because it involved the construction of a 12-unit condominium building involving new foundation, drilled piers, subsurface footings, and other structural details. The proposed project consists of renovation of an existing building at 3155 Scott Street.

The PMND included an analysis of existing geologic conditions and referenced property structural reports. According to the United States Geological Survey, the site is not within a liquefaction zone.<sup>4</sup> The geotechnical report referenced by the Appellants notes the potential for site liquefaction. That information is noted, but is more relevant for construction and structural foundation recommendations for a new building.

The building at the project site is a three-story plus basement structure. The foundation is reinforced concrete, with continuous perimeter footings and interior footings. The proposed project includes minor structural stabilization in the basement. A recent survey of the building revealed that the subject property suffered no significant structural damage from the Loma Prieta earthquake on October 17, 1989.<sup>5</sup> In addition, the proposed project would be required to incorporate all seismic improvements identified by the Department of Building Inspection during plan review.

---

<sup>4</sup> USGS. 2010. Susceptibility Map of the San Francisco Bay Area. Internet website: <http://geomaps.wr.usgs.gov/sfgeo/liquefaction/susceptibility.html>. Accessed on January 14, 2011.

<sup>5</sup> Basis Architecture and Consulting. 2010. Property Condition Assessment for Edward II Hotel, 3155 Scott Street, San Francisco, CA 94123. March 31, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

The Appellants further state that “available evidence prepared by geotechnical engineers indicates the potential for a significant seismic hazard to project occupants”, referencing the project at 2395 Lombard Street. While there can be no doubt that the residents of the proposed project at 3155 Scott Street would also be subject to potentially significant seismic hazards, so would all the occupants of the Marina neighborhood and other areas subject to seismic hazards. Given the current positive physical condition of the building at 3155 Scott Street, the required structural reinforcements with the renovation of the building, and the adherence to all required state and City seismic codes during project construction, potential geology impacts have been adequately addressed.

### **Conclusion**

The Appellants have stated that the proposed project mandates the preparation of an EIR. This statement is not supported by the evidence presented by the Appellants. The PMND determined that the proposed project would result in no impact or less than significant impacts in most issue areas for the project. The analysis determined one potentially significant impact with regard to air quality. This impact was determined to be mitigated to less than significant with incorporation of Mitigation Measure M-AQ-1, which would be implemented by the project sponsor and has been determined to be feasible by the Lead Agency.

Since no potentially significant impacts that could not be mitigated to a less-than- significant level were identified, preparation of an EIR for the proposed project is not warranted. Therefore, the appropriate level of CEQA review for the project has been conducted. We believe that the findings in the PMND comply with the requirements of CEQA and the CEQA Guidelines, and provide an adequate, accurate, and objective analysis of the potential impacts of the proposed project. Therefore, the Planning Department respectfully recommends that the Planning Commission uphold the Department’s adoption of the PMND.

### ***Comment Letters submitted by John Millar, Howard and Pamela Squires, Patricia Vaughey, and Frank Hung on June 14, 2011.***

On May 25, 2011, the Planning Department published a Preliminary Mitigated Negative Declaration (PMND). The Department received one appeal letter that is presented and responded to above. In addition, the Planning Department received four comment letters on June 14, 2011 from the following parties: John Millar, President of the Marina Community Association; Howard and Pamela Squires, Cow Hollow property and business owners; Patricia Vaughey, an interested party; and Frank Hung, an interested party. The concerns raised in the Comment Letters that have not also been raised by the Appellants are presented below.

Issues that overlapped between the Appeal and Comment letters include those pertaining to Public Notification, Historic Resources, Transportation, Planning/Zoning Issues, and Geology and

Soil. The Planning Department has responded to new issues raised by Commenters as follows: 10) Project Description; 11) Land Use; 12) Transportation Impacts; 13) Noise Impacts; 14) Indoor Air Quality; 15) Impacts on Recreational Facilities; 16) Utilities and Service Systems; 17) Public Services; and 18) Request for additional study of Geology and Soils. The Commenters' concerns are summary excerpts from the Comment Letters, and each concern is followed by the Department's response to that concern as itemized above.

### **Project Description**

**Concern 10:** The PMND project description is deficient for the following reasons: the project plans in the PMND do not show the elevator; compliance with the Americans with Disabilities Act (ADA) and Fire Code is not described; there is no clear description of the type of housing being proposed; the project description is not specific enough for a Planning Code Section 101 analysis; there is no discussion of Planning Code requirements; and there is no description of garbage storage or collection.

**Response 10:** **The Department provided an adequate project description as required under CEQA Guidelines.**

CEQA Guidelines Section 15071, "Contents," states "A Negative Declaration circulated for public review shall include a brief description of the project, including a commonly used name for the project, if any; the location of the project, preferably shown on a map, and the name of the project proponent; a proposed finding that the project will not have a significant effect on the environment; an attached copy of the initial study documenting reasons to support the finding; and mitigation measures, if any, included in the project to avoid potentially significant effects." The PMND contains all of the project description informational items described in the guidelines. The project description includes 16 figures that depict the existing conditions and proposed project. All aspects of the project are described in the narrative including project objectives, proposed alterations, the proposed Special Use District, and approvals required.

At the time of publication, the project sponsor had not yet determined the exact location of the proposed elevator. Thus, the elevator is not shown in Figures 9-11, Proposed Basement Plan and Existing and Proposed First and Second Floor Plans. However, the "Proposed Alterations" section of the PMND's "Project Description" on page 5 includes a description of the proposed elevator. The PMND states that installation of the elevator would require minor excavation in the basement. In the same section, PMND also describes the project's ADA compliance and project sponsor's coordination with the Mayor's Office of Disability.

The following language has been added to page 5 of the PMND:

The elevator would be Limited Use Limited Access, and would travel from the basement to the second floor. This type of elevator has limited vertical travel and cannot reach the third floor. As a result, all four ADA compliant units would be on the second floor and none would be on the third floor. There would be a minimal elevator pit of about 18" below grade.

While CEQA does not require that the lead agency describe a project's compliance with the Fire Code, the project description includes upgrades to the sprinkler system. Additionally, the PMND mentions in the "Public Comments and Notice" Section on page 107, that the project would be required to comply with all regulations of the 2001 California Fire Code.

The PMND states in detail the type of housing proposed on page 4, in "Project Objectives". The PMND states that "For Planning Department purposes, this project meets the definition of 'group housing' in the Planning Code, Section 790.88(b)," which "describes group housing as a 'residential use which provides lodging or both meals and lodging without individual cooking facilities for a week or more at a time in a space not defined as a dwelling unit. Group housing includes, but is not limited to, a rooming house, boarding house, guest house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent and ashram. It also includes group housing operated by a medical or education institution when not located on the same lot as such institution.'" Per CEQA requirements, the project description adequately describes the project, including the type of housing proposed. In addition, the project sponsor has provided information as to whether the use is temporary or permanent; while each tenant will have a residential lease, all of the project's programming will be focused on achieving independence and moving out of the Edward II housing before age 25. Housing for formerly homeless and/or low-income individuals is required to be permanently affordable; meaning the pricing of the units is to remain indefinitely affordable for individuals who make less than the median income. The project's service model is based on helping youth achieve their own stable, independent housing.

The PMND contains a Planning Code Section 101.1 analysis, which addresses the environmental issues associated with the Priority Policies. As described on PMND page 25, these policies included, and their associated environmental effects are described in the following sections: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character (Question 1c, Land Use); preservation and enhancement of affordable housing (Question 3b, Population and Housing); discouragement of commuter automobiles (Questions 51, b, and f, Transportation and Circulation); protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); maximization of earthquake preparedness (Questions 14a-d, Geology and Soils); landmark and historic building preservation (Question 4a, Cultural Resources); and protection of open space (Questions 9a and b, Wind and Shadow, and Questions 10a and c, Recreation and

Public Space).” The PMND clearly states on the same page that “The consistency of the proposed project with the environmental topics associated with the priority policies is discussed in Section E of this document, Evaluation of Environmental Effects, providing information for use in the case report for the proposed project. The case report and approval motions for the project would contain the San Francisco Planning Department’s comprehensive project analysis and findings regarding consistency of the proposed project with the priority policies.” Thus, the PMND adequately addressed the priority policies as they relate to physical environmental effects.

Contrary to the Commenters’ assertion that the PMND does not include a discussion of Planning Code requirements, the PMND describes how Planning Code requirements apply to proposed project beginning on page 22 in “Compatibility with Existing Zoning and Plans.” This section details the subject parcel’s existing zoning, proposed exceptions to the Planning Code, and how the project relates to the Adopted Plans and Goals. This section concludes with the project approvals required that are outlined in the Planning Code.

Finally, one Commenter stated that the PMND does not describe garbage storage or collection. Subsequent to publication, the project sponsor explained that the garbage storage and collection would occur in similar pattern as the previous hotel use; storage would take place on the basement level and collection would occur on Scott Street.

The PMND has been amended to include following language on page five:

Garbage storage and collection would take place on the basement level and collection would occur on Scott Street.

Based on the discussion above, the PMND’s project description is adequate.

## Land Use

**Concern 11:** The comparison between tourist hotel and group housing at the site was not adequate; transitional-age youth housing should not be sited close to bars and pubs, which are incompatible land uses.

**Response 11:** The existing and proposed land uses on the project site were accurately characterized and analyzed per the Planning Code and CEQA Guidelines; no alternative project locations required consideration under CEQA.

A Commenter requested that when comparing existing land use (hotel) to proposed land use (group housing), the number of rooms or units should not be compared, but rather the occupancy of the hotel should be compared to the residents of group housing plus their overnight guests. This comparison would not be reliable because the occupancy of the hotel and the number of overnight guests of the group housing would fluctuate. The Planning Code measures density of

hotel rooms by units and group housing by units. The existing use and proposed use were accurately and adequately described as a 29-room hotel and 25 units of group housing. Under CEQA, a project results in a land use impact if there is division of an established community, conflict with land use policies adopted for the purposes of environmental mitigation, or conflict with a conservation plan. The proposed project was analyzed on pages 27-30, and found not to have any individual or cumulative significant impacts.

Second, bars/pubs and group housing are not considered incompatible. They are both principally permitted uses in NC-3 districts. Under CEQA, the Planning Department was not required to analyze alternative sites for the project. For the reasons stated above, the project would not result in any significant land use impacts. Thus, preparation of an EIR would not be required.

### Transportation Impacts

**Concern 12:** The PMND did not adequately identify transportation issues as they relate to traffic circulation, transit, loading/unloading, safety impacts, and parking demand; trip generation by visitors is underestimated; a transportation study and EIR should be conducted to review loading issues.

**Response 12:** The PMND adequately documents all potential project impacts as well as parking demand. Trip generation is based on the October 2002 *Transportation Impact Analysis Guidelines for Environmental Review* and information provided by the project sponsor. The Department found no potential significant transportation impacts resulting from the project; therefore, preparation of an EIR is not warranted.

As stated in the PMND on page 40, "Transportation and Circulation," a project would have significant impacts on transportation and circulation if it were to conflict with any applicable circulation performance policy or applicable congestion management program, change air traffic patterns, substantially increase hazards due to a design feature, affect emergency access, or conflict with adopted plans or programs of public transit or other means of transportation. The project's transportation analysis, which begins on page 42 of the PMND and is based upon the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review (SF Guidelines)*, shows the proposed project would generate approximately 220 daily person trips, which includes a projected 150 vehicle trips of which 29 would be taken during the evening peak commute hour. Based on the *SF Guidelines*, the hotel use generated 203 daily person trips, which includes 117 vehicle trips of which 12 were taken during the evening peak commute hour. These figures show a negligible increase in the number of trips to the project site. This comparison shows that the project would result in a net increase of 17 vehicle trips during the PM peak hour, which is not considered a potentially significant traffic impact since the increase would not be sufficient to degrade the existing Level of Service in nearby intersections to unacceptable levels or result in a substantial increase in traffic volume in the vicinity. Based on this negligible increase,



the Department determined a traffic study for the project would not be required. As stated in the PMND on page 42, the trip generation estimate, although consistent with the *SF Guidelines*, may be conservative because the project site would be occupied by transitional-age youth, and auto ownership may be lower for the project residents than for other neighborhood residents, thus reducing vehicle trip generation compared to *SF Guidelines* rates. The number of visitors (two) to the project site was provided by project sponsor, based on its anticipated program and experience administering similar group housing units in the City. Any other figure would be speculative in nature. Moreover, even if the number of visitors were slightly higher than estimated, the conclusions of the PMND would still be valid because, as explained above, the trip generation estimate in the document was conservative and may have overestimated the number of trips generated by project residents. Although consistent with the *SF Guidelines*, the project residents' trip generation may be conservative because the residents will be youth, and auto ownership may be lower for them than for other neighborhood residents, thus reducing vehicle trip generation compared to *SF Guidelines* rates.

The PMND analyzes all Transportation and Circulation topics included in Appendix G of CEQA Guidelines and includes discussions of project-specific and cumulative impacts that would result with project implementation. The Commenters disagree with the conclusions reached in the PMND, but do not provide substantial evidence to the contrary. The PMND provides a complete and accurate disclosure of the project's potential transportation impact, thus properly carrying out the requirements of CEQA.

The project's effects on transit capacity were also analyzed according to the *SF Guidelines*. As stated on page 47 of the PMND, the project would generate about nine PM peak hour transit trips which represent an increase of about three trips more than the previous hotel use. These three trips would be distributed among the seven Muni lines within a three block radius of the project site: 28 – 19<sup>th</sup> Avenue, 30 – Stockton, 43 – Masonic, 76 – Marin Headlands, 22 – Fillmore, 41 – Union, and 45 – Union Stockton. An increase of three trips to any one line would not result in a significant transit impact.

With regard to loading, as stated on page 46 of the PMND, the project is not required to provide an off-street loading space. The project sponsor would use the two existing white-curb loading spaces adjacent to the project site on Scott Street for loading and unloading. As described, other deliveries could use this space and given the volume of these loading activities, impacts would not be considered significant. Because there is no significant and unavoidable loading impact, preparation of an EIR would not be required.

The PMND adequately discusses pedestrian conditions as they relate to Appendix G of the CEQA Guidelines. As stated in the PMND on page 48, the project would not cause a substantial amount of pedestrian and vehicle conflict since existing sidewalks surrounding the project site have excess capacity. Sidewalk widths are sufficient for the free flow of pedestrian traffic. The project provides community space at the ground floor for resident congregation. It is unlikely that sidewalk crowding would result in risk to pedestrian circulation as suggested by one Commenter.

The PMND adequately describes parking on pages 44 and 45. Double parking as a result of parking shortage would not result in a significant and unavoidable transportation impact as suggested by one Commenter. As stated, San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As mentioned in the PMND, there are several transit options as well as Bicycle Routes #4, #5, and #45 within the project vicinity.

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.

One Commenter states that construction impacts of the project could not be mitigable. Since the PMND accurately stated that construction impacts would be less than significant, mitigation would not be required to reduce the impact. As described on page 46 of the PMND, construction equipment and duration would be relatively minor since the project's physical alterations entail only interior and exterior renovations. The PMND discloses that construction truck movements during period of peak traffic flow would have greater potential for conflict, but the construction

activities would be temporary and intermittent. The project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee to determine how to best reduce traffic congestion during construction.

Regarding the inclusion of the America's Cup in the project's cumulative analysis, please see Concern and Response 3, Transportation Analysis, above.

### Noise Impacts

**Concern 13:** The PMND fails to disclose noise impacts of the project to adjacent neighbors; and a noise study should be required to determine what renovations are necessary to meet health and safety requirements.

**Response 13:** A noise study has been prepared for the project, the results of which are described in the PMND. The project's design, compliance with California Building Code and San Francisco Noise Ordinance would reduce any noise impacts to less-than-significant levels.

The PMND clearly states what noise impacts would result from project operation, specifically Generation of Building Noise during Operation and Generation of Residents' Noise during Operation, which are the main concerns of Commenters. The PMND discloses that the project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. As stated in the PMND, these operations would be subject to Section 2909 of the City's Noise Ordinance (Article 29 of the San Francisco Police Code). This Ordinance establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. The noise ordinance provides for a separate fixed-source noise limit for residential interiors of a 45 dBA at night and 55 dBA during the day and evening hours. The project would comply with Article 29, Section 2909, which would minimize noise from building operations. Additionally, Mitigation Measure M-AQ-1: Building Air Filtration and Ventilation Requirements, states that the project sponsor has the option to locate the project's air intakes along the eastern, western, or southern half of the building, which affords some flexibility in placing the equipment away from adjacent sensitive receptors.

The PMND also directly and adequately addresses project residents' noise generation. On page 53, the CEQA document clearly outlines that the project would include "quiet hours" between 10:00 PM and 7:00 AM, ensuring that noise from residents would not become a nuisance to neighbors. The on-site residence manager would be responsible for ensuring that the facility complies with all applicable provisions of Article 29, Section 2909 of the Noise Ordinance, which sets noise limits for residential property uses. Therefore, noise effects related to building operation would be less than significant.

Finally, a noise study was prepared prior to the Environmental Evaluation application submittal by the project sponsor. As described on page 51 of the PMND, Charles M. Salter Associates, an environmental noise consulting firm, conducted two continuous two-day noise measurements and five 15-minute short-term measurements. The study concluded that if new construction or development proceeds, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design. The report assessed the interior noise level and provided recommendations to achieve an indoor noise level of 45 dB. The PMND further describes that as part of the proposed design, the project would comply with the California Building Code interior noise requirements of Ldn 45 dB by installing such building materials as sound-rated windows, gypsum board, and batt and blown-in insulation. The Department of Building Inspection would review project plans for compliance with Title 24 noise standards. Compliance with Title 24 standards and with City's General Plan would ensure that effects from exposure to ambient noise would result in less than significant impacts. Therefore, further study is not required as part of the CEQA review process.

#### Air Quality

**Concern 14:** The PMND did not adequately address air quality issues, including interior air quality requirements.

**Response 14:** The PMND discloses the results of an Air Quality Technical Report which shows that Mitigation Measure M-AQ-1: Building Air Filtration and Ventilation Requirements would ensure indoor air quality levels would be well below BAAQMD and San Francisco Department of Public Health Article 38 thresholds.

Under CEQA, project would result in an air quality impact if it were to conflict with or obstruct implementation of an applicable air quality plan, violate an air quality standard or substantially contribute to an air quality violation, result in a cumulatively considerable net increase of any criteria air pollutant for which the project region is already in non-attainment, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people. In addition, San Francisco added Article 38 of the San Francisco Health Code which states that for new residential construction of 10 units or more located near high-traffic roadways as mapped by the Department of Public Health, an air quality assessment must be prepared to determine whether residents would be exposed to potentially unhealthy levels of PM<sub>2.5</sub>. As described on pages 57 through 65, the proposed project would not conflict or obstruct implementation of the 2010 Clean Air Plan, which is the current air quality plans for the San Francisco Bay Area Air Basin. Construction of the project would not violate or contribute to the violation of an air quality standard, including the Bay Area Air Quality Management District's CEQA thresholds. An Air Quality Technical Report was prepared by environmental consultant, Tetra Tech, to quantify this impact of emissions from criteria air pollutants, diesel particulate, and greenhouse gases. The construction site emissions were found to be well below the impact

significance thresholds of the BAAQMD CEQA guidelines, as shown on page 58 of the PMND. The Air Quality Technical Report also quantifies the exposure of sensitive receptors to substantial pollutant concentrations. As described in the PMND, the report showed that around the northern half of the building PM2.5 concentration would exceed BAAQMD and Article 38 thresholds, however Mitigation Measure M-AQ-1: Building Air Filtration and Ventilation Requirements would ensure indoor air quality levels would be well below these thresholds. The report also showed that local stationary air pollution sources would not create excessive cancer risk or non-cancer health hazard exposure at the project site. The PMND also described the project as having no impact with regard to odor generation. Finally the PMND concluded that the project would not contribute considerably to any cumulative air quality impacts. Thus, the PMND adequately and accurately described the project's potential air quality impacts and appropriate mitigation to reduce impacts to a less-than-significant level. Thus, an EIR would not be required.

### Impact on Recreational Facilities

**Concern 15:** The PMND does not adequately disclose the project's impact on existing neighborhood parks and recreational facilities.

**Response 15:** **The PMND accurately and adequately found that the project, which would add 25 new residents to the area, would not result in any significant impacts on neighborhood parks and recreational facilities.**

One Commenter stated that due to lack of on-site open space, the project would result in increased use of neighborhood parks, which would impact existing residents. As stated on page 74 of the PMND, a project would have significant CEQA impacts to recreational resources if it were to increase the use to the point of physical deterioration or require the construction or expansion of recreational facilities. The PMND describes project residents as using parks and recreational facilities in the area. Those parks include the Presidio, the Palace of Fine Arts, George Moscone Recreation Center, Alta Plaza Park, Maria Green, the Exploratorium, the San Francisco By, and Fort Mason Complex. The additional use of these recreational parks and facilities by 24 individuals would be relatively minor, compared with existing use levels. Therefore, the project would not result in the degradation of existing neighborhood parks and recreational facilities such that a significant CEQA impact would occur.

### Utilities and Service Systems

**Concern 16:** The PMND does not adequately address wastewater and stormwater system impacts of the project and additional study is necessary; and the project does not include a solid waste disposal plan.

**Response 16:** The PMND accurately and adequately found that the project, which would add 25 new residents to the area, would not result in any significant impacts on wastewater and stormwater systems. As described in Response 10, the project includes a solid waste disposal plan.

Under CEQA, a project would have an impact if it were to exceed the wastewater treatment requirements of the Regional Water Quality Control Board, require or result in the construction of new, or expansion of existing, water, wastewater treatment facilities, or stormwater drainage facilities, or if it would not be adequately served by the City's wastewater treatment provider. As stated on page 77 of the PMND, the project would not require new wastewater or stormwater collection and treatment facilities. The project site is covered with impervious surfaces and the proposed project would not affect the amount of stormwater discharged from the project site. The minor increase in population at the project site would incrementally increase the demand for wastewater; however, it would not cause the collection treatment capacity to be exceeded or require the wastewater treatment facilities to be expanded or a sewer line to be extended. 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 Permit for the Southeast Water Pollution Control Plant. Thus, the PMND adequately and accurately discloses the potential less-than-significant impacts of the project.

The project does include a solid waste disposal plan, as described in Response 10, Project Description, above. Under CEQA, the project would result in a less-than-significant solid waste impact since the project would increase the amount of solid waste generated on the project site but would be adequately served by the City's landfill and would comply with federal, state, and local statutes and regulations related to solid waste as described on pages 78 and 79 of the PMND.

### **Public Services**

**Concern 17:** San Francisco Police Department (SFPD) Event History Summary provided by the Commenter is substantial evidence that the project will increase crime and police services in the project area; the project will result in a cumulative crime impact; and the project will result in added strain to fire services due to the allowance of smoking in rooms and proposed egress.

**Response 17:** The PMND found that the project would result in a less-than-significant individual impacts on police and fire services. Additionally, the project would not contribute considerably to any cumulative service impacts.

Under CEQA, a project would result in an impact to public services if it were to substantially affect the service ratios or response times of any public service, such as fire or police, which would necessitate the need for new or expanded government facilities. The PMND concluded that the

project would not impact public resources. The SFPD Event History Summary submitted by one Commenter is a record of police calls placed from the Ellis Street Apartments at 864 Ellis Street, a similarly sized transitional-age youth facility with supportive services. This Summary was submitted to the Department on May 10, 2010 and responded to in the PMND on page 80. As described on page 80, the Northern Police District that provides service the project area received 46 calls from the Ellis Street Apartments from May 1, 2009 to April 30, 2010. During the same period, the District received a total of 30,832 emergency service calls. The calls from Ellis Street Apartment represent approximately 0.15 percent of the District's total number of service calls within a one year period. If the estimated number of calls that may be generated by the proposed project are expected to be similar to the number of calls generated by the Ellis Street Apartments given the similarity in uses and resident population, then, as described in the PMND, the number of calls that may result from the proposed project would be negligible compared with the exiting number of calls handled by the District. As such, the project would result in a less-than-significant impact on police services.

CEQA Guidelines Section 15204(c), Focus of Review, states "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." The information presented by the Commenter is not substantial evidence of a potential impact on police services, which, under CEQA would result the service ratios or response times of any public service were substantially affected, and would necessitate the need for new or expanded government facilities. With regard to impacts to fire services, the Commenter has provided no evidence that the project would result in substantial impacts on the provision of service. The project would be required to comply with the 2001 Fire Code and would upgrade the building's sprinkler system, as described in the Project Description. Contrary to the Commenter's assertion, indoor smoking and cooking fumes would not result in significant impacts on fire services under CEQA.

### **Request for Additional Study of Geology and Soils**

**Concern 18:** The Planning Department should conduct a study of the existing building to determine the foundation material to ensure the project would not expose people or structure to substantial adverse effects resulting from an earthquake. The standards for a publically-funded project should be the same as a privately developed project.

**Response 18:** A geotechnical report is not required for CEQA review of the proposed project based on the project's scope of work. The project would incorporate all seismic improvements identified by Department of Building Inspection during plan review. The PMND identified that the proposed project would have a less-

**than-significant impact related to seismic hazards. The CEQA review process is administered equally, regardless of project funding source.**

CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the environmental document. As described on page 84 and 85 of the PMND, the project would comply with the latest California Building Code requirements for construction and rehabilitation, which would reduce the associated risk of property loss and hazards to occupants to a less-than-significant level. The project's foundation is reinforced concrete, with continuous perimeter footings and interior footings. The project includes minor structural stabilization in the basement and would incorporate all seismic improvements identified by Department of Building Inspection during plan review. Because incorporation of these improvements would minimize the risk of loss, injury, and death, the proposed project would have a less-than-significant impact related to seismic hazards, and no further study is required as part of the CEQA review process.

The standards for a publically-funded project are the same as a privately developed project. The California Public Resources Code Section 21001.1 explains that it is the policy of the state that project carried out by public agencies be subject to the same level of review and consideration as that of private projects requiring approval by public agencies. The project at 3155 Scott Street received the same level of consideration during environmental review as would a private development.



# Exhibit B





# Hammond **LAW**

1829 Market Street, San Francisco, CA 94103  
phone: 415.955.1915 fax: 415.955.1976

June 14, 2011

## **VIA HAND DELIVERY & E-MAIL**

Planning Commission  
San Francisco Planning Department  
Planning Information Counter  
Attention: Bill Wycko  
1660 Mission Street, First Floor  
San Francisco, California 94103-2479

Re: 3151 Scott Street – Case No. 2010.0420E (the “Project”)  
CHA Appeal of Mitigated Negative Declaration

Dear Commissioners:

Please be advised that this office represents the Cow Hollow Association (CHA)—a long standing organization that represents the interest of approximately 1,800 residents in forty-eight blocks demarcated by Lyon, Pierce, Greenwich, and Pacific Streets. Please be further advised that with regard to the Project this letter serves as Cow Hollow Association’s Notice of Appeal of the San Francisco Planning Department’s Mitigated Negative Declaration dated May 25, 2011. Enclosed with this Notice of Appeal, please find a check in the amount of \$500.00 payable to the San Francisco Planning Department. The following neighborhood associations join this appeal.

- Marina Community Association (MCA)
- Marina Merchants Association (MMA)
- Marina Cow Hollow Neighbors and Merchants (MCHNM)
- Union Street Merchants Association (USMA)

As a preliminary matter, the application and associated file are incomplete and missing information necessary to making any determination as to the potential impact of the Project on the environment. For example, the building plans available for review are not complete and contain material gaps of information such as ADA access. Also enclosed, please find a report by environmental expert Richard Grasseti which sets forth further grounds for this appeal. In addition, the Cow Hollow Association brings this Appeal on the basis of inadequate notice and/or inadequate analysis and identification of potential significant impacts in the following areas:

1. Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration;

2. Historic Resources
3. Transportation Analysis
4. Air Quality
5. Hazards and Hazardous Materials
6. Findings of Significance/Cumulative Impact Analysis/Growth Inducing Impacts
7. Planning/Zoning Issues
8. Noise
9. Seismic (Geology and Soils)

Based upon such bases, the Cow Hollow Association respectfully requests (1) that the Mitigated Negative Declaration be rescinded; (2) adequate opportunity for comment be provided as required by State Law; and (3) a full Environmental Impact Report be prepared.

**1. Improper Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration**

Pursuant to CEQA Guidelines Section 15073 (d), a trustee agency with jurisdiction over natural resources affected by a project, must send copies of the Negative Declaration ("ND") to the State Clearinghouse and Planning Unit of the Governor's Office of Planning and Research ("SCH") for distribution and the public review period is required to be 30 days, unless a shorter time period is approved by the SCH.

However, for reasons unknown, the Planning Department chose to provide the public with only a 20-day review period and further failed to submit or provide the Negative Declaration. This shortened public review period of 20 days fails to comply with CEQA regulations and requirements. By so doing, the Planning Department prevented the appropriate state agencies from reviewing the findings of the ND as required by state law and prevented meaningful participation and review by the public. By letter dated June 10, 2011, this office notified the Planning Department of the concern and requested an extension of time; however, the Department orally denied this request without explanation.

With respect to this Project, the state agencies that should have been granted the opportunity to review this ND are (1) the State Office of Historic Preservation (OHP), (2) the Department of Toxic Substances and Control (DTSC), (3) Caltrans, and (4) the Department of Occupational Safety and Hazards (Cal-OSHA). In addition, the Bay Area Air Quality Management District (BAAQMD) has been granted responsibilities under the California Air Resources Board and is a trustee agency and likewise should have been granted an opportunity to review the ND for potential impact on air quality and compliance with state law.

Due to the Planning Department's failure to provide the required materials to the SCH, DTSC and Cal-OSHA did not have an opportunity to review issues related to hazardous materials, and the BAAQMD did not have the opportunity to review the air quality issues analyzed in the ND. Likewise, Caltrans was denied to opportunity to evaluate potential construction impacts on Lombard Street, which is a State Highway. And finally, OHP did not

have an opportunity to review the historic resource evaluation prepared for this project and comment on its adequacy.

For the reasons set forth above, we believe the Planning Department improperly noticed its Intent to Adopt a Mitigated Negative Declaration for the Project to the detriment of the public. Likewise, Planning Department's failure to distribute the ND to all appropriate and required state agencies constitutes a violation of CEQA Guidelines Section 15073 (d). Consequently, it is incumbent on the Planning Department, at a bare minimum, to rescind the May 24, 2011 Notice of Intent to Adopt a Mitigated Negative Declaration and re-notice same with the required 30-day public review period as well as provide copies of the ND to the State Clearinghouse for distribution to the required state agencies. The Planning Department continued refusal to do so is a violation of state law and an affront to the public review process enshrined in the California Constitution.

## **2. Historic Resources Analysis Flawed**

As stated above, despite OHP's statutory purview over historic resources, the ND was not provided to the SCH and apparently OHP was not contacted or provided a copy of the Initial Study / Mitigated Negative Declaration ("IS/ND") to afford it the opportunity to comment on the determination that the building was not considered to be historic under CEQA. Rather the ND relies solely on a summary determination of the project sponsor's Historic Resources Evaluation Report ("HRER") and the concurrence of Planning Department staff that "the building did not appear to be eligible for listing on the California Register under any of the four criteria.

The Cow Hollow Association is informed and believes that substantial evidence exists the building may be historic. For example, it is beyond dispute that Charles J. Rousseau was a notable San Francisco architect and that the building retains the character and appearance of his original design. It is also this building one of the few remaining buildings from the Pan American Expo. Moreover, an expert would likely testify that the building was not altered to the extent represented. However, due to the attenuated notice period, such expert testimony has not yet been obtained. The Cow Hollow Association intends to supplement the record at the hearing on this appeal to show that the building is historic per CEQA guidelines.

Additionally, because this Project was disclosed as a recipient of federal funding and could potentially affect a property eligible for the National Register of Historic Places, an analysis should have been prepared, per Section 106 of the National Historic Preservation Act ("NHPA"). Section 106 requires Federal agencies to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation ("ACHP") a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by ACHP. (36 CFR Part 800.) Likewise, such report must be provided to OHP, which must be allowed 30 days to comment. The Cow Hollow Association is informed and believes that no Section 106 analysis was completed or provided to OHP for comment. OHP does not always decide to comment on such reports, but must be provided the opportunity.

### **3. Transportation Analysis Flawed**

Despite acknowledging the fact that the development and construction phase will impact congestion and traffic flow on Lombard Street (ND, p. 46)—no mitigation is included in the ND to reduce this impact; rather mitigation is deferred to some future meeting between the project contractors and the City's Transportation Advisory staff "to develop feasible measures to reduce traffic congestion". (*Id.*) Likewise, no consultation or coordination with Caltrans is proposed, nor are any actual mitigation measures identified. This is an inappropriate deferral of mitigation to post-project approval.

Lombard Street traffic is unavoidably increasing due to the re-routing of Doyle Drive. (Doyle Drive is the southern approach road for the Golden Gate Bridge. During an average weekday it carries over 144,000 travelers.) Moreover, coinciding with construction, the America's Cup will significantly impact traffic congestion in the Cow Hollow and Marina neighborhoods. The increase in congestion and/or traffic circulation of the Project in conjunction with the Doyle Drive re-routing plan and the America's Cup was adequately not addressed.

In addition, CEQA documents for projects that would increase usage of a state highway (i.e., Highway 101 in this location) or potentially disrupt the roadway with construction activities typically would be provided to Caltrans and/or Caltrans would be consulted with. The ND does not mention any consultation with Caltrans, nor was Caltrans included on the initial study distribution list. The Planning Department's failure to distribute the initial study or ND to Caltrans for comment violates both the letter and spirit of CEQA Guidelines and is in stark contrast to the mitigations proposed in the HUD Environmental Assessment (EA) on file with the City.

### **4. Air Quality Analysis Flawed**

Air quality impacts and mitigation were identified, yet, as described earlier, no consultation was made with the BAAQMD and the ND was not sent to the SCH for review by California Air Resource Board. While, the project emissions were substantial enough to require a detailed health risk assessment be prepared under BAAQMD regulations and require mitigation. Yet the BAAQMD was not provided an opportunity to review the initial study or ND. The Planning Department's failure to distribute the initial study or ND to BAAQMD for comment violates CEQA Guidelines. Again this failure contrasts inexplicably with the HUD EA assessment.

### **5. Hazards and Hazardous Materials Analysis Flawed**

The ND notes that the site may contain hazardous materials, which would have to be abated, such as lead-based paint, PCB's, mercury, and asbestos. The ND describes the agencies that would regulate such removal, but, as described earlier, these agencies were not consulted

with and were not provided the ND for an opportunity to comment on its adequacy. These agencies listed in the ND section are Cal-OSHA and the BAAQMD. Additionally, Cal OSHA is required to be notified when asbestos abatement is to be performed, as in this project. As stated earlier, the California DTSC, DOHS, and/or Cal OSHA would normally receive the CEQA document through the SCH and be afforded the opportunity to comment.

#### **6. Mandatory Findings of Significance/Cumulative Impact Analysis/Growth Inducing Impacts Analysis Flawed**

The cumulative impact analysis found at the end of each ND technical section and in the Mandatory Findings of Significance concluded that no cumulative significant impacts would result from the Project. However, both the initial study and ND failed to analyze the potential cumulative impacts to the environment associated with allowing the Special Use District and increased densities, as well as the nonconformance with the open space and rear-yard requirements. The ND should have reviewed the possibility of additional Special Use Districts in the area and the resulting cumulative environmental impacts to traffic, air quality, and potentially other issues. Likewise, the approval of the Project's Special Use District must be considered to be growth inducing and thus required at least a qualitative analysis of such an impact. However, the Planning Department failed to analyze the possible impact of further zoning changes made possible by the precedent setting action of creating a new Special Use Districts in the area.

Moreover, EIR is required before the Planning Department and Board of Supervisors considers any request from any private developer or City Agency for a Special Use District to change the zoning to eliminate the environmentally protective requirements concerning housing density, open space and parking that are required in NC-3 zoning district and a 40-X Height and Bulk District in which the property in question is situated. The fact that the proposed uses and high density of occupancy will require a Resolution by the Board of Supervisors to terminate and nullify existing environmental protections associated with parking and density requirements of the Planning and Zoning Ordinance indicates that the Lead Agency's proposed public housing development Project brings with it numerous "fair arguments" that the proposed project may have a significant impacts on the environment. The proposed new uses promote significant overcrowding that requires the preparation of an EIR because the proposed tenants and the surrounding San Francisco residents will be adversely impacted by the overcrowding of young at-risk adults. The building lacks adequate common areas, common dining facilities and adequate common kitchen facilities. What is proposed is very low cost high density housing governed by rent control with potentially inadequate controls or supervision.

An Environmental Impact Report was required to be prepared for the City of San Francisco by the appellate court under its unpublished holding in the unpublished opinion, *San Franciscans for Livable Neighborhoods v. City and County of San Francisco* (2007) A112987 First Appellate Dist., Div. Four. The plaintiffs showed "substantial evidence to support a fair argument that amendments to the housing element may have significant impact on the environment, thus requiring the preparation of and EIR." Here, the proposed SUD would create

precedent for a policy to implement increased high-density housing through spot zoning. This represents a de facto amendment to the housing element, thus requiring preparation of an EIR.

Further, Piecemeal planning and modifications to the housing element require an EIR. Instructive is the case *Pocket Protectors v. City of Sacramento* (2004) 124 Cal. App. 4th 903,927. In *Pocket Protectors* the appellate court noted that the purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment. The actions of the City Departments allowing denser habitation no off-street parking and no on-site parking which leads to increased traffic congestion, air pollution and noise were factors that the appellate court determined raised the "fair argument" in the *San Franciscans for Livable Neighborhoods* case. In this matter the same is true.

#### **7. Planning/Zoning Analysis Inadequate**

As noted, the Project requires the creation of a new Special Use District to avoid compliance with existing zoning and density requirements:

The proposed transitional-age youth housing project would include 24 units of group housing, with an additional on-site manager's unit, for a total of 25 residential units; this would reflect the proposed group housing density of one bedroom per 138 square feet of lot area. This would be inconsistent with the density provisions set forth in Section 208, which allows for up to 16 units. In addition, the project would continue the current building's nonconformance with the rear yard and open space provisions of the NC-3 district.

(See ND, p. 24)

The Project would require Zoning Map and Planning Code Text Amendments for the creation of the Lombard and Scott Street Affordable Group Housing SUD, which would overlay the existing NC-3 zoning and allow for the increased residential density required for the proposed group housing. The SUD would also address Planning Code exceptions to open space and rear yard requirements that apply to the NC-3 district and would require approval by the Board of Supervisors, on recommendation of the Planning Commission and in accordance with Planning Code Sections 302 and 306, Amendments to the Planning Code.

The site is currently zoned NC-3, Moderate-Scale Neighborhood Commercial District, which would ordinarily limit the Project to 16 units. However, the Project is predicated on waiving the density requirements, pursuant to the creation of the SUD, to allow for 25 units to be constructed on the same building footprint. As noted above, it cannot be seriously proposed that the change in density would not have a significant impact on the neighborhood environment. The occupants of the Project will have nearly unlimited rights to have overnight guests—nearly doubling the number of transitional-age youth occupying the facility on any given day. As a consequence, not only is the new proposed density not keeping with the typical range of density



in the neighborhood, but the change in use from a tourist hotel to a group home facility constitutes a significant alteration in the character of the neighborhood which merits further study. Moreover, for the group space, they have an inadequate small kitchen and inadequate small group gathering area relative to 25 plus people in the building. Therefore rooms will likely have small microwaves and refrigerators - fire hazards and an impact on air quality.

Furthermore, the SUD purports to exempt the project from open space and parking requirements otherwise expected of housing developers. However, there is no discussion of the potential impact that these exemptions will have on the environment.

Normally, social effects caused by a project are not subject to review under CEQA and would only be addressed in a CEQA document if they resulted in indirect impacts to the physical environment. However, in recent years, court cases have held that when there is evidence that the social and economic effects caused by a project could result in a reasonably foreseeable environmental impact, such as urban decay, this indirect effect must be analyzed under CEQA. The Cow Hollow Association believes that closing the tourist hotel and the potential for other commercial establishments to close as a result could create urban decay. The ND fails to address this issue.

Urban decay results from land use decisions that cause a chain reaction of store closures and long-term commercial vacancies, ultimately destroying existing neighborhoods and leaving decaying shells in their wake. Urban decay can be defined as, among other characteristics, multiple visible symptoms of physical deterioration that invite vandalism, loitering, and graffiti that is caused by a downward spiral of business closures and long-term vacancies.<sup>1</sup> It is undisputed that there is already boutique-hotel-turned-affordable-group-housing-center located a block away from the Project site (i.e., the Bridge Motel) which has become a source of serious concern to the City and the neighborhood. It was declared a "public nuisance" by the City Attorney and requires significant police and social service involvement on a daily basis. Significantly, the Project proposal admits that the Bridge Motel represents a significant source of concern for the neighborhood; however, the ND makes no assessment the potential impact of additional affordable-housing group homes in the area.

Additionally, under CEQA guidelines, the lead agency is required to consider the impact of the project on "public services" such as fire protection, police protection, parks, schools and other public facilities. Specifically, the lead agency must consider whether the project would result in substantially adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new governmental facilities, the

---

<sup>1</sup> The following urban decay analysis was included in the DEIR for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan EIR, November 2009 found at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=320>. This analysis focused on whether that proposed project would result in retailers closing which could in turn cause urban decay.

construction of which could cause significant impacts, *in order to maintain acceptable service ratio, response times or other performance objectives*. Anecdotal evidence suggests that the Project may have a potentially significant impact on the maintenance of acceptable service ratios, response times, or other performance objectives.

### **8. Noise Analysis Flawed**

The Environmental Assessment for the Project as a HUD-funded proposal (EA) identified exterior and interior noise levels in excess of HUD's standards by at least 26 dB, and found that the project is located in a Normally Unacceptable Noise Zone (EA, pp. 20-22). In order for the project to have adequately low interior noise levels, the EA recommends a series of noise mitigation measures. The ND also notes that the project is subject to noise levels not normally acceptable for residential uses, although understates exterior noise levels as 65-70dB, when, in fact, the EA reports measures noise levels in excess of 70dB. However, the findings in the ND should consider and adopt the findings set out in the EA and adopt all, not just some, of the mitigations proposed by EA.

### **9. Seismic (Geology and Soils) Analysis Flawed**

The ND identifies the need for additional seismic strengthening of the structure; however, rather than mandating mitigation measures, the ND relies upon voluntary seismic strengthening. "Voluntary" strengthening does not meet CEQA requirements for effective mitigation because it fails to require any actual mitigation. The ND takes the position that "According to the United States Geological Survey, the site is not within a liquefaction zone, so the potential impact for ground seismic shaking as a result of liquefaction is low." (p. 84-85) Rather than relying on any actual study of the structure's seismic safety, the ND simply defers any such analysis to post-approval inspections.

This is particularly problematic in light of the geotechnical report on file at the City for a project at 2395 Lombard Street, directly across Scott Street from the project site. That report found that "portions of the subsurface fill and dune sand are anticipated to liquefy below the groundwater table." The report states, "Approximately 16 soil samples from the fill and dune sand below the high water table were analyzed for potential liquefaction. Of these samples, about 40 percent liquefy during the design earthquake and 40 percent do not. The remaining 20 percent could potentially liquefy. It should be noted that the areas explored and tested are a fraction of the total volume of soil under the site. Thus, it is likely that portions of the site not directly tested will liquefy during the design earthquake." The report continues, "The hazard for the site from liquefaction is primarily sudden, vertical settlement of the ground surface. This settlement will occur in a chaotic pattern with greater settlements occurring in thicker deposits of liquefiable soils. Analysis of the site suggests that differential settlements as large as 5 inches (125 mm) could occur at the site during the design earthquake."

The 2395 Lombard Geotechnical Report also found potential hazards associated with seismic shaking. No analysis has been presented in the ND that shows whether the structure,

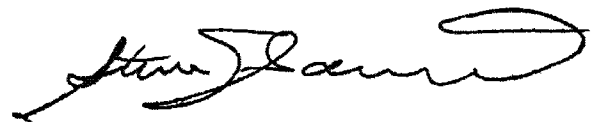
even with “voluntary” strengthening identified in the EA, would resist major failures under these stresses. Given the likelihood of liquefaction, hazards from strong seismic shaking, and complete failure of the ND to assess the suitability of the structure to resist these hazards, the ND’s conclusions are unsupported, at best. In fact, available evidence prepared by geotechnical engineers indicates the potential for a significant seismic hazard to project occupants. See, Miller Pacific Engineering Group, *Geotechnical Investigation, 2395 Lombard Mixed Use Project, San Francisco, California*, May 11, 2007.

#### **10. Hazardous Materials Analysis Flawed**

The HUD EA found that project construction could subject workers and residents to hazards from asbestos, PCB’s, and lead-based paints. The EA considers this impact potentially significant, and therefore identifies mitigation measures to assure that they are reduced to a less-than-significant level. The ND relies on sections of the California Health and Safety Code and the San Francisco Building Code to address asbestos and lead-based paint. Yet, unlike the EA, no specific commitments or procedures are discussed in the ND. In addition, the ND blithely concludes that because of the small size of the structure and limited potential for PCB-containing light fixtures, it is unlikely that the potential impact from PCB’s would be significant. This is an inadequate “analysis” in several ways: first, PCB’s can be hazardous in very low levels, undercutting the City’s “assessment”. Second, the City’s conclusions of non-significance are contradicted by the HUD EA, which concluded that “Byproducts of PCB combustion are known carcinogens and respiratory hazards” and “...PCB-containing ballasts] present in conjunction with fluorescent light fixtures are present at the project site.” The EA identified a number of specified specific “mitigation measures” to reduce the hazard. The need for these measures clearly indicates that there was possibility of a significant impact, especially in light of the young age of anticipated occupants.

In conclusion and based upon the foregoing, it is clear that the Project will have considerable individual and cumulative impacts on the neighborhood and the environment so as to mandate conducting a full EIR.

Very truly yours,



Steven L. Hammond  
Attorney for CHA

encl. Expert Report by Richard Grassetti  
Richard Grassetti CV

Planning Commissioners  
San Francisco Planning Department  
June 14, 2011  
Page 10

cc: Lori Brooke, President Cow Hollow Association  
John Millar, President Marina Community Association  
Alex Feldman, President Marina Merchants Association  
Patricia Vaughney, President Marina Cow Hollow Neighbors and Merchants  
Lesley Leonhart, President Union Street Merchants Association  
Andrea Contreras

## GRASSETTI ENVIRONMENTAL CONSULTING

City of San Francisco  
Planning Commission  
c/o Bill Wyco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

June 14, 2011

### **SUBJECT: REVIEW OF CEQA INITIAL STUDY/PRELIMINARY MITIGATED NEGATIVE DECLARATION FOR THE 3155 SCOTT STREET PROJECT**

Dear Commissioners;

Grassetti Environmental Consulting (GEC) has been retained the Cow Hollow Association to conduct a peer review of the City of San Francisco's Preliminary Mitigated Negative Declaration (MND), for the 3155 Scott Street Project. As GEC's principal, I have personally conducted this review. This review is based on my 30 years of experience preparing, reviewing, and teaching courses in California Environmental Quality Act (CEQA) documents and processes. My qualifications are included as an attachment to this letter. In addition to reviewing the IS/MND, I conducted a site visit and reviewed the City's previously prepared Certificate of Determination and the US Department of Housing and Urban Development's (HUD) National Environmental Policy Act (NEPA) Environmental Assessment (EA) for the proposed project. This review focuses on the adequacy of the preliminary MND. My review has identified several issues that appear to have been inadequately assessed or mitigated in the Preliminary MND. In addition, the MND should have undergone the full 30-day review, and not the shortened 20-day review.

#### **Environmental Issues**

**Noise and Health Risk:** The HUD EA identified exterior and interior noise levels in excess of HUD's standards by at least 26 dB, and found that the project is located in a Normally Unacceptable Noise Zone (EA, pp. 20-22). In order for the project to have adequately low interior noise levels, the EA recommends a series of noise mitigation measures. The City's Preliminary MND (pp. 51-52) also notes that the project is subject to noise levels not normally acceptable for residential uses, with exterior noise levels measured at between 67 and 80 dB. The MND states, "*Based on the measured noise levels, the project site is within the San Francisco Land Use Compatibility Guidelines for Community Land Use Category C, in which "new construction or development should generally be discouraged. If new construction or development does proceed, a detailed*

*analysis of the noise reduction requirements must be made, and needed noise insulation features included in the design.*" The MND goes on to say that a noise assessment prepared for the project identified a number of methods that would reduce noise to "acceptable" levels. The MND then relies on future review by the Department of Building Inspection to assure that project residents are not subject to unacceptably high noise levels. However, the MND fails to specifically require that these measures be implemented. Therefore the actual "mitigation" is deferred until after the project is approved by the Planning Commission and Board of Supervisors.

Further, the MND relies on residents keeping their windows closed at all times; in fact, sealed windows would be necessary to meet the City's noise standards. The MND acknowledges this on p. 19, stating, "*Because sound-rated windows need to be closed to meet interior noise level requirements, the proposed project would include an HVAC mechanical ventilation system*". Sealed windows also would be required to assure that health standards are met per Mitigation M-AQ-1. Yet the project Plan clearly shows opening balcony glass doors and/or windows, including openings necessary to access the fire escape system (see MND Figures 13 and 15). Therefore, the assumptions used to reduce noise and health risks to acceptable levels appear neither to be built into the project design nor even feasible given the need for external fire escapes.

With respect to construction noise impacts, the MND assumes that, because the project construction would comply with codes and ordinances, it would not have a significant impact. No evidence is provided to support that conclusion. In fact, the MND states that construction noise could reach 80dBA at a distance of 100 feet from the site, and that special permits could be obtained allowing higher noise levels. Closer receptors would be exposed to even higher noise levels. "*The Berkeley Keep Jets Over The Bay v. Board of Port Commissioners* decision explicitly states that compliance with a noise ordinance does not mitigate impacts to less than significant. The City's "analyses" fail to either adequately characterize the noise impacts to nearby residences or accurately assess the significance of this impact. This analysis indicates that there is a potential for a significant impact. Therefore, the MND should identify potential sensitive receptors, assess impact to them, and identify concrete, verifiable mitigation measures.

**Geotechnical Issues:** The Preliminary MND includes a cursory analysis of geologic impacts. On the basis of a "broad brush" US Geological Survey map, the MND states, "the project is not in a liquefaction zone". In addition, rather than relying on any actual study of the structure's seismic safety, the MND simply defers any such analysis to post-approval inspections.

This is particularly problematic in light of the geotechnical report on file at the City for a

project at 2395 Lombard Street<sup>1</sup>, directly across Scott Street from the project site. That report found that “portions of the subsurface fill and dune sand are anticipated to liquefy below the groundwater table.” The report states, “Approximately 16 soil samples from the fill and dune sand below the high water table were analyzed for potential liquefaction. Of these samples, about 40 percent liquefy during the design earthquake and 40 percent do not. The remaining 20 percent could potentially liquefy. It should be noted that the areas explored and tested are a fraction of the total volume of soil under the site. Thus, it is likely that portions of the site not directly tested will liquefy during the design earthquake.” The report continues, “The hazard for the site from liquefaction is primarily sudden, vertical settlement of the ground surface. This settlement will occur in a chaotic pattern with greater settlements occurring in thicker deposits of liquefiable soils. Analysis of the site suggests that differential settlements as large as 5 inches (125 mm) could occur at the site during the design earthquake.”

The 2395 Lombard Geotechnical Report also found potential hazards associated with seismic shaking. No analysis has been presented in the MND that shows whether the structure, would resist major failures under these stresses. Instead, the MND impermissibly defers such assessment to a future Building Department review during plan check, which would occur well after the project is approved by the City. CEQA mandates that these issues be addressed prior to project approval, not *post hoc*.

Given the likelihood of liquefaction, hazards from strong seismic shaking, and complete failure of the MND to assess the suitability of the structure to resist these hazards, the MND's conclusions are unsupported, at best. In fact, available evidence prepared by geotechnical engineers indicates the potential for a significant seismic hazard to project occupants.

**Potential for Growth Inducement:** The proposed project requires, and is seeking the creation of a “Lombard and Scott Street Affordable Group Housing Special Use District.” This is, in effect, a spot zoning to allow the project to go forward at higher densities and reduced open space than currently permitted in this area. The City's approval of such a district could induce other building owners in the area to seek similar higher densities. This growth inducing potential should be evaluated in the IS/MND.

### **Review Period Issues**

The City chose to provide the public with a 20-day review period and not to provide the IS/MND to the State Clearinghouse and Planning Unit of the Governor's Office of Planning and Research (SCH). This shortened the required public review period of 30

---

<sup>1</sup> Miller Pacific Engineering Group, *Geotechnical Investigation, 2395 Lombard Mixed Use Project, San Francisco, California, May 11, 2007.*

days to 20 days. It is our opinion that this shortened review period potentially conflicts with CEQA requirements. The public review requirements for ND's are found in CEQA Guidelines Section 15073 *Public Review of Proposed Negative Declaration or Mitigated Negative Declaration* which state:

(a) The lead agency shall provide a public review period pursuant to Section 15105 of not less than 20 days. When a proposed negative declaration or mitigated negative declaration and initial study are submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 30 days, unless a shorter period is approved by the State Clearinghouse under Section 15105(d).

(b) When a proposed negative declaration or mitigated negative declaration and initial study have been submitted to the State Clearinghouse for review by state agencies, the public review period shall be at least as long as the review period established by the State Clearinghouse.

(c) A copy of the proposed negative declaration or mitigated negative declaration and the initial study shall be attached to the notice of intent to adopt the proposed declaration that is sent to every responsible agency and trustee agency concerned with the project and every other public agency with jurisdiction by law over resources affected by the project.

(d) Where one or more state agencies will be a responsible agency or a trustee agency or will exercise jurisdiction by law over natural resources affected by the project, or where the project is of statewide, regional, or areawide environmental significance, the lead agency shall send copies of the proposed negative declaration or mitigated negative declaration to the State Clearinghouse for distribution to state agencies.

As stated above in (d), when a state agency is a responsible or trustee agency or has jurisdiction over natural resources affected by a project, the lead agency must send copies of the IS/MND to the State Clearinghouse for distribution and the public review period is required to be 30 days, unless a shorter time period is approved by the SCH. In the case of this project, the state agencies that would normally be involved in a review of this CEQA document are:

- The State Office of Historic Preservation (OHP), which should have been given an opportunity to review the architectural historian's report on the potential architectural/historic significance of the building
- The Department of Toxic Substances and Control (DTSC), the Department of Occupational Safety and Hazards (Cal-OSHA), which should have been given the opportunity to review the hazardous materials assessment and Phase I assessment for adequacy.

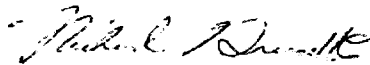


- The Bay Area Air Quality Management District (BAAQMD), which has been granted responsibilities under the California Air Resources Board and is a trustee agency, should have been provided the opportunity to review the health risk assessment, particularly in light of the facts that air quality impacts and mitigation were identified, and that project emissions were substantial enough to require a detailed health risk assessment be prepared under BAAQMD regulations and require mitigation.
- Caltrans, which has jurisdiction over on Lombard Street, which is a State Highway, should have been provided review opportunity over potential construction impacts on that street. The IS/MND states (p. 46), "At any time during the construction period there would be up to five construction trucks parked near the project site, on Lombard Street and on the surrounding streets" and "Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during nonpeak hours because of the greater numbers of vehicles on the streets during the peak hour." No mitigation is included in the IS/MND to reduce this impact; rather mitigation is deferred to some future meeting between the project contractors and the City's Transportation Advisory staff "to develop feasible measures to reduce traffic congestion". No consultation or coordination with Caltrans is proposed, nor are any actual mitigation measures identified in the IS/MND.

### **Conclusions**

In light of the above deficiencies, it is my professional opinion that the project may result in significant impacts, requiring either revision/recirculation of the IS/MND with expanded analyses and mitigation, or preparation of a focused EIR. If a revised IS/MND is prepared, it should be circulated to applicable state agencies for the CEQA-specified 30-day review period.

Sincerely;



Richard Grassetti  
Principal  
Grassetti Environmental Consulting

## Richard Grasseti

PRINCIPAL

**Expertise**

- CEQA/NEPA Environmental Assessment
- Project Management
- Geologic and Hydrologic Analysis

**Principal Professional Responsibilities**

Mr. Grassetti is an environmental planner with 25 years of experience in environmental impact analysis, hydrologic and geologic assessment, project management, and regulatory compliance. He is a recognized expert on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes, and has served as an expert witness on CEQA and planning issues. Mr. Grassetti regularly conducts peer review and QC/QA for all types of environmental impact analyses, and works frequently with public agencies, citizens groups, and applicants. He has managed the preparation of over 50 CEQA and NEPA documents, as well as numerous local agency planning and permitting documents. Mr. Grassetti has prepared over 200 hydrologic, geologic, and other technical analyses for CEQA and NEPA documents. He has analyzed the environmental impacts of a wide range of projects including ecological restoration projects, waste management projects, mixed-use developments, infrastructure improvements, energy development, military base reuse projects, and recreational facilities throughout the western U.S. In addition to his consulting practice, Mr. Grassetti regularly conducts professional training workshops on CEQA and NEPA compliance, and is a lecturer at California State University, East Bay, where he teaches courses on environmental impact assessment, among others.

**Professional Services**

- Management and preparation of all types of environmental impact assessment and documentation for public agencies, applicants, citizens groups, and attorneys
- Peer review of environmental documents for technical adequacy and regulatory compliance
- Expert witness services

## GRASSETTI QUALIFICATIONS

- Assisting clients in CEQA and NEPA process compliance
- Preparation of hydrologic and geologic analyses for EIRs and EISs
- Preparation of project feasibility, opportunities, and constraints analyses, and mitigation monitoring and reporting plans

### *Education*

University of Oregon, Eugene, Department of Geography, M.A., Geography (Emphasis on Fluvial Geomorphology and Water Resources Planning), 1981.

University of California, Berkeley, Department of Geography, B.A., Physical Geography, 1978.

### *Professional Experience*

- |              |  |
|--------------|--|
| 1992-Present | Principal, GECO Environmental Consulting, Berkeley, CA   |
| 1994-Present | Adjunct Professor, Department of Geography and Environmental Studies, California State University, Hayward, CA |
| 1988-1992    | Environmental Group Co-Manager/ Senior Project Manager, LSA Associates, Inc. Richmond, CA                      |
| 1987-1988    | Independent Environmental Consultant, Berkeley, CA   |
| 1986-1987    | Environmental/Urban Planner, City of Richmond, CA  |
| 1982-1986    | Senior Technical Associate - Hydrology and Geology - Environmental Science Associates, Inc. San Francisco, CA  |
| 1979-1981    | Graduate Teaching Fellow, Department of Geography, University of Oregon, Eugene, OR                            |
| 1978         | Intern, California Division of Mines and Geology, San Francisco, CA  |

**GRASSETTI QUALIFICATIONS**

***Professional  
and  
Certifications***

**Member and Past Chapter Director, Association of Affiliations  
Environmental Professionals, San Francisco Bay Chapter**

**Member, International Association for Impact Assessment**

## GRASSETTI QUALIFICATIONS

### *Publications and Presentations*

Grassetti, R. *Round Up The Usual Suspects: Common Deficiencies in US and California Environmental Impact assessments*. Paper Presented at International Association for Impact Assessment Conference, Vancouver, Canada. May 2004.

Grassetti, R. *Understanding Environmental Impact Assessment – A Layperson's Guide to Environmental Impact Documents and Processes*. (in press).

Grassetti, R. *Developing a Citizens Handbook for Impact Assessment*. Paper Presented at International Association for Impact Assessment Conference, Marrakech, Morocco. June 2003

Grassetti, R. *CEQA and Sustainability*. Paper Presented at Association of Environmental Professionals Conference, Palm Springs, California. April 2002.

Grassetti, R. and M. Kent. *Certifying Green Development, an Incentive-Based Application of Environmental Impact Assessment*. Paper Presented at International Association for Impact Assessment Conference, Cartagena, Colombia. May 2001

Grassetti, Richard. *Report from the Headwaters: Promises and Failures of Strategic Environmental Assessment in Preserving California's Ancient Redwoods*. Paper Presented at International Association for Impact Assessment Conference, Glasgow, Scotland. June 1999.

Grassetti, R. A., N. Dennis, and R. Odland. *An Analytical Framework for Sustainable Development in EIA in the USA*. Paper Presented at International Association for Impact Assessment Conference, Christchurch, New Zealand. April 1998.

Grassetti, R. A. *Ethics, Public Policy, and the Environmental Professional*. Presentation at the Association of Environmental Professionals Annual Conference, San Diego. May 1992.

Grassetti, R. A. *Regulation and Development of Urban Area Wetlands in the United States: The San Francisco Bay Area Case Study*. Water Quality Bulletin, United Nations/World Health Organization Collaborating Centre on Surface and Ground Water Quality. April 1989.

Grassetti, R. A. *Cumulative Impacts Analysis, An Overview*. Journal of Pesticide Reform. Fall 1986.

**GRASSETTI QUALIFICATIONS**

1986, 1987. Guest Lecturer, Environmental Studies Program,  
University of California, Berkeley.

## GRASSETTI QUALIFICATIONS

### REPRESENTATIVE PROJECT EXPERIENCE

#### CEQA/NEPA COMPLIANCE SEMINARS

Mr. Grassetti has conducted numerous CEQA and NEPA compliance seminars for entities including:

- Alameda County Waste Management Authority
- San Francisco County Transportation Authority
- West Bay Sanitary District
- North Coast Resource Management, Inc.
- Element Power Company
- Tetra Tech Inc.
- Impact Sciences Inc.
- Northwest Environmental Training Center (over 10 workshops)
- California State University East Bay (14 years teaching Environmental Impact Assessment)

#### PREPARATION OF CEQA/NEPA DOCUMENTS

***Salt River Ecosystem Restoration Project EIR.*** GEC Co is managing preparation of an Environmental Impact Report for the restoration of a large area of former marsh and open channel near Ferndale in Humboldt County. The project includes creation of a new seven-mile-long river channel and a 400-acre wetland restoration. Major issues include biological resources, land use, hydrology/flooding, and construction impacts (noise, air quality, traffic.). Client: Humboldt County Resource Conservation District.

***Aramburu Island Shoreline Protection and Ecological Enhancement Project Initial Study.*** Mr. Grassetti is managing preparation of an Initial Study for a proposal by the Audubon Society to stabilize the shoreline and improve bird and seal habitat on the 34-acre Aramburu Island site in Marin County. Major issues include biological resources, hydrology/flooding, and construction impacts. Client: Wetlands and Water Resources.

***Forward Landfill Expansion Project EIR.*** Mr. Grassetti is managing preparation of an EIR for a 170-acre expansion of the Forward Landfill in San Joaquin County. This is the third EIR that Mr. Grassetti, has prepared for this landfill over a period of 15 years. Major issues include air quality, health and safety, biological resources, and traffic. Client: San Joaquin County Community Development Department.

***San Francisco PUC WSIP Projects.*** Mr. Grassetti assisted in the preparation of the San Francisco Public Utility Commission's Water Supply Improvement Project Program EIR, as well as two other CEQA documents for smaller projects under that program. Major

## **GRASSETTI QUALIFICATIONS**

issues include hydrology, water supply, and fisheries. Client: Water Resources Engineering/Orion Associates.

**Parsons Slough Project CEQA Review:** Mr. Grassetto is managing preparation of an expanded Initial Study for a tidal sill (dam) project to reduce scour in Parsons Slough, an arm of the ecologically sensitive Elkhorn Slough. This IS may lead to either an EIR or Mitigated Negative Declaration. Major issues include fisheries, marine mammals, water quality, aesthetics, and construction issues (noise). Client: Vinnedge Consulting/Elkhorn Slough National Estuary Reserve.

**Hamilton Wetlands/Todds Road CEQA Review.** Mr. Grassetto managed preparation of the CEQA Initial Study for an alternative access road for truck traffic to the Hamilton Wetlands Restoration Project to reduce the project's potential noise impacts. Major issues included noise, biological resources, and cultural resources. Client: California State Coastal Conservancy.

**San Francisco Bay Water Trail Program EIR.** Mr. Grassetto assisted in the preparation of the EIR for a "water trail" for small non-motorized boats throughout San Francisco Bay. The project involves designation of 115 access sites as well as policies for stewardship and education. Major issues include disturbance of birds, marine mammals, water quality, historic resources, and wetlands. Client: California State Coastal Conservancy.

**Dutch Slough Restoration Project/Oakley Community Park EIR.** Mr. Grassetto managed preparation of the EIR for a 1400-acre wetland restoration and 80-acre community park on former diked lands in Oakley. Major issues include fisheries, water quality, historic architectural resources, and wetlands. Client: California State Coastal Conservancy.

**Vineyard RV Park Expansion Initial Study.** Mr. Grassetto managed preparation of the Initial Study for an expansion of a mobile home park in Solano County near Vacaville. Major issues included flooding, biological resources, and traffic. Client: Vineyard RV Park.

**Pinole Creek Restoration Project Initial Study.** Mr. Grassetto prepared the CEQA Initial Study for a 2.5-mile long creek restoration project in the City of Pinole. Major issues included biological resources, flooding, and water quality. Client: City of Pinole.

**Knobcone Subdivision Initial Study.** Mr. Grassetto managed preparation of an Initial Study for a 5-unit subdivision in Richmond. Major issues include geologic hazards and biological resources. Client: City of Richmond.

**Baxter Creek Restoration Project CEQA Consulting.** Mr. Grassetto assisted City of El Cerrito staff in the preparation of an Initial Study for the proposed Baxter Creek Restoration Project. Client: City of El Cerrito.



## GRASSETTI QUALIFICATIONS

***West of Fairview Subdivision Supplemental EIR.*** Mr. Grassetto managed preparation of a Supplemental EIR for a 700-unit residential development in Hollister. Major issues include traffic, biology, and utility services. Client: City of Hollister.

***American Canyon Initial Studies.*** Mr. Grassetto managed preparation of two initial studies for commercial and warehouse projects in the City of American Canyon. Major issues include traffic, biological resources, and geology. Client: City of American Canyon.

***Hampton Road Subdivision EIR.*** Mr. Grassetto managed preparation of a focused EIR for a 10-unit subdivision in the San Lorenzo area of Alameda County. Major issues include historic resources. Client: Philip Chen.

***Pelandale-McHenry Specific Plan.*** Mr. Grassetto prepared the Specific Plan for an 80-acre residential/commercial development in Modesto. Major issues included land use, traffic, and provision of adequate infrastructure. Client: Meritage Homes

***Monte Cresta Roadway Extension Initial Study.*** Mr. Grassetto prepared an Initial Study/Negative declaration for a roadway extension in San Juan Hills area of the City of Belmont. Major issues included slope stability and growth inducement. Client: City of Belmont

***Bethel Island Water Supply Project.*** Mr. Grassetto prepared an Initial Study for a proposed new water supply system for the community of Bethel Island in Contra Costa County. Major issues included growth inducement, archaeological resources, and biological resources. Client: Bethel Island Municipal Improvement District.

***San Francisco Bay Estuary Invasive Spartina Control Project EIR/EIS and Addendum.*** Mr. Grassetto managed preparation of the programmatic EIR/EIS on a plan to control invasive cordgrasses throughout the San Francisco Bay. Major issues included endangered species, visual resources, water quality, and human health and safety. Mr. Grassetto subsequently prepared an addendum for the addition of a new herbicide to the Spartina Control Program. Client: California State Coastal Conservancy.

***Aptos Sanitary Sewer Replacement Project Initial Study.*** Mr. Grassetto prepared an Initial Study for the replacement of a storm-damaged sanitary sewer pipeline in Santa Cruz County. Major issues included cultural resources and biological resources. Client: Harris and Associates.

***Eastern Dublin Specific Plan Supplemental EIR.*** Mr. Grassetto managed preparation of a Supplemental EIR for an 1100-acre mixed-use project in the City of Dublin. Major issues included traffic, biological resources, public services, noise, and air quality. Clients: Shea Homes and Braddock and Logan Services.

***Consolidated Forward Landfill Project EIR Update.*** Mr. Grassetto managed preparation of an EIR for the expansion and consolidation of the Forward Landfill and

## **GRASSETTI QUALIFICATIONS**

the Austin Road Landfill near Stockton, CA. Major issues include toxics, water quality, traffic, biological resources, and air quality. Client: San Joaquin County Community Development Department.

**Pleasanton IKEA Initial Study.** Mr. Grassetto prepared a Draft Initial Study for a proposed new 300,000 sq. ft. IKEA store in Pleasanton. Major issues included biology, traffic, and visual resources. Client: IKEA Corporation.

**Central Contra Costa Household Hazardous Waste Facility Studies:** Mr. Grassetto assisted Central Contra Costa Sanitary District staff in the preparation of a Planning Study and subsequent CEQA Initial Study on feasibility, siting, and environmental issues associated with the development of a Household Hazardous Waste collection program and facility in Central Contra Costa County. Client: Central Contra Costa Sanitary District.

**Southwest Richmond Flood Control Project IS.** Mr. Grassetto prepared the Initial Study and Mitigated Negative Declaration for a proposed flood control project in the City of Richmond. Client: City of Richmond.

**Wickland Oil Martinez Tank Farm Expansion Project EIR Management.** Mr. Grassetto served as an extension of City of Martinez Planning Department staff to manage all aspects of the preparation of the CEQA review for a 2,000,000-barrel expansion at Wickland's Martinez oil storage terminal. We prepared the NOP, RFP, assisted in consultant selection, and managed the consultant preparing the EIR on this project. Client: City of Martinez.

**Austin Road Landfill Expansion Project EIR Update.** Mr. Grassetto prepared an Initial Study and Supplemental EIR updating a 1994 EIR for the expansion of the Austin Road Landfill near Stockton, CA. Major issues include water quality, traffic, biological resources, and air quality. Client: San Joaquin County Community Development Department.

**Wayside Road Sewer Expansion Initial Study.** Mr. Grassetto prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Wayside Road area of Portola Valley. Client: West Bay Sanitary District

**Los Trancos Woods Sewer Expansion Initial Study.** Mr. Grassetto prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Los Trancos Woods area of Portola Valley. Client: West Bay Sanitary District

**Arastradero Road Sewer Expansion Initial Study.** Mr. Grassetto prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Arastradero Road area of Portola Valley. Client: West Bay Sanitary District

**Lower Orinda Pumping Station Initial Study/Negative Declaration.** Mr. Grassetto prepared an Initial Study/Negative Declaration for renovating or relocating a

## **GRASSETTI QUALIFICATIONS**

wastewater pumping plant in Orinda, CA. Client: Central Contra Costa Sanitary District.

**Shell Martinez Breakout Tanks Project Initial Study.** Mr. Grassetto prepared an Initial Study for two proposed new wastewater storage tanks at Shell's Martinez Manufacturing Complex. Major issues included air quality, odors, and visual impacts. Client: City of Martinez.

**Shell Martinez Biotreater Facility Initial Study.** Mr. Grassetto prepared the Initial Study/Negative Declaration for a proposed new biotreater facility for Shell's Martinez Manufacturing Complex wastewater treatment plant. Major issues included water quality, wetlands, growth-inducement, and cumulative impacts. Client: City of Martinez.

**Vallejo Solar Power Plant Initial Study.** Mr. Grassetto prepared a CEQA Initial Study/Negative Declaration for a proposed photovoltaic array intended to power a water pumping plant in the City of Vallejo. Major issues included land use compatibility and visual quality. Client: City of Vallejo.

**Ranch on Silver Creek CEQA Consulting.** Mr. Grassetto prepared the Mitigation Monitoring and Reporting Program and other CEQA compliance tasks for a large residential/golf course project in San Jose. Client: Sycamore Associates.

**Morgan Hill Ranch Initial Study Analyses.** Mr. Grassetto prepared the Hydrology, Geology, and Hazardous Materials analyses for the Morgan Hill Ranch Mixed Use Project Initial Study. Client: Wagstaff and Associates.

**East Bay MUD Water Conservation Study.** Mr. Grassetto conducted the field portion of a major water conservation survey for the East Bay MUD service area. Client: Water Resource Engineering.

**East Bay MUD Pipeline CEQA Analyses.** Mr. Grassetto prepared technical analyses for two EIRs regarding proposed new East Bay MUD pipeline in Sacramento, San Joaquin, and Calaveras Counties. Client: Uribe & Associates.

**Sunnyvale Landfill Power Plant CEQA Initial Study.** Mr. Grassetto prepared an Initial Study for a proposed landfill gas-fueled power plant at the Sunnyvale Landfill in Santa Clara County. Recommendations for mitigation and further environmental review were prepared. Client: 3E Engineering.

**Fremont Redevelopment Project Hydrologic Analysis.** Mr. Grassetto prepared the hydrology section for an environmental impact report for four redevelopment projects in Fremont. Client: Wagstaff and Associates.

## GRASSETTI QUALIFICATIONS

***Ostrom Road Landfill Hydrologic Analysis.*** Mr. Grassetti prepared the hydrology section for an environmental impact report on the proposed vertical expansion of an existing Class II landfill in Yuba County. Client: ESA Associates.

***Pinole Portion of the Bay Trail Hydrologic, Geologic, and CEQA QA/QC Analyses.*** Mr. Grassetti prepared the hydrologic and geologic analyses for a CEQA Initial Study on a half-mile segment of the Bay Trail in the City of Pinole. Mr. Grassetti also provided CEQA process consulting services on this project. Client: Placemakers.

***Kennedy Park Master Plan Hydrologic and CEQA QA/QC Analyses.*** Mr. Grassetti prepared the hydrologic analyses for an environmental impact report on a proposed park master plan in the City of Napa. Client: Placemakers.

***U.S. Navy Bay Area Base Closure and Re-Use Environmental Studies.*** Mr. Grassetti assisted in the NEPA/CEQA review process for US Navy Base Closures and Re-Use for the San Francisco Bay Area. Work tasks include CEQA compliance overview, internal peer review, quality control reviews, and preparation of technical analyses. Specific projects are summarized below:

***Mare Island Naval Shipyard EIR/EIS Studies.*** Mr. Grassetti prepared the hydrology section of the EIR/EIS on the shipyard closure and reuse program, conducted a peer review of the geology section, and conducted QA/QC review of the entire EIR/EIS. Client: Tetra Tech, Inc.

***Oak Knoll Naval Medical Center EIR/EIS Studies.*** Mr. Grassetti conducted a CEQA/NEPA quality control and peer review of the EIS/EIR prepared for disposal and reuse of the Oak Knoll Naval Medical Center EIS/EIR in the City of Oakland. Client: Tetra Tech, Inc.

***NAS Alameda EIR/EIS Studies.*** Mr. Grassetti prepared the hydrology section of EIR/EIS on reuse of the Naval Air Station, conducted a peer review of the geology section, and conducted QA/QC review of the entire EIR/EIS. Client: Tetra Tech, Inc.

***Naval Station Treasure Island EIR/EIS Studies.*** Mr. Grassetti prepared the hydrology section of the EIR/EIS on reuse of Naval Station Treasure Island, conducted a peer review of the geology section, and conducted QA/QC review of the entire EIR/EIS. Client: Tetra Tech, Inc.

***Hunters Point Naval Shipyard EIR/EIS.*** Mr. Grassetti assisted in the responses to comments and peer review of the EIR/EIS for the Hunters Point Naval Shipyard in San Francisco. Client: Uribe and Associates.

***Naval Fuel Depot Point Molate.*** Mr. Grassetti conducted overall internal peer reviews of several drafts of the EIR/EIS for reuse of the former Naval Fuel Depot

**GRASSETTI QUALIFICATIONS**

Point Molate in Richmond, CA. In addition, he prepared the Noise, Socioeconomics, and Cultural Resources sections of the EIS/EIR. Client: Uribe and Associates.

## GRASSETTI QUALIFICATIONS

### CEQA/NEPA PEER REVIEW AND EXPERT WITNESS CONSULTING PROJECTS

***Jackson State Forest CEQA Review.*** Mr. Grassetti prepared a detailed analysis of the CEQA adequacy of the California Department of Forestry's EIR on a new management plan for the 40,000 acre Jackson State Forest. Major issues included forestry practices, water quality, and biological resources. Client: Dharma Cloud Foundation

***Los Angeles Airport Arrival Enhancement Project Environmental Assessment NEPA Peer Review.*** Mr. Grassetti prepared a peer review and expert declarations regarding the adequacy of the NEPA Environmental Assessment for rerouting of flight paths for aircraft arriving at Los Angeles International Airport. Major issues included adequacy of assessment of noise effects on traditional cultural practices of the Morongo Band of Mission Indians. Client: Law Offices of Alexander & Karshmer.

***St Mary's College High School Master Plan Peer Reviews.*** Mr. Grassetti conducted peer reviews of two Initial Studies for proposed expansions of a high school. Major issues included noise and traffic. Client: Peralta Perk Neighborhood Association.

***Lawson's Landing EIR Peer Review.*** Mr. Grassetti conducted detailed peer reviews of numerous CEQA documents for the proposed master plan for the Lawson's Landing mobile home park and campground in Marin County. Client: Environmental Action Committee of West Marin.

***Coaches Field Initial Study Peer Review.*** Mr. Grassetti conducted a peer review of a proposed lighted ballfield project in the City of Piedmont. Mr. Grassetti's review resulted in the Initial Study being withdrawn and an EIR being prepared. Client: Private Party.

***Metropolitan Oakland International Airport Development Plan Environmental Impact Report CEQA Review.*** Mr. Grassetti performed a critical review and assisted in the preparation of comments and ultimately successful litigation regarding the proposed expansion of Metropolitan Oakland International Airport. Major issues included noise, cumulative impacts, and alternatives selection/analyses. Client: Law Office of John Shordike.

***San Francisco International Airport Environmental Liaison Office Consulting.*** MR. GRASSETTI conducted various internal peer review tasks associated with environmental studies being prepared for SFIA's proposed runway expansion. Client: LSA Associates, Inc.

***El Cerrito Lumber Yard CEQA Peer Review.*** Mr. Grassetti conducted an internal peer review for an Initial Study on a controversial parcel in the City of El Cerrito. Client: City of El Cerrito.

***Sausalito Marina CEQA Critique.*** Mr. Grassetti prepared a peer review and critique of an EIR for a proposed new marina in Sausalito. Client: Confidential

## GRASSETTI QUALIFICATIONS

***Sausalito Police and Fire Station CEQA Critique.*** Mr. Grassetto prepared a peer review and critique of an EIR for a proposed new public safety building in Sausalito. Client: Confidential

***Napa Verison Tower CEQA Critique.*** Mr. Grassetto conducted a peer review and critique for a cellular telephone tower in the City of Napa. Client: Confidential.

***Morongo Mining Projects Environmental Reviews.*** Mr. Grassetto provided CEQA, NEPA, and technical consulting to the Morongo Band of Mission Indians regarding two aggregate mines adjacent to their reservation in Riverside County, CA. Client: Law Office of Alexander & Karshmer.

***Napa Skateboard Park Peer Review.*** Mr. Grassetto conducted a peer review and critique for a neighborhood association on a proposed skateboard park in the City of Napa. Client: Confidential.

***Headwaters Forest Project EIR/EIS Review.*** Mr. Grassetto conducted an expert review of the CEQA and NEPA adequacy and technical validity of EIR/EIS on the Headwaters Forest Habitat Conservation Plan, Sustained Yield Plan, and land purchase. Clients: Environmental Law Foundation; Environmental Protection and Information Center, and Sierra Club.

***Global Photon Fiber-Optic Cable EIR Peer Review.*** Mr. Grassetto assisted in a third-party peer review of an EIR on a proposed offshore fiber-optics cable. Client: Tetra Tech, Inc., and California State Lands Commission.

***Coachella Valley Water Management Plan CEQA Peer Review.*** Mr. Grassetto assisted a consortium of Coachella Valley Indian Tribes in reviewing CEQA documents on the Coachella Valley Water Management Plan. Client: Consortium of Coachella Valley Tribes.

***Salton Sea Enhanced Evaporation System Initial Study/Environmental Assessment Peer Review.*** Mr. Grassetto reviewed the draft IS/EA for a spray project to evaporate excess return flow water from the Salton Sea. Client: Morongo Band of Mission Indians.

***Santa Rosa Home Depot CEQA Peer Review:*** Mr. Grassetto conducted a peer review and provided expert testimony regarding the adequacy of the Environmental Impact Report and associated technical studies for a proposed Home Depot shopping center in Santa Rosa. Client: Redwood Empire Merchants Association.

***Mitsubishi Mine CEQA Litigation Review.*** Mr. Grassetto conducted a review of legal briefs regarding the adequacy of CEQA analyses for a proposed mine expansion in San Bernardino County. Client: Law Offices of Thomas Mauriello.

***Alamo Gate Permitting Review.*** Mr. Grassetto performed a critical review and prepared expert testimony and correspondence regarding the adequacy of CEQA and land use

## GRASSETTI QUALIFICATIONS

permitting and studies for a proposed gate on Las Trampas Road, which would preclude vehicular access to a regional park staging area. Client: Las Trampas Trails Advocates.

*Cambria Condominiums Environmental and Planning Review.* Mr. Grassetto prepared expert reviews of the potential environmental effects and Local Coastal Plan compliance of a proposed condominium development in Cambria, San Luis Obispo County. Client: Law Office of Vern Kalshan.

*Mariposa County Planning Policy Reviews.* Mr. Grassetto conducted a review of proposed alterations to the Mariposa County General Plan for CEQA compliance. Client: Dr. Barton Brown.

*Gregory Canyon Landfill Environmental Processing Review.* Mr. Grassetto was retained to review the environmental permitting and CEQA analyses for the proposed Gregory Canyon Landfill in northern San Diego County. Procedural issues include landfill siting requirements and CEQA process compliance. Technical issues include cultural resources, hydrology, endangered species, traffic, and health and safety. Client: Law Offices of Alexander & Karshmer and Pala Band of Mission Indians.

*Otay Ranch Development CEQA Review.* Mr. Grassetto prepared an expert review of the Environmental Impact Report for the 23,000-acre Otay Ranch project in San Diego County in connection with ongoing litigation. Major issues were CEQA compliance, compliance with the California planning process, biological impacts, cumulative impacts, and alternatives. Client: Law Offices of Charles Stevens Crandall.

*Punta Estrella Chip Mill Environmental Report Compliance Review.* Mr. Grassetto prepared a review of a proponent's environmental report for a proposed wood chip mill in Costa Rica to determine compliance of documentation with U.S. environmental standards and policies. Major compliance issues included US Clean Air Act and Clean Water Act standards, NEPA standards, and adequacy of overall impacts analysis. Client: Scientific Certification Systems.

*Carroll Canyon Burn Facility CEQA Compliance Review.* Mr. Grassetto prepared a CEQA process review for a proposed Negative Declaration on a planned contaminated-earth burning facility in the City of San Diego. Client: Law Offices of William Mackersie.

*Monterey Bay Marine Lab CEQA Compliance Review:* Mr. Grassetto assisted attorneys in review of a CEQA Negative Declaration, NEPA Environmental Assessment, and associated documents for the relocation of the Monterey Bay Marine Laboratory. Issues included the effectiveness of mitigation to cultural and biological resources, the appropriateness of the Negative Declaration versus an EIR, and other CEQA issues. Client: Law Offices of Alexander & Karshmer.

*Monterey Ground Water Ordinances CEQA Compliance Review.* Mr. Grassetto provided expert CEQA consulting services to attorneys regarding the appropriateness of Monterey



## GRASSETTI QUALIFICATIONS

County's CEQA processing of proposed ground water ordinances. Client: Salinas Valley Water Coalition.

***Jamestown Whistlestop CEQA Adequacy Review.*** Mr. Grassetto performed an expert review and assisted in successful litigation regarding an Initial Study for a proposed mini mall in Jamestown, Tuolumne County. Client: Law Offices of Thomas Mauriello.

***Sunrise Hills Environmental Impact Report Peer Review.*** Mr. Grassetto performed a critical review of the applicability of the EIR for a proposed 200-unit residential development in Sonora, Tuolumne County. Major issues include grading, erosion, water quality, biological impacts, and visual quality. Client: Sylva Corporation.

***Sonora Crossroads Shopping Center Environmental Impact Report Review.*** Mr. Grassetto performed a review of an EIR for a major new shopping center in Sonora, Tuolumne County. Major issues included geologic and hydrologic impacts. Findings were presented to the Sonora City Council, and pre-litigation assistance was provided. Client: Citizens for Well Planned Development.

***Blue Oaks Residential Development CEQA Studies Review and Critique.*** Mr. Grassetto performed several tasks related to a proposed residential development in western Tuolumne County. Tasks included review of County CEQA procedure, review of Initial Study, review of Draft EIR, and coordination with attorneys. Client: Western Tuolumne County Citizens Action Group.

***Yosemite Junction Project CEQA Review.*** Mr. Grassetto prepared a review and critique of a proposed Negative Declaration for a 40-unit outlet mall in Tuolumne County, California. The Negative Declaration was subsequently denied and the project application rescinded. Client: Sylva Corporation.

***Sonora Mining Corporation CEQA Review/Expert Witness Services.*** Mr. Grassetto conducted a review and critique of CEQA compliance for the proposed expansion of Sonora Mining Corporation's Jamestown Gold Mine in Tuolumne County, California. Client: Law Office of Alexander Henson.

***Save Our Forests and Rangelands Expert Review and Witness Services.*** Mr. Grassetto provided expert review, consulting services, and expert witness testimony on CEQA issues for a successful legal challenge to an EIR and Area Plan for 200,000 acres in the Central Mountain Sub-region of San Diego County. Client: Law Offices of Milberg, Weiss, Bershad, Specthrie, & Lerach.





Marina Community Association  
1517 North Point Street, Box 571  
San Francisco, CA 94123

June 14, 2011

Andrea Contreras  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**Re: Case No. 2010.0420E – 3155 Scott Street**

Andrea:

I am contacting you in response to the Planning Department's intent to adopt a Mitigated Negative Declaration on the project located at 3155 Scott Street (aka: King Edward II Inn). The Marina Community Association has reviewed the Preliminary Mitigated Negative Declaration and feels strongly that the evaluation of potential environmental impacts is insufficient. We encourage the Planning Department to require a comprehensive Environmental Impact Report (EIR) to better evaluate the potentially damaging environmental impacts generated by this project.

1. **Historical Context** – There is substantial conflicting information about the historical significance of the King Edward II Inn. While there is little disagreement that this building was originally constructed to support the Pan-Pacific Exposition – a notable historic milestone in San Francisco – the preliminary evaluation of the structure suggested that the building had been substantially remodeled. However, documentation provided by the City of San Francisco indicates that the building has NOT be modified and as such MAY qualify as a historic landmark. A comprehensive EIR is necessary to fully evaluate the historic significance of this building, and to ensure that the historic value is not lost in the eagerness to push this project forward.
2. **Housing Density** – The proposed housing density represents a substantial increase over the allowable guidelines for affordable housing under both City and State law. Current NC-3 zoning would allow 6 full-time residential units or up to 16 units of group housing on a parcel of this size. State guidelines also allow for an affordable housing bonus density of an additional 35%; which would increase the allowable density to 8 full-time units or up to 21 units of group housing. The proposal to create 25 units at this location clearly requires additional evaluation to ensure that the resulting project does not contribute to “urban blight”. Furthermore, it is inconceivable that 25 residents could legitimately share a 73 square foot kitchen and 340 square foot dining area and project proponents have not proposed any type of meal plan; contradicting even the most basic requirements of group housing. As a result, the legitimate limitation on this structure, even allowing for an affordable housing bonus density, should be no more than 8 units. A full EIR must be conducted to evaluate the impact of a population density that is in excess of 3 times the allowable limit.

The MCA, an association of over 500 residents in the vicinity of this project, formally requests that you require a comprehensive EIR on this project to better understand the potentially damaging impacts to our environment. I appreciate your time and consideration in this matter.

Kind Regards,

John Millar  
President, Marina Community Association



Howard & Pamela Squires  
2436 Greenwich St. #5  
San Francisco, CA 94123

Andrea Contreras  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, California 94103

September 14, 2011

**Re: 3155 Scott Street, Edward II Hotel, Case #2010.0420E**

Dear Ms. Contreras:

The purpose of this letter is to voice our concerns with regards to the significant environmental negative impacts the proposed public housing project, (the "Project") will have on the area. We are requesting that the concerns raised in this letter be made part of the record. Further, we believe that a complete Environmental Impact Report (EIR) be conducted before the Project moves forward. The concerns raised by the numerous neighbors and neighborhood groups regarding density, parking, rear yard setback, open space, handicap accessibility, citizen safety, historical sensitivity and a myriad of other factors should require that a full EIR be conducted.

**Degradation of Neighborhood**

In approximately March of 2010 we completed the construction of a new mixed use condominium project directly across the street from the Edward Hotel consisting of 12 residential units, including one below market rate unit and 3 commercial units. Since that time we have attempted to sell the market rate residential units with much difficulty. To date, we have been able to sell only 4 units and then only after considerable price reductions. California law requires that we disclose to any potential buyers significant changes proposed to the neighborhood. The disclosure of the proposed affordable housing project at 3155 Scott St. has caused us to lose numerous sales and in turn significant financial losses on the project have resulted. In our experience, buyers do not want to live next to a project with the proposed age group (18-24 years) which, has no drug free requirement, no work or school requirement, an open overnight guest policy, inadequate supervision and head counts that can legally reach 48 or more. As property owners in the area, we believe that the 3155 Scott project has a potential to degrade the neighborhood and significantly reduce property values. There are already vacant store fronts in this block. Further, it has effected our ability to attract commercial tenants in the three new spaces developed as part of our project. We have evidence of this in the form of written escrow cancelations for our condos.

**Project Plans**

The project plans included in the Preliminary Mitigated Negative Declaration (PMND) are not current. The most recent plans dated May 5, 2011 include the full use of the basement area with an elevator. It appears that the elevator will require substantial excavation below basement grade and may include a roof pent house to access the top residential floor.

### **Project Density**

The project should be evaluated based on the planning code for group housing which allows for two (2) beds per room. The PMND evaluation considers only one (1) bed per room. This would appear to be a significant difference in environmental density effect. The project provides for no rear yard and no open space and requests an increase in density under a special use district zoning. At a minimum, this request for rezoning can be approved only when the neighborhood receives some benefit and finds the project desirable. A group of neighbors has collected and submitted to the Mayor's Office of Housing and to the Mayor over 130 signatures in opposition. This alone should deny the request for increased density. Every neighborhood community and business organization in the Cow Hollow/Marina area has written a letter to the Mayor and to the Mayor's Office of Housing in opposition to this project.

### **Significant Increased Crime and Related Police Demand**

Of significant concern to us is the effect this project will have on neighborhood safety. Following comments at public meetings by Captain Ann Mannix of Northern Police Station and other police officers, it became apparent that this project will bring increased crime and trouble to our neighborhood. The possibility of increased crime was also reluctantly voiced by Douglas Shoemaker, Director, Mayor's Office of Housing at a public meeting regarding the project held by the Marina Community Association at Claire Lilienthal School. I conducted my own research in this area to determine what real effects this project might have on the neighborhood. I contacted Gail Gilman, at Community Housing Partnership the project sponsor and Sherilyn Adams of Larkin Street Youth Services (LSYS). They directed me to a similar project at 864 Ellis Street, between Van Ness and Polk in San Francisco. The project houses 24 Transitional Age Youth (TAY) ages 18-24 years in a group housing setting with LSYS providing services. This is the only project I am aware of in San Francisco of its size housing the same proposed population as the Edward Inn proposal. Of course there are many other group housing facilities in San Francisco, but they all include mixed age groups or much smaller population counts than that proposed for the Edward. The Ellis project is very similar to the Edward proposal except that it is a much larger building, with kitchens in each unit and fully handicap accessible. I interviewed neighbors on the street who overwhelmingly protested its existence. They said the residents were very loud, constantly congregating on the sidewalks and smoking, smoking pot, public intoxication, public urination, fights, garbage, etc. The business neighbor immediately east of the facility said that there were several prostitutes who lived in the building and who used the facility as their home base. Pimps would come and pick them up to do outcalls. The gentlemen said he new this for a fact. He said "I'm here every day, I know what's going on". One neighbor said that the 864 Ellis facility was the worst thing that ever happened to the neighborhood. I followed up with a request to the San Francisco Police Department as to their service calls to 864 Ellis. There were approximately 100 calls in a 2 year period which run the gambit. I have attached the reports to the back of this letter. The answer is clear. To house 24 TAY in one building with one manager does not work. The better choice would be smaller, scattered site housing for this group with no more that 8-10 TAY under one roof. We do not want more trouble on Lombard Street and in the neighborhood. We already have are hands full with the Bridge Motel residents and many of the residents of Lombard street motels.

### **Substantially Increased Traffic Congestion**

The Project will disrupt traffic flow in the area along the Lombard corridor and the adjacent side streets due to the large number of trips generated by the increased population density of this parcel. The nature of the proposed project with drop-in counseling services, shared kitchen for 25 or more persons will create traffic and congestion. The Project has made no accommodations for loading and unloading program residents, non-resident program participants, service providers, food delivery or garbage and recycling pickup. Where will the garbage be stored or placed for 25 or more full time residents? Where will deliveries be made? The site is too small and the use too intensive for the proposed activity levels. These issues warrant further review through an Environment Impact Report and traffic study. The project sponsor says the young adults housed at the facility will be attending school. The only college nearby is City College of San Francisco at Fort Mason. Art classes are the only course of study. In order to receive an AA degree the students will need to travel to the main campus. This facility could not be located further from CCSF on Ocean Avenue. It will take students most of the day to commute back and forth. The suggested number of visitors to the site is greatly underestimated at two (2) per day. The 18-24 year age group is the most social of all and will generate far more visits than has been suggested.

### **Neighborhood Parking**

Parking in the area is already extremely scarce, especially on the weekends and holidays due to increased demand for parking to service shopping and dining along Chestnut Street. Double parking is already a problem and cars circle the block looking for an available street space, which further congests traffic in the area. This neighborhood is comprised of many tenants who park on the street due to very little available onsite parking. There is no parking available onsite for the Project and literally no available street parking, currently. This will have negative impacts on existing tenants, property owners and businesses in the area. Also, we are concerned for pedestrian and bicycle safety around this extremely busy traffic area. Your report indicates that proposed parking will be comparable to the demand generated by the hotel. This is incorrect in that guests staying at the hotel know in advance that there is no parking and mostly arrive without cars. The new proposed use will generate significant increased parking demand.

### **Transit**

Due to the age of the population (18-24), we believe that negative strain will be placed on public transportation. This is a very mobile age group that tend to generate lots of trips to and from the property. They have friends and guest which will add to the demand. The impact on public transportation needs to be addressed. Many of the current residents rely on Muni in their daily life. Additional buses may be needed to accommodate this significant increase in demand, which will further congest the area.

### **Public Sidewalk Congestion**

The Project will result in overcrowding, loitering, and may attract criminal activity along Scott and Lombard Street. To warehouse these large numbers of youth in the Project without ANY outdoor space except the public sidewalk is unthinkable. The neighbors will be subjected to constant assault due to smoking on the sidewalk in front of the building. This will impede pedestrian passage down to Chestnut Street and create a greater risk to people crossing at Lombard Street due to this congestion.

### **Age and Condition of the Building**

#### ***1) Fire Protection Environmental Issues:***

We are very concerned that because of the age of the building that fire support systems may not be adequate for the proposed occupancy numbers. The Project does not appear to have a required Emergency Fire Exit plan. Are there plans to install a fire safety system? With increase occupants and a single stair exit, there is potential for people being trapped in a fire. It is my understanding that the project sponsors will allow smoking in the individual rooms. This project will place added strain on Fire services to the area and must be addressed.

#### ***2) Public Water/Sewer Issues:***

The sewer system along this block gets overwhelmed during high rains and has caused prior property damage to the existing motel and restaurant properties up gradient from the Project. We believe that a study of the existing sewer system capacity be done to verify that the increase usage will not overwhelm the system causing additional damages to neighboring properties.

#### ***3) Earthquake Prone Building:***

The question of earthquake safety is important to residents and neighbors. There should be a study of the foundation to verify that it is not an unreinforced masonry foundation simply covered with concrete to mask the issues about earthquake safety in a publicly funded building. This building should be held to the same standards as privately owned buildings.

#### ***4) Americans With Disabilities Act (ADA Law):***

Publicly funded building should be held to the same standard as privately redeveloped buildings. It is our understanding that the building is not currently handicap assessable. Further, we understand that the project developers are requesting a handicapped hardship exemption. Fire safety precautions need to include dealing with the issue as it relates to disabled and able bodied tenants.

#### ***5) Air quality and Sound Issues:***

In order to meet the current zoning laws regarding sound and internal air quality, new window systems and fresh, or recirculated air supplies need to be addressed. The problem with sound infiltration in old buildings meeting current code requires that the exterior wall and interior walls be properly insulated to protect against noise pollution from the outside and to promote energy efficiency. A sound study will determine the extent of the renovation work required to meet health and safety requirements. We are concerned that to properly insulate for sound will require modifications to the exterior of the building and to the interior spaces making them even smaller.



**6) Noise impact on the neighbors:**

The Project will have significant impact on the surrounding neighborhood, especially on the evenings and weekends due to the social nature of young adults. This could put a strain on the other residents health due to loss of sleep. In addition, the proposed and required HVAC units on the roof may cause a significant change in noise to those neighbors in close proximity to the project.

**7) Historic Building Resource, Aesthetics:**

Modification of the existing building would destroy an historical building. Edward II Inn is associated with California's history and the Panama Pacific International Exposition. It is one of the few remaining building left from this era, along with the Palace of Fine Arts. Would any one in there right mind want to convert the use of the Palace of Fine Arts? This property has been a tourist hotel for almost 100 years. Also, it has close connections to the opening of the Golden Gate Bridge. The Edward II Inn is probably the only significant architectural feature along the Lombard corridor. The change of use is a public loss to the community and for tourists.

**Population Increase**

The Marina /Cow Hollow Area is an older population (39 ) within a residential area. The enormous increase in one age group will have substantial impacts on the neighborhood. The increased use of existing neighborhood parks will result in rapid deterioration, due in part that the Project site has no required backyard space, no outdoor space at all. The demand for new recreation facilities and parks will impact the residents and young families competing for use of the recreational facilities.

**Cumulative Impact**

This Project's cumulative impact on the public services and resources need to be taken into account. The close proximity to the Bridge Motel will change the character of this block and may result in negative outcomes for the youth being served because of the illegal nature of the activities at the Bridge Motel.

**Land Use Issues**

This NC-3 zoned Project is designed to be neighborhood servicing commercial businesses. The tourist hotel use generates a guaranteed income to the City in the form of room tax. The City will no longer enjoy this benefit from the property if the use is changed. The Project is surround by residential neighbors. The maximum density in NC-3 would limit the project to 16 rooms. The proposed project is applying for a special use district which would increase the intensity of use to 25 units. This number does not included the allowed sleep-over friends, which would double the amount of people. This density is a catastrophe waiting to happen.

**Institution Master Plan**

The cumulative impact on San Francisco should be of concern. The developer Community Housing Partnership is purchasing many properties with no institutional master plan on file with the planning department. CHP should be required to file this plan before allowing this project to move forward. It is my understanding that the arts school which currently occupies the Star Motel on Lombard is being required to provide such a plan.

In conclusion, I respectfully submit my comments to you and to the planning department and urge the planning department to prepare an Environmental Impact Report based on the substantial environmental concerns raised within this letter.

Yours truly,

Howard and Pamela Squires  
Cow Hollow Property and Business Owners

CC: Mayor Ed Lee  
Supervisor Mark Farrell

MAY 10 2010

May 10, 2010

Custodian of Records  
San Francisco Police Department

Re: 864 Ellis St., San Francisco, Ca  
Ellis St. Apartments

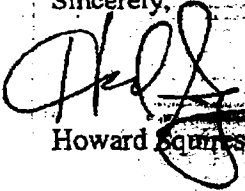
Via Fax 415/558-3869

To Whom It May Concern:

I requesting a report of "calls for service" to the above noted address for the period May 1, 2008 to April 30, 2010.

I can be reached at 415/233-2812 (cell) when the report is ready for pick up or if you have any questions.

Sincerely,



Howard Squires

Event History Summary

CERTIFIED COPY  
of original master file in the  
of Custodian of Records  
DO NOT DUPLICATE  
Dept. of Emergency Management  
City & County of San Francisco

CALL DISPAT  
ENTRY DATE TIME ENTRY TIME CLOSE PRIORI TY ORIG UNIT CH 1ST DISPOSTION LOCATION

81400199	5/19/08	01:39:28	01:46:35	C	415	3E6E	ADV	864 ELLIS ST	
81460750	5/25/08	05:39:46	07:45:11	A	852	3E11E	ADV	864 ELLIS ST	
81552296	6/3/08	15:16:53	15:43:01	A	222	3E43C	GOA	864 ELLIS ST	
81600555	6/8/08	03:13:19	03:45:07	B	905	3E11E	REP	864 ELLIS ST	
81650062	6/13/08	00:19:36	01:24:54	A	594	3E11D	HAN	864 ELLIS ST	
81794039	6/27/08	22:46:49	23:09:17	I	0	2R03E	ADV	864 ELLIS ST	
81813706	6/29/08	21:56:47	22:25:15	C	601	3E13D	HAN	864 ELLIS ST	
81924749	7/10/08	23:08:10	00:12:14	B	910	3E13D	HAN	864 ELLIS ST	
82254208	8/12/08	21:43:05	21:58:40	C	594	3E13E	CAN	864 ELLIS ST	
82260751	8/13/08	07:33:22	12:24:55	C	594	3E13A	HAN	864 ELLIS ST	
82380243	8/25/08	02:11:25	02:29:51	A	594	3E12E	HAN	864 ELLIS ST	
82390190	8/26/08	01:37:22	01:37:22	C	0		ND	864 ELLIS ST	
82510651	9/7/08	03:10:33	03:17:22	I	852	2R03E	ND	864 ELLIS ST	
82534312	9/9/08	22:38:02	23:52:39	A	418DV	3E13E	HAN	864 ELLIS ST	
82542487	9/10/08	15:21:28	15:23:47	C	916	3E11C	ADV	864 ELLIS ST	
82574371	9/13/08	21:27:54	21:52:56	B	910	3E13E	UTL	864 ELLIS ST	
82703321	9/26/08	18:12:10	18:29:13	A	594	3E13C	HAN	864 ELLIS ST	
82720562	9/28/08	03:04:57	03:43:28	C	415	3E16E	GOA	864 ELLIS ST	
82804174	10/6/08	22:08:15	22:13:15	I	912	3E15E	HAN	864 ELLIS ST	
82971952	10/23/08	12:39:37	12:47:36	A	910	3E3A	NOM	864 ELLIS ST	
83042212	10/30/08	14:36:28	15:54:52	C	917	5N37	HAN	864 ELLIS ST	
83114664	11/6/08	23:17:05	23:47:45	B	913	3F12E	HAN	864 ELLIS ST	
83120212	11/7/08	01:22:44	02:14:04	C	415	3E4E	GOA	864 ELLIS ST	
83123083	11/7/08	17:40:59	19:39:36	C	7A	3E12D	864 ELLIS ST		
83151940	11/10/08	13:26:03	13:27:47	C	585	4K1C	ADV	864 ELLIS ST	
83152449	11/10/08	15:20:54	17:42:59	C	594	3E13D	UTL	864 ELLIS ST	
83172191	11/12/08	13:50:38	17:26:37	C	459	3E13D	HAN	864 ELLIS ST	
83191703	11/14/08	12:17:53	13:05:08	B	1036	3E11C	UTL	864 ELLIS ST	
83221134	11/17/08	09:36:43	09:48:19	C	7A	5W3	HAN	864 ELLIS ST	
83460425	12/11/08	04:36:49	04:47:09	B	601	3E13E	GOA	864 ELLIS ST	
83581279	12/23/08	11:01:06	12:00:05	B	910	3E12A	HAN	864 ELLIS ST	
83661985	12/31/08	13:55:04	14:08:49	B	418		CANC	864 ELLIS ST	
90011359	1/1/09	06:01:52	06:03:55	B	809		CANC	864 ELLIS ST	
90222587	1/22/09	15:32:43	16:36:14	C	601	3E13C	GOA	864 ELLIS ST	
90260054	1/26/09	00:18:32	00:32:32	C	601	3E13E	GOA	864 ELLIS ST	
90310500	1/31/09	02:55:29	03:11:58	A	603	3E12E	NOM	864 ELLIS ST	
90311226	1/31/09	09:43:59	10:17:03	B	601	3E3A	HAN	864 ELLIS ST	
90372287	2/6/09	14:20:01	15:04:58	B	601	3E13C	HAN	864 ELLIS ST	
90442395	2/13/09	15:27:16	15:46:56	C	418	3E6C	UTL	864 ELLIS ST	
90551391	2/24/09	10:47:09	10:47:09	C	913		864 ELLIS ST		
90570174	2/26/09	01:03:54	01:19:38	C	415	3E12E	HAN	864 ELLIS ST	
90570216	2/26/09	01:26:45	01:34:05	A	240	3E12E	GOA	864 ELLIS ST	
90570382	2/26/09	03:03:34	04:04:03	A	221	3E12E	CANC	864 ELLIS ST	
90571861	2/26/09	13:03:12	13:45:12	B	650	3E12A	HAN	864 ELLIS ST	
90763251	3/17/09	17:41:58	17:56:41	B	917	3E13D	GOA	864 ELLIS ST	
9076350	3/17/09	17:59:47	18:04:49	C	917	3E13D	ADV	864 ELLIS ST	
90791331	3/20/09	09:47:49	10:34:22	B	650	3E1A	UTL	864 ELLIS ST	
90791566	3/20/09	10:38:27	14:06:49	B	650DV	3E1A	HAN	864 ELLIS ST	
90914355	4/1/09	22:51:55	23:44:10	B	240	3E12E	UTL	864 ELLIS ST	
90933727	4/3/09	20:23:19	20:28:44	C	601		CANC	864 ELLIS ST	
91042662	4/14/09	16:18:15	16:34:40	B	417	3E12D	ADV	864 ELLIS ST	

LOBBY

2F

3F

4E

3S

1A

40

2E

1A

407

2E

8

2F

2-A

2E

2E

2E

2E

2E

2E

2E

2E

2E

2E

2E

2E

2E

Event History Summary

CALL NO	CASE NO	ENTRY DATE	ENTRY TIME	CLOSE TIME	PRIORI TY	CALL	DISPAT	DISPOSI TION	LOCATION
						TYPE ORIG	CH 1ST UNIT		
91042854		4/14/09	17:01:44	17:36:12	B	418	3E13D	GOA	864 ELLIS ST
91042855		4/14/09	17:02:08	17:02:08	C	0			864 ELLIS ST
91140534		4/24/09	05:32:16	05:39:19	C	594	3E6E	ADV	864 ELLIS ST
91323340	90495342	5/12/09	19:19:53	00:58:09	A	1030	3E16C	HAN	864 ELLIS ST
91410142		5/21/09	00:45:18	00:51:20	B	418	3E13E	NOM	864 ELLIS ST
91480300		5/28/09	02:24:36	02:56:42	B	418	3E13E	GOA	864 ELLIS ST
91543920		6/3/09	20:45:20	21:06:00	B	910	3E16D	HAN	864 ELLIS ST 2D
91671951		6/16/09	13:46:07	14:55:37	C	7I	3X41A	HAN	864 ELLIS ST
91741063	90640854	6/23/09	09:47:59	10:38:15	B	905	3E13A	HAN	864 ELLIS ST 5E
91770503		6/26/09	05:29:51	05:52:48	C	488	2R03E	NOM	864 ELLIS ST
92083836	90764012	7/27/09	22:56:14	23:15:50	C	212	3E3E	REP	864 ELLIS ST
92201287		8/8/09	09:58:11	09:59:03	B	910	3E13A	CAN	864 ELLIS ST
92253923		8/13/09	22:06:31	22:12:50	C	917	3.00E+43	ADV	864 ELLIS ST
92302354		8/18/09	15:19:29	15:31:10	A	801	3E13C	HAN	864 ELLIS ST 3E
92513004	90925640	9/8/09	16:32:53	21:13:58	A	594	3.00E+77	HAN	864 ELLIS ST
92642075	90975554	9/21/09	14:19:43	16:05:27	C	917	3E38C	HAN	864 ELLIS ST
92682505		9/25/09	15:44:23	22:03:29	C	7I	3O12	HAN	864 ELLIS ST
92911247		10/18/09	09:24:59	09:24:59	C	916			864 ELLIS ST
92921171		10/19/09	10:07:00	10:40:21	C	10-7A	3E13A	HAN	864 ELLIS ST 3-E
92951591		10/22/09	12:13:43	12:55:22	C	601	3E4C	HAN	864 ELLIS ST 1A
93101349	91144922	11/6/09	10:38:30	11:34:35	C	7A	3O12	HAN	864 ELLIS ST 2E
93170450		11/13/09	03:20:56	04:16:19	C	415	#####	GOA	864 ELLIS ST
93410385		12/7/09	05:44:15	05:49:46	C	917	3.00E+43	HAN	864 ELLIS ST
93591935		12/25/09	17:42:31	18:39:38	A	240	3E13D	HAN	864 ELLIS ST
93620297		12/28/09	02:28:06	02:45:46	A	418DV	3E3E	NOM	864 ELLIS ST 5E
93631223		12/29/09	11:18:37	11:49:16	B	418	3E13C	HAN	864 ELLIS ST LOBBY
1E+08		2/1/10	02:17:21	02:35:36	C	915	3E11E	ADV	864 ELLIS ST
1E+08		2/17/10	02:40:06	02:44:25	C	917	3.00E+43	GOA	864 ELLIS ST
1.01E+08		2/20/10	01:27:48	01:42:59	A	602	3E13E	GOA	864 ELLIS ST 5E
1.01E+08		2/23/10	23:53:02	00:05:19	C	488	3E12E	HAN	864 ELLIS ST
1.01E+08	1E+08	2/26/10	13:59:50	16:16:32	A	602	3E13C	HAN	864 ELLIS ST 5D
1.01E+08		3/6/10	15:41:19	15:41:19	I	0			864 ELLIS ST
1.01E+08		3/6/10	15:46:06	16:16:25	B	601	3E3C	ADV	864 ELLIS ST
1.01E+08		3/9/10	22:23:05	22:40:51	B	601	3E12E	HAN	864 ELLIS ST 2F
1.01E+08		3/16/10	04:29:28	04:29:28	C	811			864 ELLIS ST
1.01E+08		3/16/10	04:34:09	04:46:30	B	811	3E11E	GOA	864 ELLIS ST
1.01E+08		3/20/10	10:53:02	10:53:02	C	917			864 ELLIS ST
1.01E+08		3/27/10	22:34:26	22:34:26	C	0			864 ELLIS ST
1.01E+08		3/28/10	20:18:36	20:42:29	C	916	#####	GOA	864 ELLIS ST
1.01E+08	1E+08	4/2/10	19:51:05	21:39:29	C	917	3E38A	HAN	864 ELLIS ST
1.01E+08		4/9/10	21:41:09	21:51:29	C	601	3E13E	HAN	864 ELLIS ST 4F
1.01E+08		4/18/10	17:42:56	17:44:09	C	917	3E38D	ADV	864 ELLIS ST
1.01E+08		4/21/10	10:57:41	10:57:41	C	0			864 ELLIS ST
1.01E+08		4/23/10	14:59:04	14:59:04	C	909			864 ELLIS ST
1.01E+08		4/24/10	15:13:25	15:37:20	B	917	3.00E+48	GOA	864 ELLIS ST
1.01E+08		4/25/10	01:13:40	01:20:28	C	415	3E12E	CAN	864 ELLIS ST
1.01E+08		4/25/10	09:34:24	09:34:24	C	488			864 ELLIS ST
1.01E+08	1E+08	4/25/10	12:52:07	16:54:10	B	470	3E16C	REP	864 ELLIS ST 2D
1.01E+08		4/28/10	20:13:48	20:31:42	A	487	3E14D	GOA	864 ELLIS ST

100 Alarm (Audible or Silent)

148 Resisting Arrest

152 Drunk Driver

187 Homicide

207 Kidnapping

211 Robbery

212 Strongarm Robbery

213 Purse/snatch

216 Shots Fired

217 Shooting

219 Stabbing or Cutting

221 Person with a gun

222 Person with a knife

240 Assault/Battery

243 Aggravated Assault/ADW

261 Rape/Sexual Assault

288 Sexual Assault (Victim under 15 yrs)

311 Indecent Exposure

400 Demonstration/Pickets

404 Riot

405 Citizen holding a prisoner

406 OFFICER NEEDS EMERGENCY HELP

407 Prisoner Transportation

408 Ambulance

409 Tow Truck

410 Requested assistance responding

415 Noise Complaint/Disturbing the Peace

416 Citizen Standby

417 Person ringing doorbells

418 Fight or Dispute (No weapons)

419 Fight with weapons (Specify the weapon)

420 Juvenile disturbance

459 Burglary

470 Fraud

487 Grand Theft

488 Petty Theft

496 Stolen Property

518 Vehicle Accident-No injury

519 Vehicle Accident-Injury

520 Aided Case

527 Downline

528 Fire

529 Explosion

530 Bomb Threat

531 Suspected explosive device

532 Suspicious Mailings

533 Possible Hazardous Material

583 Traffic Stop

586 Traffic congestion

587 Parking Violation

588 Driveway Violation

594 Malicious Mischief/Vandal

595 Malicious Mischief/Cruff

596 Abandoned Vehicle

600 Roadblock

601 Trespasser

602 Person breaking in

603 Prowler

646 Stalking

647B Prostitute

650 Threats

799 Senile Person

800 Mentally disturbed person

801 Person attempting suicide

802 Coroner's case

806 Juvenile beyond control

807 Missing Juvenile

809 Missing Person

811 Intoxicated person

819 Rolling of a drunk

851 Stolen vehicle

852 Auto boom/strip

853 Recovered stolen vehicle

901 Telephone rations/for other

902 Return to station

903 Passing calls

904 Meet an officer (non emerg)

905 Meet with a City/Public S

908 Muni Bus Inspection Prog

909 Interview a citizen

910 Check on well being

911 Broken window

912 Person dumping trash

913 Unknown type of complaint

914 Person down

915 Homeless related call for:

916 Suspicious person in a veh

917 Suspicious person

918 Person yelling/screaming t

5150 Mental Health Detention

DISPOSITIONS

ABA Abated

ADM Admonished

ADV Advised

ARR Arrested

CAV Cancelled

CIT Citation Issued

CRM Alarm-Criminal Activation

ILAN Assignment Handled

NCR Alarm-Non Criminal Activation

PAS Alarm-Premise Appears Secure

REP Report Made

VAS Alarm-Vehicle Appears Secure

10-22 Call Cancelled

NOM No Merit

GON Gone on Arrival

ND No Disposition Provided

UTL Unable to Locate

TO :San Francisco Planning Department

Attn: Bill Wyco

1650 Mission street –Room 400

San Francisco, California 94103

In reading the Intent for the Negative Declaration , We were and are disappointed in the Preliminary Negative Declaration for 3151-3155 Scott Street(0937-2470), San Francisco, California.

This appeal of the Preliminary negative Declaration for 3151-3155 Scott Street is based on the following

Issues:

#### **PUBLIC REVIEW PERIOD**

1.The S.F. Planning Department failed to notice with a procedural flaws of State and Federal Law in Noticing the above mentioned document. This document should be sent and noticed according to the law before appeals should be filed. **THUS the public is being denied the right to respond in a timely manner and conflicts with the CEQA Guidelines(15073 )**.

Due to the fact the 3151-3155 Scott Street is located on State Highway 101and there is knowledge of a major series of events scheduled for San Francisco with a multitude of parking and traffic issues over the next three years we believe that the State should be made aware of the significance of the impacts of parking and traffic. The Negative Declaration must follow CEQA Guidelines (15073)

**The San Francisco Environmental Department chose NOT to follow the CEQA by not sending the Preliminary Negative declaration for 3151-3155 Scott Street to the State Clearing house and Planning unit of the Governors' Planning and Research Unit(SCH)** This has denied the public to a 30 day response time and allowed the public only 20 days to respond. This shortened Review period simply conflicts with CEQA requirements.

#### **Section 15073 Public Review of a Proposed (Preliminary) Negative Declaration**

**(A)** The lead agency shall provide a public review period pursuant to section 15105 of not less than 20 days .When a proposed Negative Declaration or Mitigated Negative Declaration an initial study are submitted to the State Clearinghouse for review by the state agencies, the public review period shall be no less than 30 days, unless a shorter period is approved by the State Clearinghouse under section 15105(d).

**(B)** When a proposed Negative Declaration or Mitigated Negative Declaration and initial study have been submitted for review by state Clearinghouse for review by State agencies, the Public Review period shall be at least as long as the review period established by the State Clearinghouse.

(C) A copy of the proposed Negative Declaration or Mitigated Negative Declaration and initial study shall be attached by Notice of Intent to adopt the proposed declaration that is sent to every responsible agency and trustee agency concerned with the project and every other public agency with jurisdiction by law over resources affected by the project.

(d) Where one or more state agencies will be responsible agency or will exercise jurisdiction by law over natural resources affected by the project is of statewide, regional or area wide environmental significance, the lead agency shall send copies of the proposed negative declaration to the state clearinghouse for distribution to state agencies.

Page 2 – appeal of ed2

The DTSC and Cal-OSHA did not have the opportunity to review the air quality issues analyzed in the Preliminary Negative Declaration.\*\*\*Caltrans was denied the opportunity to evaluate potential construction impacts on Lombard Street which is State Highway 101.\*By electing not to provide the Negative Declaration to review the Historic Resources Evaluation prepared by this project and comment on its adequacy. The reasons for involving these agencies in this review for the Initial Study/Negative Declaration are further discussed in the CEQA issues below.

2. The Planning Department Failed to study the worst case scenario concerning this issue, they only addressed the best case scenario and their study is flawed by comparing apples and oranges in this case.

THE Planning Department made the analogy of comparing the existing Tourist Hotel number of rooms to the number of rooms for semi-permanent residential housing is not a valid argument. Tourist Hotel usually has between 60 to 80% occupancy and sometimes in bad economic times like we are enduring at the present time 40-50% at best, you simply cannot compare number of rooms. The studies did not take into consideration that tourists are touring the city most of the time. Residential housing people have a tendency to live in their apartments when there is time. Tourists usually do not have many guests in their rooms on a regular basis. Residential housing has guests on a regular basis.

**The Planning Department failed to study their own codes and guidelines concerning residential housing.**

The current number of housing units allowed at 3151-3155 Scott Street is six units according to the codes and according to the planning code 102.7 there must be only one kitchen per unit. The Project is 4 times what is allowed by the Planning Code and there is no kitchen per unit.(just a bedroom and bath).

The preliminary Negative declaration is not clear concerning whether this housing is rental( or permanent. The Planning Department simply was not presented a thorough study of the program



This study did not include whether Costa- Hawley Rental Housing Act is included in this Preliminary Negative Declaration. The Preliminary Negative Declaration also did not discuss whether this is permanent or temporary residential housing. If the project is permanent it would have to be rezoned into an SRO.

If the program is temporary housing , how will it be classified. Each classification has special codes.

There is no clear description of exactly what kind of housing is being presented.

In the programs presented to the public on several occasions The applicant for this project has stated that there will be overnight guests for up to 14 days. There is no reference to the potential numbers of up to 48 people in the rooms at night in the Preliminary Negative Declaration.

This simply doubles the number of occupants and does not discuss the impact upon water, heat,

Gas and electric bills and air quality and parking issues as well. The study is flawed. The program also includes other guests which could with worst case scenario take the number of occupants to a potential of 72 people up to 11 P.M. at night. This simply was not evaluated. You simply did not do a proper study.

Because the Plan is vague and ambiguous throughout the Preliminary Negative Declaration it is in non compliance with the government code 101 the project may be significant.

**The Planning department studied a flawed site plan.**

#### **FEDERAL FUNDING \_ A NECESSITY OF A NEPA STUDY\_ADA**

The negative Declaration did not include whether this is inclusionary affordable housing program if so what are the ramification to the City of San Francisco ignore the ADA issue. This is not discussed in the Preliminary Negative Declaration.

It is stated that Federal money is to finance this project located at 3151-3155 Scott Street. Is the San Francisco Planning department going to ignore Federal Discrimination laws and their impact. NEPA has simply been ignored. This lack of a study concerning the ADA factor breaks Federal Law. The application the drawing for this project is flawed and the Planning department simply chose to ignore this factor.

Thus, The Planning Department failed to notice that the project does not follow the current Planning Code and will not follow the SUD codes as well in their Preliminary Negative Declaration.

4. According to the Planning Departments files there files that back up their decisions concerning the application for 3151- 3155 Scott Street have no basis. Where is the substantiated information stating that the departments assumptions are in fact accurate. None of this information was provided to us in our freedom of information act requests for all information and back up information that is being used in your evaluation. There is no substantiated study related to this Preliminary Negative Declaration unless the information has been deliberately hidden from the public.

**5. There are no elevators in the drawings – Where will the go? Is there adequate room?**

**TRANSPORTATION**

The Environmental Division of Planning Department knowingly chose to ignore the fact that there is a current study concerning the effects of the Americas Cup races commencing in 2012 and the impacts transportation particularly on Lombard Street. The corner of Scott and Lombard is currently at D levels during current peak hours. With the Americas Cup race with the Marina Green as a staging area, the level is scheduled to become an F.5 Construction trucks on Lombard or the side streets will be nearly impossible to mitigate.

With the stated schedule in the Preliminary Negative Declarations a2012 construction start- there cannot be any mitigation that works.

Cal Trans was not included in this Preliminary Negative for studying this application. The Planning department simply did not follow CEQA concerning the process and proper studies. A FULL EIR is a necessity concerning the Transportation issue on Lombard Street concerning 3151-3155 Scott Street.

Caltrans was not included in the notification of the Preliminary Negative Declaration.

**PARKING**

Within the adjacent commercial districts of Union ,Chestnut , and Lombard Street. There are 6548 bar and restaurant seats (not including the new outdoor seating)700 workers (not counting the schools Lillianthal, Sherman, Marina, and St Vincent DePaul) and 1954 parking Places. The Marina – Cow Hollow is already extremely short on parking places. Any more projects that eliminate automobiles in studies are a failure of responsible planning for the city and county of San Francisco. With the Americas CUP coming to town all parking must be mitigated for health and safety issues.

The Planning Department cannot ignore an EIR on this project concerning the effects of the multiple events that exist within the Marina –Cow Hollow on a daily basis and their implications regarding light, air, and noise pollution.

To place 5 working trucks on Lombard Street during the America s Cup event is ludicrous and irresponsible.

The potential of 24 more automobiles without parking on highway 101 is against the rights and liberties of the American Public and promotes a Pedestrian Safety issue for the Public .

**HISTORICAL**

The Planning department has been negligent in their study of Historical Resources and based their Decisions on what appears to be a study that was made by instructions. The building lot and size are the Same as what was built originally. There are conflicting picturesOne dated 1935, one dated 1939, one dated 1941. All supposed to be 3151-3155 Scott. All are similar . However there are conflicting features

that do not match each other. I believe that there should be an EIR to settle this matter once and for all. All of these pictures were before the 1943 expansion of Lombard Street legislation.

While the original tiles were replaced on the ground floor the majority of the building remains original.

This building is of merit for consideration for Historical Nomination. It represents the Pan Pacific Exposition as should be declared Historical.

#### **AFFECT on other Housing and Businesses**

The Edward II was the declared then most romantic bed and breakfast in San Francisco in 2000.

The loss of a viable Tourist Inn on Lombard Street will hurt tourism. The patrons of the Edward II

Were customers of the Shops and restaurants in the Marina – Cow Hollow. The planning department

Simply ignored this issue.

**This Negative Declaration appears to be made by instructions and warrants further review by all City, State and Federal entities and further public review by law.**

#### **FIRE**

- 1. No mention of sprinklers**
- 2. No viable place for garbage and refuge**
- 3. No adequate fire exists were mentioned in this Preliminary Negative Declaration**
- 4. No Windows to jump out into the street of in case of a fire or earthquake.**

**Patricia Vaughey**

#### **LIGHT\_AIR\_NOISE**

24-75 young adults will be noisy. 400 square feet of community space that includes a dining table

and a sofa will simply not be enough room for the young adults. The other rooms on the ground floor are designation for programs. The young adults will have no place at all times for a space adequate to congregate. Thus forcing them to be either in their rooms and more than likely on the street. 3151-3155 Scott Street is simply too small of a building to house 24 young adults in a humane manner. 24 young adults hanging out in around the building will cause noise.

A 73 square foot kitchen for 24 young adults to share will cause these young adults to cook in their rooms cooking in their rooms, will cause second hand smoke and air pollutants . There is no ventilation system that will address this issue. The plan for the young adults appears to be more of a correctional institution than a place for housing for young adults to grow.

You have simply not addressed light, air or noise and the mitigations adequately in this Negative Declaration.

Frank Hung  
2273 Chestnut Street  
San Francisco, CA94123

San Francisco Planning Department  
*1650 Mission St. Suite 400*  
San Francisco CA94103

Attn Mr. Bill Wycko

RECEIVED

JUN 4 2011

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
M.E.A.

**RE: Case # 2010.0420E Halfway house for transitional youth @3155 Scott Street.**

Dear Sir,

I have spoken with a no. of shoppers and resident in this neighborhood regarding this halfway house project located in the prime area of residential/semi-commercial in Marina.

It is obvious that the PMND project to house the transitional youth/delinquent has the Planning Department's approval already, This is a bureaucratic decision by your department to proceed with or without the consent of the resident. By slapping a \$500 fee for the appeal is purely a deterrent for resident to appeal and this is illegal. Or this is another gimmick for your department to swindle more money to finance the project. Instead of sending you \$500 appeal fee, resident would be more prepared to apply for a court order to overturn this project.

There are already too many bars, pubs and club in Scott Street. Chestnut Street and Pierce Street. The patrons to these drinking establishment are making such a nuisance, screaming and fighting, time after time, in the early hours. Quite often there were scuffle, fight and street urination in Scott Street and police were called in. So it isn't safe anymore for resident returning home after mid-night.

There should be law prohibiting the location of halfway house form getting too close to the drinking establishment. To the contrary your department is placing the halfway house for the transitional youth in a location within 100 ft >300ft from a number of pubs and bars in Scott Street and Chestnut Street. The safety issue in this neighborhood is further jeopardized with it existence. We definitely don't want more trouble from these youth and your committee should have more consideration in this matter as part of the environmental impact.

Thank you for your attention.

Frank Hung

# **Exhibit C**





# SAN FRANCISCO PLANNING DEPARTMENT

---

## Mitigated Negative Declaration

*PMND Date:* May 25, 2011; amended on July 6, 2011  
(Amendments to the PMND are shown as deletions in ~~striketrough~~;  
additions in double underline.)

*Case No.:* **2010.0420E**

*Project Title:* **3151-3155 Scott Street**

*BPA Nos.:* N/A

*Zoning:* NC-3 (Moderate-Scale Neighborhood Commercial District)  
40-X Height and Bulk District

*Block/Lot:* 0937/001

*Lot Size:* 3,436 square feet

*Project Sponsor:* Hershey Hirschkop, Community Housing Partnership  
(415) 929-2470

*Lead Agency:* San Francisco Planning Department

*Staff Contact:* Andrea Contreras – (415) 575-9044  
Andrea.Contreras@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 project site is located in the Marina District of San Francisco, at the southwest corner of Lombard and Scott Streets, on the block bounded by Lombard Street to the north, Scott Street to the east, Greenwich Street to the south, and Divisadero Street to the west. The project site contains an 8,125 square-foot building that is three stories in height plus basement. The building was most recently used as a 29-room tourist hotel, with no on-site parking or open space. The proposed project would convert the former hotel into 25 units of group housing, including 24 units for transitional-age youth ages 18-24, and one unit for a resident manager. The project would include interior reconfiguration of the building for the proposed use, and minor exterior work including repainting, window replacement, and façade enhancements. The project sponsor is seeking Conditional Use authorization, and an amendment to the Planning Code to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD). The SUD would allow a higher density of group housing units (25) than currently permitted under NC-3 zoning (16), with no off-street parking, open space, or rear yard requirements.

### 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 page 103.



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

---

**BILL WYCKO**  
Environmental Review Officer

---

Date of Adoption of Final Mitigated  
Negative Declaration

cc: Mark Farrell, Supervisor, District 2  
Hershey Hirschkop, Community Housing Partnership

**INITIAL STUDY**  
**3155 Scott Street**  
Planning Department Case No. 2010.0420E

**Table of Contents**

A.	Project Description .....	1
B.	Project Setting .....	20
C.	Compatibility with Existing Zoning and Plans.....	22
D.	Summary of Environmental Effects .....	26
E.	Evaluation of Environmental Effects .....	27
	1. Land Use and Land Use Planning .....	27
	2. Aesthetics .....	30
	3. Population and Housing .....	33
	4. Cultural Resources.....	35
	5. Transportation and Circulation.....	39
	6. Noise.....	50
	7. Air Quality.....	54
	8. Greenhouse Gas Emissions .....	66
	9. Wind and Shadow.....	73
	10. Recreation.....	74
	11. Utilities and Service Systems .....	76
	12. Public Services .....	79
	13. Biological Resources .....	82
	14. Geology and Soils.....	83
	15. Hydrology and Water Quality .....	87
	16. Hazards and Hazardous Materials .....	91
	17. Mineral and Energy Resources.....	99
	18. Agriculture and Forest Resources.....	101
	19. Mandatory Findings of Significance .....	102
F.	Mitigation Measures and Improvement Measures .....	103
G.	Public Notice and Comments .....	103
H.	Determination .....	109
I.	Initial Study Authors and Project Sponsor Team .....	110

## Figures

Figure 1 – Regional and Vicinity Location.....	2
Figure 2 – Aerial View .....	3
Figure 3 – Subject Property Photographs (Existing Building Frontage) .....	6
Figure 4 – Subject Property Photographs (Existing Lombard Street and Scott Street Elevations) .....	7
Figure 5 – Subject Property Photographs (Views from Site Across Lombard and Scott Streets) .....	8
Figure 6 – Subject Property Photographs (Views from Site Down Lombard Street).....	9
Figure 7 – Subject Property Photographs (Views from Site Down Scott Street) .....	10
Figure 8 – Proposed Site Plan.....	11
Figure 9 – Proposed Basement Plan .....	12
Figure 10 – Existing and Proposed First Floor Plans.....	13
Figure 11 – Existing and Proposed Second and Third Floor Plans .....	14
Figure 12 – Existing Scott Street Elevation.....	15
Figure 13 – Proposed Scott Street Elevation .....	16
Figure 14 – Existing Lombard Street Elevation.....	17
Figure 15 – Proposed Lombard Street Elevation.....	18
Figure 16 – Project Area Zoning Districts .....	23

## Tables

Table 1 – Trip Generation of the Proposed Project .....	43
Table 2 – Vehicular Trip Comparison - Previous Use and Proposed Project.....	43
Table 3 – Summary of Daily Construction Emissions, Maximum Emissions.....	58
Table 4 – Summary of Dispersion Modeling Results for Construction Site Emissions .....	59
Table 5 – Project Increment Health Risk Significance Criteria.....	60
Table 6 – Health Risk Analysis Results for Local Stationary Sources .....	63
Table 7 – Combined Cancer Risks for Project Residents Due to Local Emission Sources .....	64
Table 8 – GHG Reductions from the AB 32 Scoping Plan Sectors.....	68
Table 9 – Regulations Applicable to the Proposed Project.....	72

## **A. PROJECT DESCRIPTION**

### *Project Location and Site Characteristics*

The project site (Assessor's Block 0937, Lot 001) is located in the Marina District of San Francisco, at the southwest corner of Lombard and Scott Streets, on the block bounded by Lombard Street to the north, Scott Street to the east, Greenwich Street to the south, and Divisadero Street to the west (See Figure 1, Regional and Vicinity Location, page 2). Lot 001 is approximately 3,436 square feet and has 50 feet of frontage on Lombard Street and 62 feet of frontage on Scott Street. The parcel is occupied by an approximately 8,125-square-foot building that is 40 feet in height and contains three floors plus a basement. The parcel does not contain any rear yard or open space areas. The Scott Street side of the parcel has two white-curb passenger loading spaces, but does not contain any areas for off-street parking.

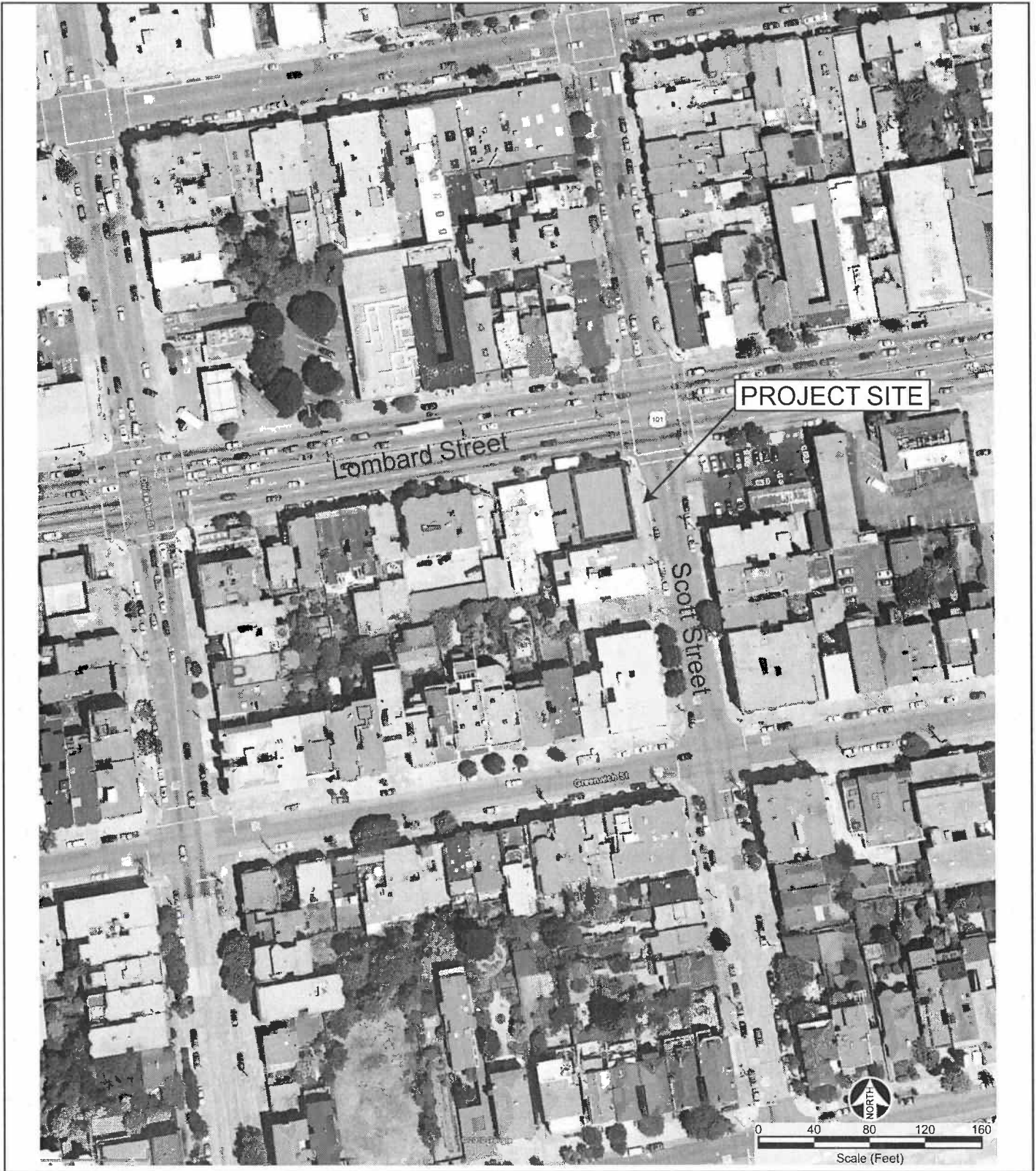
From its construction in 1914 to the end of August 2010, the building at the site was occupied by a tourist hotel, most recently named the Edward II Inn and Suites. The first floor included a reception area, a meeting space, a small pub, three suites, a breakfast room, a partial kitchen, and restrooms. The two upper floors included 26 guest rooms, 14 of which contained private bathrooms. Each of the upper floors also included a communal bathroom and shower room. The hotel had one pedestrian entrance at the corner of Lombard and Scott Streets and four other pedestrian entrances along Scott Street. The building's footprint is largely rectangular: a light well is situated at the west façade, and cantilevered corner bays project slightly at the northwest, northeast, and southeast corners. A gate along Scott Street leads to a breezeway. The building is topped by a flat roof, surrounded by a decorative parapet with vertical detailing at the visible corners, which is shaped on the north and east facades. The walls are wood frame with heavy wood posts and beams in the basement. The foundation is reinforced concrete, with continuous perimeter and interior footings. Exterior walls are clad in smooth painted stucco at the north and east facades and wood drop siding on the south and west facades. The building displays a number of interior and exterior alterations that have been performed throughout its life, including in the 1940s, 1950s, 1960s, 1980s, and 1990s.

The subject property is zoned NC-3 (Moderate-Scale Neighborhood Commercial District), which is intended to offer a variety of uses, with emphasis on businesses providing goods and services to surrounding neighborhoods in addition to the immediate neighborhood. Other districts in the areas are zoned for residential uses: RH-1 (Residential House, One-Family), RH-2 (Residential House, Two-Family), RM-1 (Residential Mixed, Low Density), RM-2 (Residential Mixed, Moderate Density), and



**Regional and Vicinity Location**

**Figure 1**



**Aerial View**

**Figure 2**

RM-3 (Residential Mixed, Medium Density); neighborhood commercial uses include NC-2 (Small-Scale Neighborhood Commercial) in addition to NC-3. The project site is in a 40-X height and bulk district ("40" denotes the maximum permitted height and "X" denotes no specific building bulk requirements).

The subject property is located in the Marina District in north-central San Francisco. The Marina District is generally bounded on the east by Van Ness Avenue and Fort Mason, on the west by Lyon Street and the Presidio National Park, on the north by San Francisco Bay, and on the south by Green Street.<sup>1</sup>

## ***Proposed Project***

### **Project Objectives**

The proposed project is to convert the building's use from a 29-room tourist hotel to 25 units of group housing,<sup>2</sup> with approximately 1,856 square feet of supportive services and community space. The manager would live in the 25<sup>th</sup> unit, which would be necessary to the other 24 group housing units, as permitted in Section 204.4(a) of the Planning Code.<sup>3</sup> For Planning Department purposes, this project meets the definition of "group housing" in the Planning Code, Section 790.88(b). Other agencies may describe the proposed development using other terms that are applicable to their respective fields. The project involves altering the interior and exterior of the building and creating the Lombard and Scott Street Affordable Group Housing Special Use District (SUD). The SUD would be required since the 25 units of group housing proposed is greater than the 16 units allowed in the density provisions of the NC-3 district.<sup>4</sup> The proposed project would provide permanent housing for transitional-age youth (ages 18 to 24), who age out of foster care, who are homeless, or who are at risk of becoming homeless.

---

<sup>1</sup>San Francisco Planning Department, 2010, Neighborhood Groups Map, available online: <http://www.sf-planning.org/index.aspx?page=1654>, accessed on January 3, 2011.

<sup>2</sup>Section 790.88 of the Planning Code defines group housing as a "residential use which provides lodging or both meals and lodging without individual cooking facilities for a week or more at a time in a space not defined as a dwelling unit. Group housing includes, but is not limited to, a rooming house, boarding house, guest house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent and ashram. It also includes group housing operated by a medical or educational institution when not located on the same lot as such institution."

<sup>3</sup>Planning Code Section 204.4(a) states that in any R, NC, or C District, one dwelling unit must serve as the residence of a manager, and the manager's family shall be permitted as an accessory use for any permitted hotel, motel, or group housing structure, without any such structure being classified as a dwelling for purpose of this code, due to the presence of such dwelling unit.

<sup>4</sup>Planning Code Section 712.92: Residential Density, Group Housing.

## Proposed Alterations

The project would involve interior and exterior building alterations. The project sponsor would remodel the first floor to include a lobby (approximately 400 square feet), a dining/lounge area (approximately 340 square feet), the program manager's office (approximately 75 square feet), a program room (approximately 427 square feet), a tenant service room (approximately 341 square feet), a community kitchen (approximately 73 square feet), a laundry room (approximately 100 square feet), a public restroom (approximately 75 square feet), a manager's unit (approximately 343 square feet), and storage space (approximately 25 square feet). The two upper residential floors would be renovated to create 12 bedrooms and bathrooms on each floor. The project also includes seismic and life-safety systems upgrades, cosmetic improvements, interior wall removals, new entry system, a security system (with exterior video monitoring and door/window alarms), upgrades to the sprinkler system, and minor structural stabilization in the basement. The building is currently accessible to wheelchairs through the corner entrance of Scott and Lombard Streets, but it does not have an elevator.

Accessibility improvements would be made, as required by the Mayor's Office on Disability, to ensure compliance with Title II and III of the Americans with Disabilities Act and the California State Building Code. This includes installing an elevator, which would require minor excavation of the elevator placement area; the proposed project would not require any other excavation. The elevator would be Limited Use Limited Access, and would travel from the basement to the second floor. This type of elevator has limited vertical travel and cannot reach the third floor. As a result, all four ADA-compliant units would be on the second floor and none would be on the third floor. There would be a minimal elevator pit of about 18" below grade. Further, in compliance with the Department of Building Inspection's requirements, an engineering analysis would be conducted to identify cost-efficient solutions to add seismic safety elements to the building.

Exterior alterations would include minor roof repairs and window replacement along the Scott Street and Lombard Street frontages. The exterior of the building would be repainted, and the Scott Street façade would be reconfigured to eliminate the irregular pattern of unused doors, niches, and windows, which would require a slight alteration of the sidewalk elevation along Scott Street (see Figure 12, page 15). In its place would be a continuous and functional exterior with new wainscoting and a more regular window pattern. The building entry would be relocated to a mid-block location on the Scott Street side of the building, while the corner location would be closed off. The project sponsor would provide bicycle parking spaces in the building's basement, in accordance with Planning Code Section 155.5, Bicycle Parking Required for Residential Uses, and space configuration needs. Garbage storage and collection would take place on the basement level and collection would occur on Scott Street.





**View 1:** Existing building frontage.

***Subject Property Photographs***

**Figure 3**

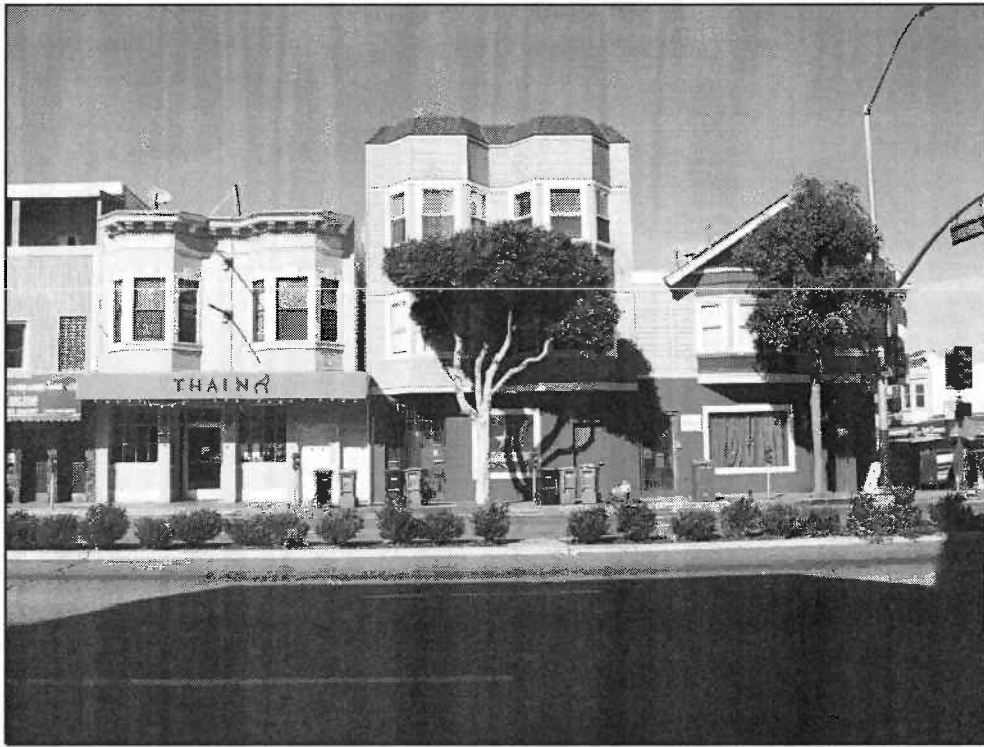


**View 2:** View to the south of the project building facade on Lombard Street.



**View 3:** View to the west of the project building facade on Scott Street.

## ***Subject Property Photographs***

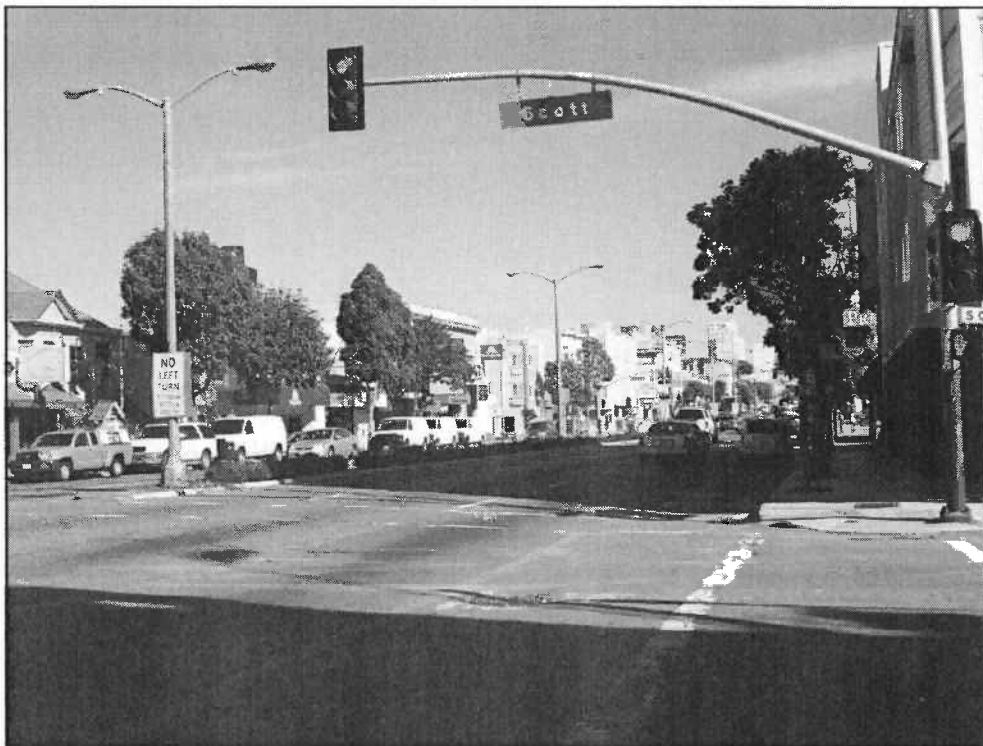


**View 4:** View to the north from project site across Lombard Street.



**View 5:** View to the east from project site across Scott Street.

## ***Subject Property Photographs***



**View 6:** View to the east from project site of Lombard Street.



**View 7:** View to the west from project site of Lombard Street.

## ***Subject Property Photographs***

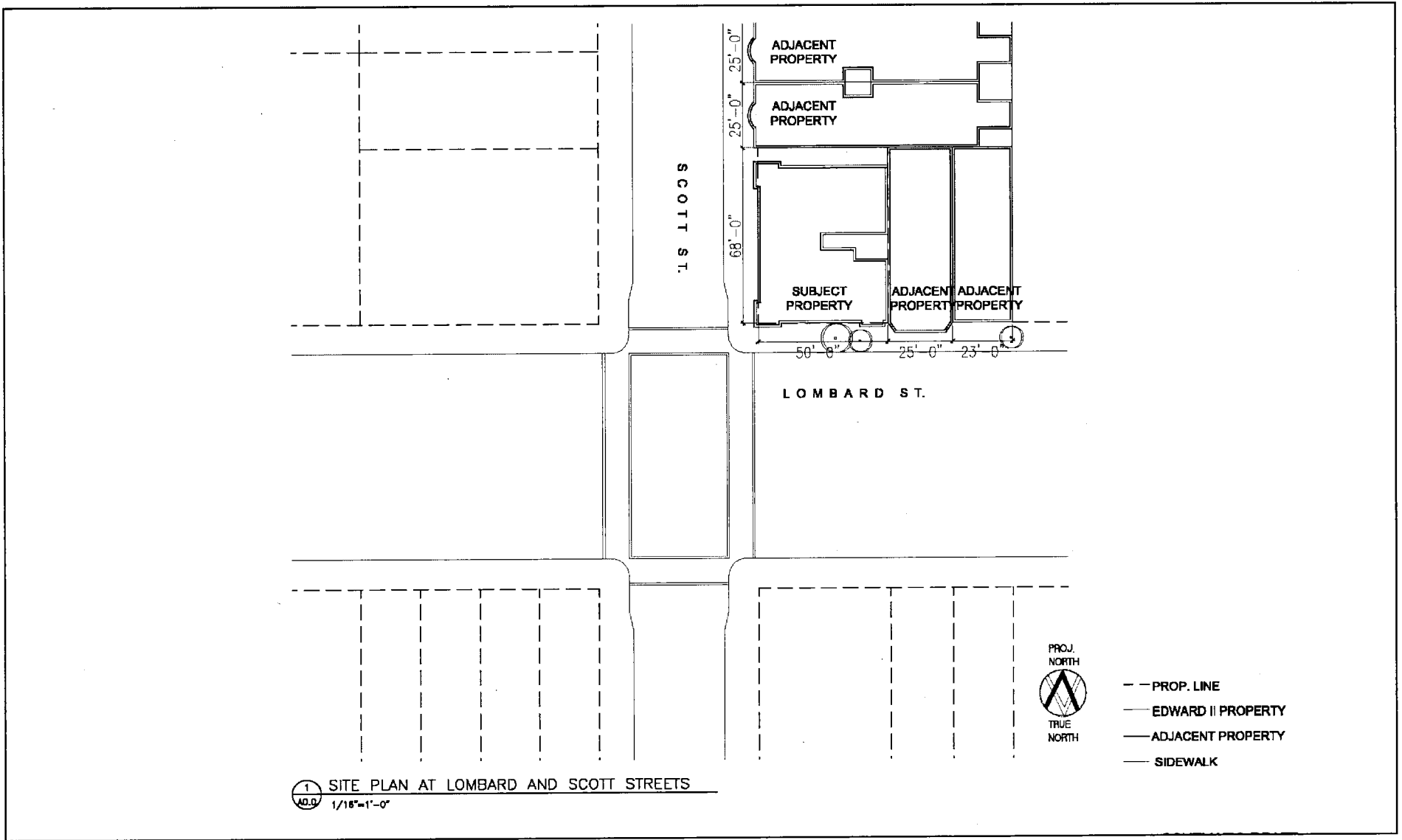


**View 8:** View to the north from project site of Scott Street.



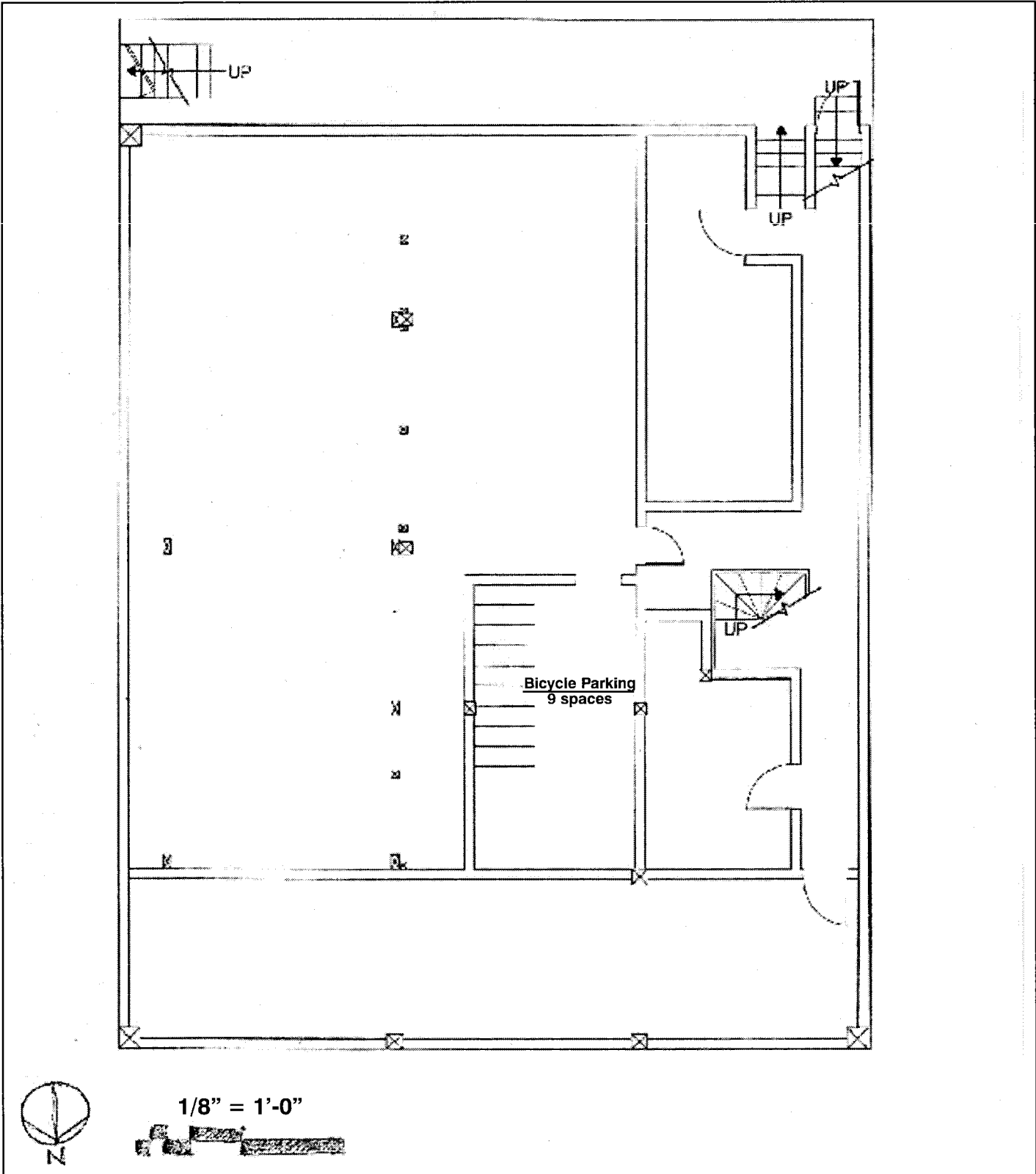
**View 9:** View to the south from project site of Scott Street.

## ***Subject Property Photographs***



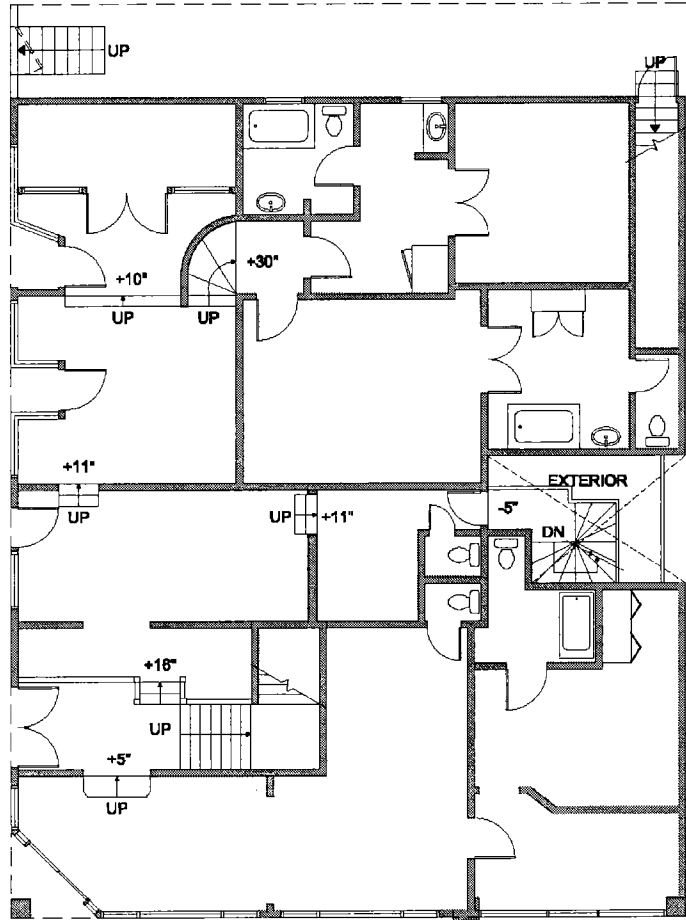
**Proposed Site Plan**

**Figure 8**

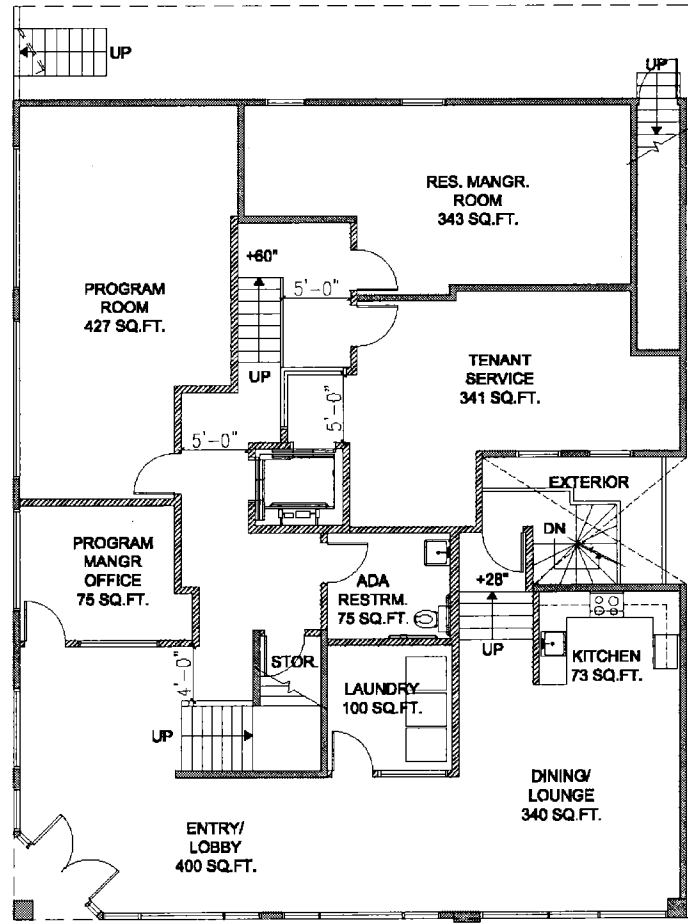


**Proposed Basement Plan**

**Figure 9**



2 FIRST FLOOR EXISTING PLAN  
 A1.1 1/4"=1'-0"



1 FIRST FLOOR PROPOSED PLAN C  
 A1.1 1/4"=1'-0"

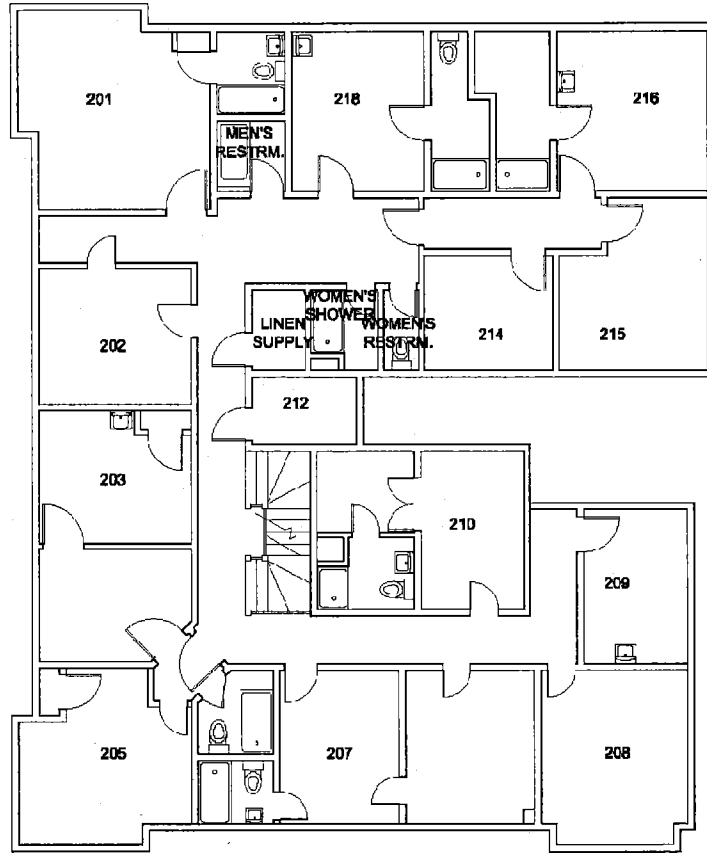
- PROP. LINE
- //// (N) WALL
- ==== (E) WALL
- ==== WINDOW

SCHEMATIC DRAFT ONLY  
 NOT FOR CONSTRUCTION

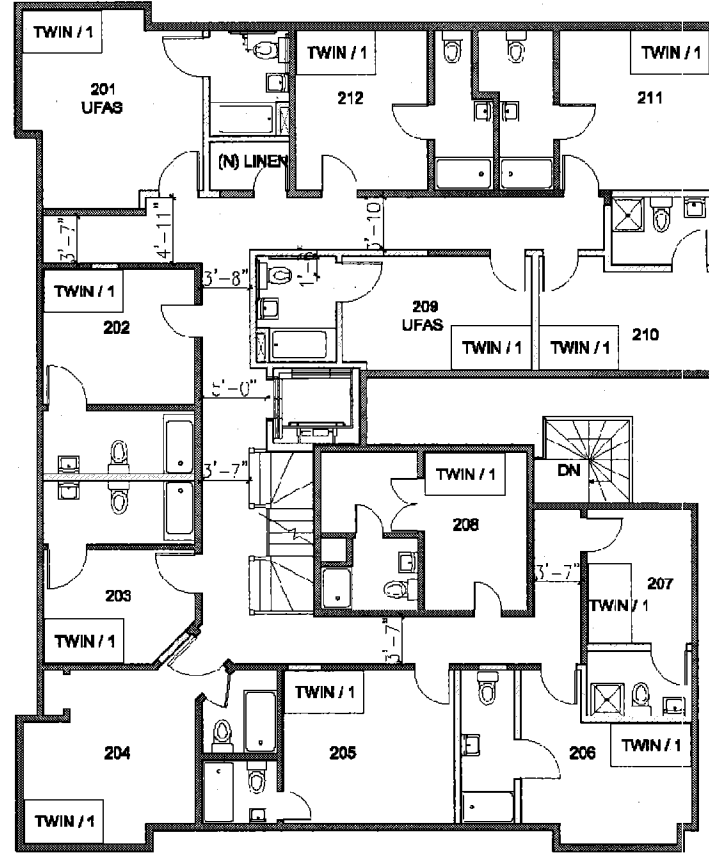
## Existing and Proposed First Floor Plans

Figure 10





1 EXISTING SECOND & THIRD FLOOR PLANS  
 A1.2 1/4"=1'-0"



1 PROPOSED SECOND & THIRD FLOOR PLANS  
 A1.2 1/4"=1'-0"

- PROP. LINE
- (N) WALL
- (E) WALL
- WINDOW

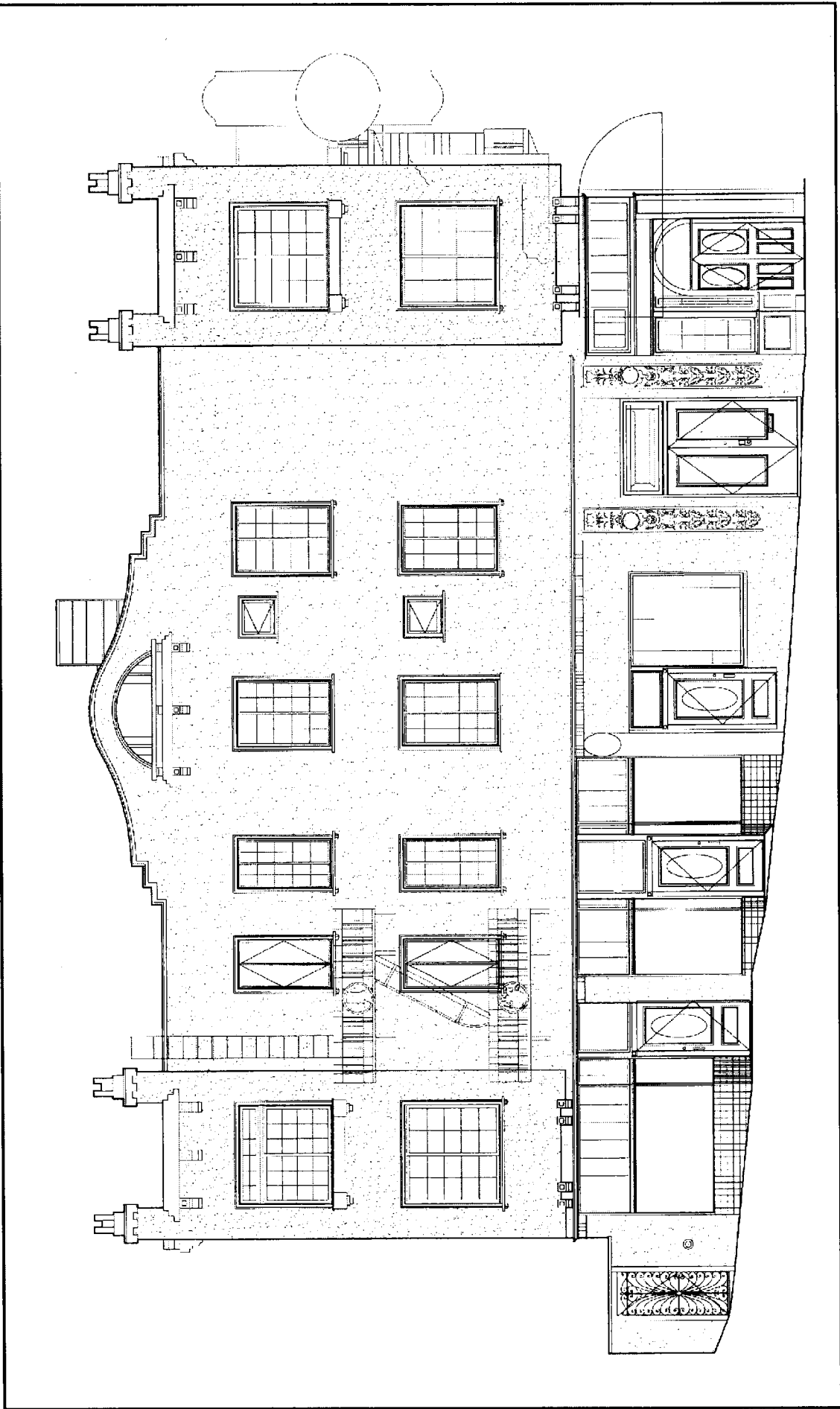
SCHEMATIC DRAFT ONLY  
 NOT FOR CONSTRUCTION

## Existing and Proposed Second and Third Floor Plans

Figure 11

**Existing Scott Street Elevation**

**Figure 12**





**Proposed Scott Street Elevation**

**Figure 13**



**Existing Lombard Street Elevation**

**Figure 14**



**Proposed Lombard Street Elevation**

**Figure 15**

The project would meet Leadership in Energy and Environmental Design (LEED) Silver certification criteria. Project construction components would include recycled materials, where feasible. Low-water use showerheads, faucets, and other water sources would be employed, along with EnergyStar-rated appliances. In addition, green energy devices, including solar panels if feasible, would be used.

The project would include acoustical improvements to achieve an acceptable interior noise level for all proposed bedrooms and accessory interior spaces. The project would meet the California Building Code (CBC) interior noise requirement of day-night equivalent sound level (Ldn) of 45 decibels (dB) through the installation of sound-rated windows, gypsum board, and batt and blown-in insulation. Because sound-rated windows need to be closed to meet interior noise level requirements, the proposed project would include an HVAC mechanical ventilation system.

### **Special Use District**

The project site is within an NC-3 zoning district and a 40-X height and bulk district. The project sponsor is seeking to amend the Planning Code by establishing Section 249.55 to create the “Lombard and Scott Street Affordable Group Housing Special Use District.” The intent of this SUD would be to provide supportive housing for transitional-age youth (ages 18 to 24), who age out of foster care, who are homeless, or who are at risk of becoming homeless. The SUD would allow the following:

- Greater on-site group housing density (25 units) than is allowed under current NC-3 zoning (16 units);
- Eliminate rear yard requirements of the NC-3 zoning district; and
- Eliminate usable open space requirements of the NC-3 zoning district.

### **Construction Period and Construction Activities**

Project construction is anticipated to start in 2012 and last approximately 10 months. Construction would typically occur Monday through Friday between 7:00 AM and 7:00 PM. Construction equipment would include scaffolding and a boom lift for exterior and roof work and dump trucks and a lift bed/conveyor truck for hauling materials and construction debris. A construction crane may be used, depending on the installation needs for the proposed elevator. Contractors would be required to comply with the City’s Noise Ordinance.

## **B. PROJECT SETTING**

The project site is a rectangular parcel at the southwest corner of Scott and Lombard Streets, north of the Cow Hollow neighborhood in the Marina District of San Francisco. The project site has an elevation of 22.4 feet per the San Francisco City Datum, and slopes down in a northerly direction.

The immediate project vicinity, defined as between Chestnut Street on the north, Pierce Street on the east, Greenwich Street on the south, and Divisadero Street on the west, is relatively flat and contains a variety of building types and uses, including residential, commercial, and office. The northern portion of the immediate project vicinity (between Lombard Street and Chestnut Street) is primarily commercial, while the southern portion of the immediate project area (between Lombard Street and Greenwich Street) is primarily residential. To the west of the project site is a two-story residential over commercial building at 2417 Lombard Street, constructed in 1922. To the south of the project site is a two-story residential building at 3137 and 3139 Scott Street that was constructed in 1925. Directly across Scott Street to the east of the project site is a new 12-unit residential building. Across the street at the northerly Lombard Street/Scott Street corner at 3213 Scott Street is a two-story mixed-use building, occupied by the Republic Restaurant and Bar on the first story and residential uses on the second story. Lombard Street, as the primary gateway into San Francisco from the Golden Gate Bridge, has a concentration of businesses that serve tourist and neighborhood uses; as a result, there is a concentration of hotels and motels, in addition to restaurants and smaller office uses. Nearby commercial streets, such as Chestnut Street, serve primarily neighborhood uses, including retail stores, restaurants, bars, local bank branches, and medical/dental services. (See Figure 2 – Aerial View, page 3)

Regional access to the project site is via Lombard Street (US Highway 101), which is the northerly site frontage; the San Francisco-Oakland Bay Bridge Interstate-80 (I-80), approximately 2.6 miles southeast of the site; and I-280, approximately 4.5 miles to the southeast. The primary arterial roadways serving the site are Divisadero Street, one block west of the site; Fillmore Street, three blocks west of the site; Webster Street, four blocks east of the site; and Marina Boulevard, seven blocks north of the site. The project site is served by many local public transportation options, including bus service via Municipal Railway (Muni) Routes 22 - Fillmore, 28 - 19<sup>th</sup> Avenue, 30 - Stockton, 41 - Union, 43 - Masonic, 45 - Union-Stockton, and 76 - Marin Headlands, all within three blocks of the site.

The project site is zoned NC-3 (Moderate-Scale Neighborhood Commercial District). This zoning is intended to offer a variety of uses, with an emphasis on businesses providing goods and services to surrounding neighborhoods in addition to the immediate neighborhood. On the surrounding streets and blocks, uses include residential and neighborhood commercial. As shown in Figure 16, the southern part of the project block is zoned RH-2 (Residential House, Two-Family) and RM-2 (Moderate Density Residential Mixed, Apartments and Houses). The zoning districts surrounding the project site include NC-3 and NC-2 (Small-Scale Neighborhood Commercial) to the north across Lombard Street; NC-3, RM-2, and RH-2 to the east along Scott Street; RH-2, RM-2, and RH-1 (Residential House, One-Family) to the south across Greenwich Street; and NC-3, RH-2, and RM-2 to the west across Divisadero Street.

Public facilities and services in the area include elementary and secondary schools, commercial establishments, transit services, medical facilities, and parks and recreation facilities. The nearest public schools are Claire Lilienthal Alternative Elementary School at 3850 Divisadero Street (0.41 mile from project site), Marina Middle School at 3500 Fillmore Street (0.44 mile from project site), and Galileo High School at 1150 Francisco Street (1.12 miles from project site).

Medical facilities in the vicinity include the University of California, San Francisco Medical Center at Mount Zion, approximately one mile south of the project site, and the Kaiser Permanente Medical Center, approximately one mile to the southwest. In addition, the University of California, San Francisco Medical Center (main campus) is approximately three miles to the southwest. Parks and recreation facilities in the area include the Presidio (0.3 mile), the Palace of Fine Arts (0.4 mile), the George Moscone Recreation Center (0.4 mile), Alta Plaza Park (0.5 mile), the Exploratorium (0.4 mile), San Francisco Bay (0.4 miles), and the Marina Green (0.5 mile).



**C. COMPATIBILITY WITH EXISTING ZONING AND PLANS**

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

***Planning Code and Approvals Required***

**Existing Zoning**

The San Francisco Planning Code, which incorporates by reference the City’s zoning maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the Planning Code or an exception is granted in accordance with provisions of the Planning Code.

The project site is zoned NC-3 (Moderate-Scale Neighborhood Commercial District), as defined by Section 712.1 of the Planning Code. An NC-3 District offers a variety of commercial goods and services to a population greater than the immediate neighborhood, providing convenience goods and services to the surrounding neighborhoods. In addition, NC-3 Districts are defined as linear districts, located along heavily trafficked thoroughfares, which also serve as major transit routes; in the case of the project site, Lombard Street serves these purposes between Van Ness Avenue and Lyon Street and offers the mix of goods and services described in the Code. Residential group housing is a permitted use in this zoning district, with a permitted density of one bedroom per 210 square feet of lot area, as defined by Section 712.92. The NC-3 District also requires an open space area equal to 80 square feet per private residence or 100 square feet if commonly used. No off-street parking, either for the group housing units or the live-in manager’s unit, is required.<sup>5</sup> The project site is in a 40-X height and bulk district. Because no expansion of the building envelope or increase in height is proposed, the project would be in compliance with the provisions of this district.

---

<sup>5</sup>Planning Code Section 151: Schedule of Required Off-Street Parking Spaces, Use or activity: group housing of any kind; and Section 204.4(a) : “In any R, NC, or C District, one dwelling unit to serve as the residence of a manger and the manager’s family shall be permitted as an accessory use for any permitted hotel, motel or group housing structure, without any such structure being classified as a dwelling for purposes of this Code due to the presence of such dwelling unit.”



**Neighborhood Commercial Districts**

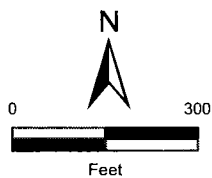
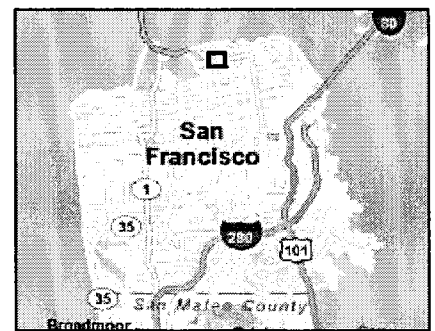
- NC-2, Small Scale (2 Commercial Stories)
- NC-3, Moderate Scale (3+ Commercial Stories)

**Residential, House Character Districts**

- RH-1, One Unit per Lot
- RH-2, Two Units per Lot
- RH-3, Two Units per Lot

**Residential, Mixed (Apartments & Homes) Districts**

- RM-1, Low Density Residential (1 Unit per 800 sf)
- RM-2, Moderate Density Residential (1 Unit per 600 sf)
- RM-3, Medium Density Residential (1 Unit per 400 sf)



**Project Area Zoning Districts**

**Figure 16**

The proposed transitional-age youth housing project would include 24 units of group housing, with an additional on-site manager's unit, for a total of 25 residential units; this would reflect the proposed group housing density of one bedroom per 138 square feet of lot area. This would be inconsistent with the density provisions set forth in Section 208, which allows for up to 16 units. In addition, the project would continue the current building's nonconformance with the rear yard and open space provisions of the NC-3 district.

### **Exceptions to the Planning Code**

The proposed project would require Zoning Map and Planning Code Text Amendments for the creation of the Lombard and Scott Street Affordable Group Housing SUD, which would overlay the existing NC-3 zoning and allow for the increased residential density required for the proposed group housing. The SUD would also address Planning Code exceptions to open space and rear yard requirements that apply to the NC-3 district. The SUD would require approval by the Board of Supervisors, on recommendation of the Planning Commission and in accordance with Planning Code Sections 302 and 306, Amendments to the Planning Code. Should the Board of Supervisors approve the proposed SUD, the project would conform to the density requirements and related land use provisions of the SUD.

### ***Adopted Plans and Goals***

#### **San Francisco General Plan**

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

#### **Regional Plans**

Environmental plans and policies, including the *Bay Area 2010 Clean Air Plan*, directly address physical environmental issues and contain standards or targets that must be met in order to preserve or

improve specific components of the city's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plans or policies.

### **The Accountable Planning Initiative**

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the Planning Code to establish eight priority policies. These policies, and the sections of this environmental evaluation addressing the environmental issues associated with the policies, are preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character (Question 1c, Land Use); preservation and enhancement of affordable housing (Question 3b, Population and Housing); discouragement of commuter automobiles (Questions 5a, b, and f, Transportation and Circulation); protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); maximization of earthquake preparedness (Questions 14a-d, Geology and Soils); landmark and historic building preservation (Question 4a, Cultural Resources); and protection of open space (Questions 9a and b, Wind and Shadow, and Questions 10a and c, Recreation and Public Space).

The City is required to find that the proposed project or legislation is consistent with the priority policies. It must do this before issuing a permit for any project that requires an initial study under the California Environmental Quality Act (CEQA), before issuing a permit for any demolition, conversion, or change of use, and before taking any action that requires a finding of consistency with the General Plan. As noted above, the consistency of the proposed project with the environmental topics associated with the priority policies is discussed in Section E of this document, Evaluation of Environmental Effects, providing information for use in the case report for the proposed project. The case report and approval motions for the project would contain the San Francisco Planning Department's comprehensive project analysis and findings regarding consistency of the proposed project with the priority policies.

### ***Project Approvals***

The project would require approval from the San Francisco Board of Supervisors, on recommendation of the Planning Commission, to amend the Planning Code by establishing Section 249.55, the "Lombard and Scott Street Affordable Group Housing Special Use District". The project sponsor

would seek a Conditional Use authorization from the Planning Commission to implement the SUD. As previously stated, the intent of the SUD would be to provide housing and services to meet the needs of youth ages 18 to 24, who are transitioning out of foster care housing. The SUD would allow for a greater residential density than that allowed for the current NC-3 zoning and would waive both open space and rear yard requirements applicable to the NC-3 zoning district.

Subsequent to these recommendations and approvals by the Planning Commission and the Board of Supervisors, respectively, the project would require building permits. These would require review and approval by the Planning Department and the Department of Building Inspection. Curb or street modifications, including on-street loading spaces, would require approval by the Department of Parking and Traffic and the Department of Public Works.

**D. SUMMARY OF ENVIRONMENTAL EFFECTS**

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

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

All items on the initial study checklist that have been checked “Less Than Significant Impact,” “No Impact,” or “Not Applicable,” indicate that, on evaluation, staff have determined that the proposed project could not have a significant adverse environmental effect relating to that topic. A discussion is included for those issues checked “Less Than Significant Impact” and for most items checked “No Impact” or “Not Applicable.” For each checklist item, the evaluation has considered the impacts of the proposed project, both individually and cumulatively.

## E. EVALUATION OF ENVIRONMENTAL EFFECTS

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>1. LAND USE AND LAND USE PLANNING—</b>					
<b>Would the project:</b>					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 <i>General Plan</i> , 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) Conflict with any adopted habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would have significant land use impacts under CEQA if it were to physically divide an established community, to conflict with any applicable land use plans or policies, or to substantially affect the character of the vicinity.

The project site is in the Marina District of San Francisco, in an urban and developed area. The site is at the southwest corner of Lombard and Scott Streets, on the block bounded by Lombard Street on the north, Scott Street on the east, Greenwich Street on the south, and Divisadero Street on the west (see Figure 1, Regional and Vicinity Location, page 2). The proposed project would change the use of the building from a 29-room tourist hotel to 25 units of group housing, with approximately 1,856 square feet of supportive services and community space. The project would involve altering the interior and exterior of the building. The project site is in an NC-3 zoning district and a 40-X height and bulk district. The project sponsor is seeking to amend the Planning Code by establishing the Lombard and Scott Street Affordable Group Housing SUD. The 40-foot-tall project site building consists of three stories plus basement.

### **Impact LU-1: The proposed project would not conflict with or physically divide an established community. (No Impact)**

The proposed project would change the use of the building from a 29-room tourist hotel to 25 units of group housing with approximately 1,856 square feet of supportive services and community space. This change in use would not present a physical barrier to movement through the surrounding area. The project would be constructed within the existing lot boundaries and would involve the reconfiguration

of the building interior without significantly altering its exterior envelope. The project would not interfere with or change the street pattern or impede the passage of persons or vehicles. The surrounding uses and activities would continue on their own sites and would relate with each other as they do at present. The surrounding established community would continue the same pattern of commercial and residential uses. For these reasons, the proposed project would not physically divide an established community and **no impact** would occur.

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

As discussed in Section C, Compatibility with Existing Zones and Plans, page 22, the project would be consistent with adopted local and regional plans, policies, and goals. In addition, environmental plans and policies are those, like the *Bay Area 2010 Clean Air Plan* that directly address environmental issues or contain targets or standards that must be met to preserve or improve characteristics of the City's physical environment. The proposed project would not conflict with any such adopted environmental plan or policy. While the allowable residential density would increase, it would be incremental and consistent with current area density, therefore, not significant. Thus, the proposed project does not have the potential to conflict with any such plan or policy adopted to mitigate an environmental effect. As such, impacts of the proposed project related to consistency with plans and zoning would be **less than significant**.

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

The proposed project would change the current use of the building from a 29-room tourist hotel to a 25-unit group housing, with approximately 1,856 square feet of supportive services and community space. The proposed project would add permanent residents, however, this use is allowed under the current zoning and is consistent with the mix of land uses in the vicinity. The project would include alterations to the exterior of the building; however, these alterations would be minor and would involve modifying ground floor windows and bay configuration, new paint at the prominent vertical facades, and a new entry with awning. The project would also reconfigure window and door openings of the façades along Scott Street, as described on page 5, "Proposed Alterations". The exterior

appearance would therefore be more residential in character, and would be in relative harmony with the overall character of the vicinity.

The intensity and density of use of the building would be consistent with the mixed-use character in the neighborhood, which includes residential, office, retail, and hotel uses. The project site is in NC-3 zoning, which generally allows one dwelling unit<sup>6</sup> per 600 square feet of lot area. In addition, this zoning allows for one bedroom of group housing per 210 square feet of lot area; for this site, up to 16 group-housing units would be allowed. As 25 units of group housing are proposed, this would increase the group housing density, but the net number of rooms would decrease from 29 hotel rooms. While the proposed project, through establishment of an SUD, would increase the group housing density on-site, this increase alone would not constitute a significant land use impact or have a demonstrable negative effect on the character or quality of the neighborhood.

The proposed project would result in a new land use for the neighborhood by introducing group housing for transitional-age youth. The project would extend residential uses to the already mixed-use character of the area onto the project site, and would be typical of the range of residential densities found within the vicinity. The nature and intensity of proposed land use is consistent with the character of development that exists in the area. While the proposed project would result in a change of use to permanent housing and an increase in group housing density, its impacts on land use would be **less than significant** under CEQA.

**Impact LU-4: The proposed project, in combination with past, present, or reasonably foreseeable future projects in the vicinity, would result in less than significant cumulative land use impacts. (Less than Significant)**

The proposed project would not present a physical barrier to movement through the surrounding area and would thus not physically divide the surrounding established community. The project would increase the intensity of land use in the project area but would have a less than significant impact on the mixed-use character of the area. Further, there are a number of proposed projects within the project area that would lead to a slight increase in residential development in the project area. The proposed project at 2353 Lombard Street would replace a two-story restaurant with a three-story building, with 21 residences above, commercial spaces on the ground floor, and underground parking. The proposed

---

<sup>6</sup>The Planning Code defines a dwelling unit as a room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen.



project at 2774-2776 Filbert Street would construct a vertical addition (new fourth floor) to an existing three-story, two-unit building resulting in a four-story, two-unit building. However, these residential additions would not be considered a substantial addition to the projected residential housing stock in the area and would not change the character of this mixed-use area. Therefore, cumulative development of these projects would not make a significant contribution to cumulative land use impacts in the project area or the City as a whole. In conclusion, the proposed project would not result in significant individual or cumulative land use impacts and the project's contribution to cumulative land use impacts would be **less than significant**.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>2. AESTHETICS—Would the project:</b>					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 project would have significant aesthetic impacts under CEQA if it were to affect scenic vistas, damage scenic resources, degrade the visual character of the area, or create a new source of substantial light or glare. The proposed project, a change of use, creation of an SUD, and alterations that would not change the building envelope, would not result in such impacts.

**Impact AE-1: The proposed project would not result in any adverse impact on scenic views and vistas. (No Impact)**

The proposed project would not change the exterior envelope of the building, except for minor exterior alterations to the building. These alterations consist of reconfiguring windows and door openings along Scott Street, reconfiguring ground floor windows and bays, painting the prominent vertical facades, and installing a new entry. Further, there are no formally designated scenic views, viewpoints, or trails at or near the project site. Views from the project are of Lombard Street, in both easterly and westerly directions, and Scott Street, in both northerly and southerly directions. The buildings seen along Lombard Street in both directions are primarily commercial and ground-floor commercial with upper-floor residential, with the exception of a residential condominium building fronting Lombard Street in the westerly direction, across from the project site. The height and scale of most buildings are similar to that of the project site, primarily consisting of two to three stories, with building heights up to 40 feet. The views of Scott Street in the northerly direction consist primarily of ground-floor commercial and upper-floor residential in two- to three-story buildings, similar in scale to the project site. The views along Scott Street, in the southerly direction, are primarily three- to four-story residential buildings of slightly larger scale in both height and bulk than the building at the project site. Views of the project site from nearby vantage points show the building within the overall neighborhood scale, in both height and bulk, relative to neighboring buildings along both Lombard and Scott Streets. In addition, the project would not increase the building's height or bulk; therefore, no change in the current visual setting would occur. Thus, the proposed project would not affect scenic views or vistas now observed from public areas. As such, the proposed project would have **no impact** on scenic vistas.

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

There are no scenic resources on the project site that contribute to a scenic public setting in the project vicinity. Public views from the project site include US Highway 101 along Lombard Street and similar size buildings along Lombard and Scott Streets. Therefore, the proposed project would have **no impact** on scenic resources of the built or natural environment.

**Impact AE-3: The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. (No Impact)**

The exterior alterations that are part of the proposed project include reconfiguring windows and door openings along Scott Street, reconfiguring ground floor windows and bays, applying new paint at the prominent vertical facades, and installing a new entry. The exterior appearance would not change substantially. As such, the proposed project would not substantially degrade or affect the existing visual character or quality of the site and its surroundings. Therefore, there would be **no impact** on existing visual character or quality of the site and its surroundings.

**Impact AE-4: The proposed project would not result in a new source of light and glare and would not affect day or nighttime views in the area and other people or properties. (Less than Significant)**

The exterior lighting at the building would be positioned to minimize glare, especially to passing pedestrians. The project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Light and glare impacts would not have a substantial, demonstrable, negative aesthetic impact. Therefore, the exterior façade treatments and new project lighting would have a **less than significant impact** from light and glare.

**Impact AE-5: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in a less than significant impact on aesthetic resources. (Less Than Significant)**

The project would alter the interior use of an existing building. No additional height or bulk would be added to the building, and all exterior modifications would be minor and would not result in sources of light or glare that would significantly impact land uses in the vicinity. Developments in the project area might impact aesthetic resources near the project site. However, as discussed above, the proposed project would not change the visual character of the project area and so would not contribute to any cumulatively considerable change in aesthetics. Therefore, there would be a **less than significant** on aesthetics, both project specific and cumulative.

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

Under CEQA criteria, a project would have significant impacts on population and housing if it were to substantially increase population, displace housing, create a demand for additional housing, or displace a substantial number of people.

The proposed project would change the current use of the building from a 29-room tourist hotel to 25 units of group housing, with approximately 1,856 square feet of supportive services and community space. There would be a total of eight employees at the project site: a full-time live-in manager and seven support staff.

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

In general, a project would be considered growth inducing if its implementation would substantially increase the population or result in the need for additional development, which might not occur if the project were not implemented. The proposed project would change the current use of the building from a 29-room tourist hotel to 25 units of group housing, with approximately 1,856 square feet of supportive services and community space. There would be 25 residents for the completed project and eight employees, including a full-time live-in resident manager, and seven support staff. This would result in a total of 32 people in the project area. According to data from the 2000 Census,<sup>7</sup> the population of the 94123 ZIP Code, which approximately conforms to the Marina neighborhood

<sup>7</sup>United States Census Bureau, 2009 American Community Survey/Puerto Rico Community Survey Group Quarters Definitions. Internet website: [http://www.census.gov/acs/www/Downloads/data\\_documentation/GroupDefinitions/2009GQ\\_Definitions.pdf](http://www.census.gov/acs/www/Downloads/data_documentation/GroupDefinitions/2009GQ_Definitions.pdf). Accessed December 28, 2010.

boundary, is 22,903, representing 14,851 households. In addition, 54 persons were identified as living in group housing.<sup>8</sup> The residential population increase would represent an approximate 0.11 percent increase in the resident population of the Marina neighborhood. This increase would be **less than significant** and would not generate a substantial demand for housing in the context of citywide population or employment growth.

Until its closure in 2010, the Edward II Inn and Suites contained 29 guest rooms and employed approximately four people. Between 2005 and 2009, the annual average hotel occupancy rate in San Francisco was 77.1 percent.<sup>9</sup> The average occupancy of a hotel close to the project site is approximately 70 percent.<sup>10</sup> Therefore, the assumption is that the Edward II Inn and Suites contained an approximate average of 20 transient guests during this period. The 25 residents of the proposed project would be living at the project site on a permanent basis. Therefore, in general the proposed project may increase the population density within the project area. However, the higher density in population would be negligible, relative to the existing population in the project area. Further, population effects of the proposed project are not expected to extend beyond the project site. The project would not directly or indirectly increase population significantly; therefore, project-related impacts on population growth would be **less than significant**.

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

The project would replace a hotel with a residential project for transitional-age youth. No housing units would be displaced, and the project would have no impact on the displacement of people. In addition, the loss of approximately four employees at the hotel would be offset by the eight employees who would work at the proposed project. This would result in a net increase of four jobs at the project site. Further, employees for the proposed project are expected to be already living in San Francisco and would not require new housing. Overall, the proposed project would result in **no impact** on displacement of people, displacement of housing units, or the creation of demand for additional housing.

---

<sup>8</sup>US Census Bureau, 2000 Census, ZIP Code Tabulation Area-94123. From Internet website: [http://factfinder.census.gov/servlet/SAFFacts?\\_zip=94123](http://factfinder.census.gov/servlet/SAFFacts?_zip=94123). Site accessed on January 24, 2011.

<sup>9</sup>San Francisco Convention and Visitors Bureau. 2011. *San Francisco Citywide Hotel Occupancy Rate*. From Internet Web site: [www.sfcvb.org/research](http://www.sfcvb.org/research). Site Accessed on: January 24, 2011.

<sup>10</sup>Bond, Gabriela. 2011. Golden Gate Inn. Personal Communication with Rima Ghannam at Tetra Tech, Inc. January 24, 2011.

**Impact PH-3: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less than significant cumulative impacts on population and housing. (Less than Significant)**

The project would increase the residential population in the Marina District by approximately 0.11 percent, according to figures and data from the 2000 Census. While this may be noticeable to adjacent neighbors, this increase of less than one percent would not substantially change the existing area wide population characteristics, and the resulting density would not exceed levels that are common and accepted in urban areas, such as San Francisco. Construction of the proposed project is not expected to generate substantial growth or concentration of population in the project area, which is already populated with residential and commercial buildings. In addition, the project would not displace any residents. Other developments within the project area, such as the proposed residential developments at 2353 Lombard Street and at 2774-2776 Filbert Street, would result in a slight increase in residents and employees. Further, the proposed project would not contribute significantly to any cumulative impacts on population and housing. Overall, cumulative population and housing impacts are less than significant. Therefore, impacts of the proposed project on population and housing, both individually and cumulatively, are 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>
<b>4. CULTURAL RESOURCES— Would the project:</b>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Under the CEQA criteria, a project would have significant impacts on cultural resources if it were to impact a historical resource, cause a substantial change to the significance of an archaeological resource, destroy a paleontological resource or unique geologic feature, or disturb any human remains.

The proposed project would entail minor exterior alterations and minor excavation within the area for placement of the elevator.

**Impact CP-1: The proposed project would not result in a significant impact on historic architectural resources. (No Impact)**

Historical resources are those properties that meet the terms of the definitions in Section 21084.1 of the CEQA statute and Section 15064.5 of the CEQA Guidelines. Historical resources include properties listed on, or formally determined eligible for listing on, the California Register of Historic Resources (California Register) or those listed in an adopted local historic register. "Local historic register" refers to a list of resources that are officially designated or recognized as historically significant by a local government by resolution or ordinance. Historical resources also include resources identified in a historical resource survey as meeting specific criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant based on substantial evidence would also be considered historical resources. The determination of whether a building may be a historical resource is associated with California Register criteria, which include events (Criterion 1), persons (Criterion 2), architecture (Criterion 3), and information potential (Criterion 4), or if it is determined to contribute to a historic district or context. To be a historical resource under CEQA, a property must be shown to be not only significant under California Register criteria, but it also must retain sufficient integrity from the period of significance. A resource that is officially designated or recognized as significant on a local register of historical resources or one that is significant under the Public Resources Code, Section 5024.1(g), also is presumed to be significant under CEQA "unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant."

The project site is located in the Marina District of San Francisco. The Marina neighborhood was originally marshland but was filled following the 1906 San Francisco earthquake and fire. The neighborhood began to be developed during and after the 1915 Panama-Pacific International Exposition. Residential development dominated the early 1920s, and commercial development, especially along Lombard Street, accelerated following the opening of the Golden Gate Bridge in 1937. Lombard Street was widened and became the primary thoroughfare for access to and from the bridge.

The Lombard Street corridor began to fill with commercial establishments, including motels and businesses related to autos, servicing the burgeoning tourist trade to such nearby destinations as Fisherman's Wharf, the Palace of Fine Arts, and the Presidio and to destinations north of the Golden Gate Bridge. The Marina District is currently characterized by multiple-unit apartment buildings, intermixed with single-family dwellings and commercial buildings along Chestnut and Lombard Streets. The predominant architectural styles are Mediterranean or Spanish Revival, with a handful of Exotic Revival buildings.

Under CEQA guidelines a resource that is not formally listed or identified as eligible in a state or local survey will be considered historically significant if it meets the criteria for listing on the California Register, or if it is determined to contribute to a historic district or context. The subject property's historical determination, summarized below, is based on a Historic Resources Evaluation Report (HRER),<sup>11</sup> prepared for the building at the project site, and on the San Francisco Planning Department staff concurrence with the significance findings of the HRER. The building is not listed on any local, state, or federal registries and is not listed on any historical resource surveys. The preparers of the HRER have concluded that the building did not appear to be eligible for listing on the California Register under any of the four criteria. The Planning Department staff concurred with this conclusion and determined that the site and structure were ineligible for listing on the California Register.<sup>12</sup>

The building at 3155 Scott Street is indirectly associated with both the Panama Pacific International Exposition and the opening of the Golden Gate Bridge by its location and construction date. However, the building does not strongly represent the development of or events of the fair or the bridge opening. Both events are better represented by other extant buildings and structures in the city. Thus, the subject building does not appear to be eligible for listing under Criterion 1. Research did not indicate that any of the owners or others associated with the building were historically important persons. Thus, the building does not appear to be eligible for listing under Criterion 2.

The building at 3155 Scott Street was designed by Charles J. Rousseau but is not a strong representative of his work due to extensive alterations. The building is not a strong representative of

---

<sup>11</sup>Architectural Resources Group, *Historical Resources Evaluation Report for 3155 Scott Street, San Francisco*, May 19, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

<sup>12</sup>San Francisco Planning Department. *Historic Resource Evaluation Response, 3155 Scott Street*. June 17, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.



the Spanish Revival style or hotel building type from the early twentieth century. Therefore, the building does not appear to be eligible for listing under Criterion 3 as an individual resource, nor does the building appear to be eligible for listing as a contributor to a potential historic district.

Although Criterion 4 is primarily used for archaeological resources, the building at 3155 Scott Street is not likely to yield information important to prehistory or history and does not appear to be significant under Criterion 4. Further, the HRER concluded that the building does not retain sufficient integrity to be eligible for listing on the California Register. The building retains integrity of location, association, workmanship, and feeling but does not retain sufficient integrity of design, setting, or materials to convey historical significance. This is due primarily to the demolition of approximately one-fifth of the building's original volume, the alterations of its storefronts, and the widening of Lombard Street. Further, the building does not appear to be eligible for listing as a contributor to a potential historic district. The building does not appear to be in a California-Register-eligible historic district, nor is it close to any eligible historic resources. Therefore, the building is not a historic resource. As a result, the proposed project, including any exterior alterations, would have **no impact** on historic resources.

**Impact CP-2: The proposed project would not result in a damage to, or destruction of, archaeological resources and would not disturb human remains. (No Impact)**

No major site excavation or grading is proposed for the project. Ground disturbance of up to three feet below ground surface would be required to install the building's elevator, but the proposed project would not require subsurface excavation beyond a depth of three feet. The Planning Department staff determined in their Preliminary Archeological Review, dated June 21, 2010, that there are no expected significant archeological resources within effected soils. As such, there would be **no impact** on archaeological resources or human remains.<sup>13</sup>

**Impact CP-3: The proposed project would not result in damage to, or destruction of, paleontological resources. (No Impact)**

There are no known paleontological resources or geological features at the project site, and there would be no requirement for excavation, grading or subsurface foundation work beyond a depth of three feet. In addition, any encounter with these resources would be subject to established guidelines

---

<sup>13</sup>San Francisco Planning Department, MEA Preliminary Archeological Review: Checklist; 3155 Scott Street, June 21, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

for their identification and protection. Therefore, the project would have **no impact** on paleontological resources or geological features.

**Impact CP-4: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would have no cumulative impacts on cultural resources. (No Impact)**

As discussed above, the proposed project would not impact cultural, historical, or paleontological resources, and so the proposed project would not contribute to cumulative cultural impacts. In addition, there do not appear to be any historical or cultural resources in the vicinity that could be impacted by the proposed project. Cumulative projects in the vicinity include the proposed developments at 2353 Lombard Street and 2774-2776 Filbert Street. Both of these projects include demolition and construction, which could impact cultural or paleontological resources. However, the proposed project would not contribute to any impact from these activities, and any projects in the vicinity would be subject to guidelines for the protection of cultural and paleontological resources. Therefore, the project would have **no impact** on cultural resources, either individually or cumulatively.

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

<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>
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"/>

Under CEQA criteria, a project would have significant impacts on transportation and circulation if it were to conflict with any applicable circulation performance policy or an applicable congestion management program, change air traffic patterns, substantially increase hazards due to a design feature, affect emergency access, or conflict with adopted plans or programs of public transit or other means of transportation.

The project site is not within an Airport Influence Area, as defined by AB 2776. In addition, the site is not within two miles of a public airport or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, criterion E.5c is not applicable to the proposed project. Further, the proposed project does not include any features that would alter the street pattern nor increase transportation hazards (e.g., create a new sharp curve or dangerous intersection). Therefore, criterion E.5d is not applicable to the proposed project.

The proposed project would convert the building's use from a 29-room hotel into 25 units of group housing, with approximately 1,856 square feet of supportive services and community space. Pedestrian access to the building is at the intersection of Lombard and Scott Streets, with four secondary entrances along Scott Street. The proposed project would reconfigure the windows and bays and would remove all but one of the entrances along Scott Street. Employees and residents would access the building through an entrance along Scott Street, and the former entrance on Lombard and Scott Streets would be closed. Two white-curb passenger loading spaces along Scott Street would remain. There is no vehicle access onto the site.

There would be a total of eight employees at the project site: a full-time live-in manager, a property manager, four residential support staff, one janitor, and one maintenance person. The residential support staff would be on-site during staggered shifts for counseling, job training, and related support services throughout the day and early evening. The janitor and maintenance person would work part time and would not always commute to the project site daily. In addition, up to two visitors are

expected to commute to the site by car daily.<sup>14</sup> To account for maximum project effects on the transportation network, this analysis assumes that the seven nonresident employees and two visitors would commute to the project site daily and during peak commute hours.

Regional access to the project site is via Lombard Street (US Highway 101), which is the northerly site frontage; the San Francisco-Oakland Bay Bridge Interstate-80 (I-80) is approximately 2.6 miles southeast of the site, and I-280 is approximately 4.5 miles to the southeast. The primary arterial roadways serving the site are Divisadero Street, one block west, Fillmore Street, approximately 0.28 mile east, Webster Street, approximately 0.37 mile east, and Marina Boulevard, approximately 0.46 mile north.

The local roadway network in the project vicinity is primarily composed of Scott Street, which is a two-way local street with two travel lanes. Traffic volumes on Scott Street are low to moderate. Lombard Street, which serves as US Highway 101 in the vicinity of the project site, is a two-way major arterial with six travel lanes.<sup>15</sup> Traffic volumes along Lombard Street in the vicinity of the project site consist of 34,500 daily vehicle trips, primarily resulting from its direct access to the Golden Gate Bridge and destinations in Marin County and beyond.<sup>16</sup>

The project site is served by many local public transportation options, including bus service via Muni Routes 22 - Fillmore, 28 - 19<sup>th</sup> Avenue, 30 - Stockton, 41 - Union, 43 - Masonic, 45 - Union-Stockton, and 76 - Marin Headlands, all within three blocks of the 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 proposed project conflict with any 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

---

<sup>14</sup>Hirschkop, Hershey. 2010. Personal Communication.

<sup>15</sup>San Francisco General Plan, Transportation Element, Map 6., Vehicular Street Map. Internet website: [http://www.sf-planning.org/ftp/general\\_plan/images/I4.transportation/tra\\_map6.pdf](http://www.sf-planning.org/ftp/general_plan/images/I4.transportation/tra_map6.pdf). Accessed December 28, 2010.

<sup>16</sup>California Department of Transportation. 2009 Traffic Volumes on Highway 101. Internet website: <http://www.dot.ca.gov/hq/traffops/saferesr/trafdata/2009all/Route101i.htm>. Accessed February 27, 2011.

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, pedestrian and bicycle circulation, and parking and freight loading. Also analyzed are the project's construction impacts.

### *Trip Generation*

As set forth in the Planning Department's October 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (the *SF Guidelines*), traffic conditions for the weekday PM peak-hour period (4:00 to 6:00 PM) determine thresholds of significance and the level of environmental impact. Weekday PM peak-hour conditions typically represent the maximum use of the local transportation network.

Using the land use categories in the *SF Guidelines*, hotel uses typically generate 7 trips per day per room, while studio and one-bedroom residential units typically generate 7.5 trips per day per unit, with 17.3 percent occurring during the PM peak hour. The 29-room hotel at the project site generated about 203 person trips per day, about 117 daily vehicle trips, and approximately 12 vehicle trips during the PM peak hour. This is based on the transportation mode split of the census tract in which the project site is located.<sup>17</sup>

Table 1 presents trip generation rates for the residents and employees of the proposed project. On an average day, the project would be occupied by 24 transitional-age youth and eight employees, one of which would be a resident manager. For the purpose of analyzing travel patterns, the proposed project would include 25 residents and seven employees. Further, up to two visitors daily and during peak commute hours are expected to come to the site. Based on the trip generation rate for residential use in the *SF Guidelines*, the residents at the project site would generate an estimated average of 188 daily person-trips, including 32 daily person-trips during the PM peak hour. These PM peak-hour person-trips would be distributed among various modes of transportation, including 20 vehicle person trips, nine public transit trips, two walking trips, and one by other means that could include a bicycle or motorcycle. The trip generation estimate, although consistent with the *SF Guidelines*, may be conservative, because the project would be occupied by transitional-age youth, and auto ownership may be lower for the project residents than for other neighborhood residents, thus reducing vehicle trip generation compared to the *SF Guidelines* rates, plus no parking. However, it would be speculative

---

<sup>17</sup>The project site is located in Census Tract 128, and the average vehicle occupancy is 1.09 for car, truck, and van trips.

**Table 1 – Trip Generation of the Proposed Project**

	Daily	PM Peak Period
<b>25 Residents</b>		
Person trips	188	32
Auto	118	20
Transit	53	9
Walking	14	2
Other (e.g., bicycle, motorcycle)	3	1
<b>7 Employees</b>		
Person trips	28	7
Auto	28	7
<b>2 Visitors</b>		
Person Trips	4	2
Auto	4	2
<b>Total person trips</b>	<b>220</b>	<b>41</b>

to incorporate these assumptions into the calculations, and so the *SF Guidelines* rates are considered satisfactory.

To conservatively estimate the typical daily travel of the seven employees who commute to the site (a property manager, four residential support staff, one janitor, and one maintenance person), the assumption is four potential auto trips per employee (two daily travel trips to and from work and two trips to and from lunch). During the PM peak hour, there would be one vehicle trip per employee. The seven employees who commute would generate seven PM peak-hour vehicle trips daily. Further, it is estimated that up to two visitors daily would come to the project site during peak commute hours. The visitors would generate four person trips per day with two trips during the PM peak hour. The proposed project would therefore generate a total of 220 person trips per day, with a total of 150 vehicle trips per day, 29 of which would be during the PM peak hour. The proposed project would result in a net increase of 17 vehicle trips during the PM peak hour from the previous hotel use, as shown in Table 2.

**Table 2 – Vehicular Trip Comparison - Previous Use and Proposed Project**

	Daily	PM Peak Period
<b>Proposed Project</b>		
Vehicle trips (residents, employees, and visitors)	150	29
<b>Edward II Inn and Suites</b>		
Vehicle Trips (Guests and Employees)	117	12

This would not be a potentially significant traffic impact, since the increase in trips would not be sufficient to degrade the existing Level of Service (LOS) in the nearby intersections to unacceptable levels or to result in a substantial increase in traffic volume in the vicinity. The project would not contribute significantly to an LOS decline at adjacent roadway intersections, based on LOS standards in the SF *Guidelines*. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers, particularly given the relatively high volume of traffic on Lombard Street during the PM peak-hour period. Therefore, the proposed project would result in a **less than significant** impact on vehicular traffic, both individually and cumulatively.

### *Parking*

San Francisco does not consider parking as part of the permanent physical environment and so does not consider changes in parking conditions to be environmental impacts, as defined by CEQA.

However, the San Francisco Planning Department acknowledges that parking conditions may be of interest to the public and decision makers, so a parking analysis and discussion are included here for informational purposes.

Parking conditions are not static, as parking supply and demand vary from day to day, from day to night, from month to month, and so forth. Hence, the availability of parking spaces 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. However, environmental documents should address the secondary physical impacts that could be triggered by a social impact.<sup>18</sup> 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.

There is currently no dedicated parking for the site, so on-street parking in the vicinity would continue to be accessed with the proposed project. The prior hotel contained 29 guest rooms; unlike most retail and commercial uses, hotel guest parking and some employee parking is usually overnight, so parking

---

<sup>18</sup>CEQA Guidelines, Section 15131[a]

spaces are occupied for relatively long periods, including the possibility of multiple days/evenings. According to the *SF Guidelines*, there would be a demand for 23 parking spaces by guests, with up to 3 by hotel staff, while the proposed project would result in demand for 11 spaces for residents and up to 9 spaces for staff and visitors.<sup>19</sup> This would result in a net decrease in demand of 6 parking spaces under the proposed project. In addition, according to the experience of San Francisco transportation planners, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., public transit, taxis, bicycles, and foot travel) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, to shift to other modes of travel, or to 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. Transit and bicycling options are available in the project area, as discussed under Impact TR-3.

The transportation analysis accounts for potential secondary effects, such as drivers 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 that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, reasonably address potential secondary effects.

There would be temporary parking demand from construction workers and impacts on local intersections from construction worker traffic, in proportion to the number of construction workers who would drive. Up to six construction workers are estimated to be at the project site each day during construction. In the long term, the seven employees and visitors to the project site are estimated to need up to nine parking spaces per day. The construction workers, employees, and visitors would park on the street in the project vicinity. Although they may have to circulate on nearby streets to find available parking, the anticipated parking deficit would not substantially change the capacity of the street system or alter the parking conditions in the area.

---

<sup>19</sup>*SF Guidelines, Appendix G: Parking Analysis Methodology.* This assumes 0.8 parking spaces per guest room plus 2 spaces for employees for the previous hotel use, and 0.45 spaces per unit utilizing the affordable rental one-bedroom or studio ratio, plus 4 parking spaces for employees and visitors for the proposed project. Employee parking accounted for travel mode split for each use.



### *Loading*

Planning Code Section 152 does not require an off-street loading space for under 100,000 square feet of residential use; therefore, off-street loading space would not be required for the proposed project. However, there are two white-curb passenger loading spaces adjacent the project site along Scott Street. The number of delivery and service vehicles generated by the project would be, on average, less than one truck trip per day.<sup>20</sup> The project could involve other delivery and service trips, including vanpool trips for resident activities; however, the volume of these trips, given the project size, would not result in potentially significant impacts from loading, and loading impacts are considered to be **less than significant**.

### *Construction Impacts*

Construction of the proposed project would not involve heavy earthmovers or grading equipment, since only minor exterior alterations and some interior alterations would be made. Construction vehicles could include a boom lift for exterior alteration work and possibly a crane for installing the elevator. At any time during the construction period there would be up to five construction trucks parked near the project site, on Lombard Street and on the surrounding streets. During the project's approximately 10-month construction period anticipated to begin in 2012, temporary and intermittent traffic and transit impacts would result from truck movements to and from the site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour. The project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. The Transportation Advisory Staff Committee consists of representatives from the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, and the SFMTA. Thus, impacts related to applicable transportation circulation system plan or policy would be **less than significant**.

---

<sup>20</sup>San Francisco Planning Department, Transportation Impact Analysis Guidelines for Environmental Review, October 2002, Appendix H, Freight Delivery and Service Methodology. Average daily rate calculated based on 8,125 square feet of residential use at a rate of 0.03 truck trip per 1,000 square feet.

**Impact TR-2: The proposed project would not result in inadequate emergency access. (No Impact)**

The proposed project would not significantly alter the site or the approach to the site. The building entry would be relocated along Scott Street. The project would not change emergency access, as the site is readily accessible from all major streets. Further, accessibility improvements would be made as determined by the City to ensure compliance with the Americans with Disabilities Act (ADA).

Therefore, the project would have **no impact** on emergency access.

**Impact TR-3: 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*

Muni provides transit service in San Francisco, including both diesel and electric trolley buses, light rail (Muni Metro), cable car, and electric streetcar lines. Muni operates four bus lines within a two-block radius of the project site: the 28 - 19<sup>th</sup> Avenue, 30 - Stockton, 43 - Masonic , and 76 - Marin Headlands. In addition, there are three additional lines within a three-block radius: the 22 - Fillmore, 41 - Union, and 45 - Union-Stockton. Based on the *SF Guidelines*, the proposed project would generate about nine PM peak-hour transit trips; this represents an increase of three trips over the previous hotel use and would have a less than significant impact on transit. Also, these three trips would be distributed among the various lines, and transit capacity would not significantly decrease as a result of project-generated transit trips. One of the eight priority policies added to Planning Code Section 101.1 by Proposition M, the Accountable Planning Initiative, is to discourage commuter automobiles. In addition, the City's Transit First policy, established in the City Charter, Section 16.102, provides that "parking policies for areas well-served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project site is in the vicinity of several transit routes, and the proposed project contains no on-site parking to encourage automobile use; thus the proposed project would not conflict with transit-related policies established by Proposition M or the City's Transit First policies and would result in a **less than significant** impact on transit.

*Bicycle Conditions*

Bicycle routes in the project vicinity are Routes #4, #6, and #45, with the closest being Route #6, which runs along Greenwich Street, within one block south of the project site. Bike Route #4 runs along Francisco Street, two blocks north of the project site. Bike Route #45 runs along Steiner Street, two

blocks east of the project site. These routes connect with other routes in the city, providing bicycle access to employment centers and recreation and cultural facilities.<sup>21</sup>

Planning Code Section 155.5, Bicycle Parking Required for Residential Uses, requires that group housing in all districts provide one Class I bicycle space for every three bedrooms. Accordingly, the project would be required to provide 9 Class I spaces. The project sponsor intends to provide the required number of bicycle parking spaces in the building's basement, as shown in Figure 9 - Proposed Basement Plan.

The proposed project is not expected to have an adverse impact on bicycle conditions in the project area. The proposed project would generate up to three bicycle trips per day. On June 26, 2009, the SFMTA approved the San Francisco Bicycle Plan. The plan includes updated goals and objectives that encourage bicycle use in the city, describes a safe and distinct bike road network, and identifies improvements to achieve the established goals and objectives. The proposed project would not result in significant impacts and would not conflict with the bicycle plan. Therefore, the proposed project would have a **less than significant impact** on bicycle conditions.

#### *Pedestrian Conditions*

According to the trip generation criteria in the *SF Guidelines*, the project would generate approximately 14 pedestrian trips per day. Sidewalks are provided on all surrounding streets. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict since sidewalks next to the project site have excess capacity, as evidenced by the lack of pedestrian crowding and queuing. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Therefore, the proposed project would have a **less than significant impact** on local sidewalks and would not result in safety concerns.

**Impact TR-4: The proposed project in combination with past, present, and reasonably foreseeable future projects, would have less than significant cumulative transportation impacts. (Less than Significant)**

The proposed project would not cause a substantial increase in traffic, in relation to the existing traffic load and capacity of the street system. As reflected in the trip generation explained Impact TR-1, the

---

<sup>21</sup>San Francisco Municipal Transportation Agency, San Francisco Bicycle Plan, June 26, 2009; San Francisco Planning Department, San Francisco Bicycle Plan Final Environmental Impact Report, certified June 25, 2009.

project would result in a less than significant increase in traffic and a less than significant contribution to a LOS decline at adjacent intersections. The proposed project does not include any hazardous design features or incompatible uses and would not result in inadequate emergency access to the site itself, or any surrounding sites. The proposed project would not substantially increase transit demand that could not be accommodated by existing and proposed transit capacity and alternative travel modes. With the addition of 17 PM peak-hour vehicle trips, the proposed project would have a less than significant cumulative impact because it would add a negligible number of PM peak-hour vehicle trips to local vehicle traffic.

Project construction, in combination with other major construction in the project area, would not significantly impact local or regional roads. The largest current construction project in the vicinity is the reconstruction of the Doyle Drive approach to the Golden Gate Bridge (Presidio Parkway project). Construction of this project began in 2009 and is expected to last into 2014. This project involves several temporary road closures, including Lincoln Boulevard and Halleck Street. These closures could redirect both construction and general traffic in the project vicinity. However, construction of the proposed project would not significantly contribute to the potential cumulative traffic impacts, because project construction would primarily entail interior reconfiguration and minor exterior alteration, so no heavy earthmoving or grading equipment or vehicles are anticipated that could impede traffic patterns during project construction. In addition, events related to the 34<sup>th</sup> America's Cup would likely occur in the project vicinity. The CEQA document for the 34<sup>th</sup> America's Cup has not been finalized; however, it is possible that the project could have adverse transportation effects. The project at 3155 Scott Street would generate approximately 17 net new trips, which would not be considered a substantial contribution to cumulative impacts. While the 34<sup>th</sup> America's Cup may have adverse transportation effects, those effects would occur regardless of whether the project at 3155 Scott Street is implemented.

Several minor development projects have recently been proposed in the project vicinity. These include a proposal at 2353 Lombard Street, approximately half a block east of the project site, that would demolish a two-story restaurant and construct a three-story mixed-use building, featuring ground floor commercial and three floors of residences. In addition, a proposal is under City planning review at 2775-2776 Filbert Street, approximately three and one-half blocks southwest of the project site, that would add a fourth floor to a three-floor, two-unit residential building. These projects would add vehicle, transit, and bike and pedestrian trips to the local street network, in addition to the proposed project; however, their scale, combined with the scale of the proposed project, would not increase local trips to a level resulting in a potentially significant impact. Therefore, cumulative impacts on traffic from both construction and operation of the project 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>
<b>6. NOISE—Would the project:</b>					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local <i>General Plan</i> or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Under CEQA criteria, a project would have significant impacts on noise if it were to expose persons or generate noise levels or ground-borne vibrations in excess of established standards, increase permanent or temporary ambient noise levels, expose people near airports or private airstrips to excessive noise levels, or be substantially affected by existing noise levels. The project site is not in an airport land use plan area or in the vicinity of a private airstrip. Therefore, criteria E.6e and E.6f are not applicable to the proposed project.

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

*Exposure to Noise during Operation*

The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility Guidelines for Community Noise.<sup>22</sup> These guidelines, which are similar to state guidelines set forth by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various land uses. For residential uses, the maximum satisfactory noise level without incorporating noise insulation into a project is 60 dBA (Ldn),<sup>23</sup> while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA (Ldn).<sup>24</sup> Where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements is typically necessary before final review and approval, and new residences must include noise insulation features in their design. In addition, Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects.

To analyze the noise environment at the project site, an environmental noise consulting firm, Charles M. Salter Associates, conducted two continuous two-day measurements and five 15-minute short-term measurements.<sup>25</sup> Measurements were taken from the building at elevations between 5 and 25 feet above grade and distances ranging between 40 and 110 feet of the Lombard Street centerline and 30 and 90 feet of the Scott Street centerline. Salter Associates found that the dominant noise sources at the site are from vehicle traffic along Lombard Street, with noise measurements ranging from 67 dB to as high as 80 dB. Based on the measured noise levels, the project site is within the San Francisco Land Use Compatibility Guidelines for Community Land Use Category C, in which "new construction or

---

<sup>22</sup>City and County of San Francisco, Planning Department, San Francisco General Plan, Environmental Protection Element, Policy 11.1.

<sup>23</sup>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 is expressed in units of A-weighted decibels (dBA).

<sup>24</sup>The guidelines are based on maintaining an interior noise level of interior noise standard of 45 dBA, Ldn, as required by the California Noise Insulation Standards in Title 24, Part 2 of the California Code of Regulations.

<sup>25</sup>Charles M. Salter Associates, Inc., Edward II – Environmental Noise Study, San Francisco, California, June 15, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made, and needed noise insulation features included in the design.” Salter Associates assessed the interior noise environment and provided recommendations to achieve an indoor noise level of 45 dB.

As part of its design, the proposed project would comply with the California Building Code interior noise requirements of Ldn 45 db by installing such building materials as sound-rated windows, gypsum board, and batt and blown-in insulation.<sup>26</sup> The Department of Building Inspection would review project plans for compliance with Title 24 noise standards. Compliance with Title 24 standards and with the City’s General Plan would ensure that effects from exposure to ambient noise would result in **less than significant** impacts.

#### *Generation of Traffic Noise during Operation*

The project would not increase traffic volumes to a degree that would cause a noticeable increase in the ambient noise level in the project vicinity, nor would it contribute to any potential cumulative traffic noise effects.<sup>27</sup> Therefore, impacts of the proposed project related to the generation of traffic noise during operation 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 level.<sup>28</sup> In addition, the noise ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours (until 10:00 PM). The proposed project would comply with Article 29, Section 2909, by including acoustical construction improvements to achieve an interior day-night equivalent sound level of 45 dB. Compliance with Article 29, Section 2909, would minimize noise from building

---

<sup>26</sup>Charles M. Salter and Associates, Inc., Edward II-Environmental Noise Study, San Francisco, CA, June 15, 2010.

<sup>27</sup>Federal Highway Administration. US Department of Transportation. 2011. Highway Traffic Noise. Internet Web site: [www.fhwa.dot.gov/environment/noise/regulations\\_and\\_guidance/analysis\\_and\\_abatement\\_guidance/polguide01.cfm](http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/polguide01.cfm). Accessed on January 13, 2011.

<sup>28</sup>Entertainment venues are also subject to a separate criterion for low-frequency (bass) noise.

operations. Therefore, noise effects related to building operation would be **less than significant**, nor would the building contribute a considerable increment to any cumulative noise impacts from mechanical equipment.

*Generation of Residents' Noise during Operation*

The subject property has operated as a hotel for nearly a century. This is a 24-hour use, seven days a week, and the hotel was most likely occupied by over 50 people at full occupancy. The proposed project would change the current use of the building from a 29-room tourist hotel to 25 units of group housing, with approximately 1,856 square feet of supportive services and community space. The project would include "quiet hours" between 10:00 PM to 7:00 AM, ensuring that noise from residents would not become a nuisance to neighbors. In addition, the on-site facility manager would be responsible for ensuring that the facility complies with all applicable provisions of Section 2909 of the Noise Ordinance, which sets noise limits for residential property uses.

**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)**

Conversion of the former hotel into the transitional-age youth housing and the associated alterations 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. 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 proposed project property line, unless a special permit is authorized by the Director of the DPW or DBI. Compliance with the noise ordinance would reduce most 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 NO-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less than significant cumulative noise impacts. (Less than Significant)**

Local traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity, though this increase would be far less than the doubling of traffic noise that would result in an audible change. However, 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 cumulative increases in the 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**.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>7. AIR QUALITY–Would the project:</b>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project is in the City and County of San Francisco, within the San Francisco Bay Area Air Basin (SFBAAB). In addition to San Francisco, the SFBAAB encompasses Alameda, Contra Costa,

Marin, Napa, San Mateo, and Santa Clara Counties, the southern half of Sonoma County, and the southwestern portion of Solano County.

The federal Environmental Protection Agency (EPA) is responsible for establishing and enforcing National Ambient Air Quality Standards and requires states with federal nonattainment areas to prepare and submit a State Implementation Plan (SIP), which provides the measures adopted to comply with the federal EPA standards. At the state level, the California Air Resources Board (CARB) establishes ambient air quality standards and policies for emissions controls and standards and is responsible for preparing the SIP.

At the regional level, the Bay Area Air Quality Management District (BAAQMD) is responsible for maintaining air quality standards in the SFBAAB, as well as developing and maintaining standards for attaining air quality levels, in compliance with federal and state laws and regulations, including the federal Clean Air Act.<sup>29</sup> The BAAQMD has implemented ozone attainment plans and clean air plans to establish emission control measures to reduce ozone, particulate matter (PM), toxics and greenhouse gas emissions and to set targeted dates for compliance with these measures. The most recent version of the clean air plan was adopted on September 15, 2010.

To establish compliance with all CEQA provisions and guidelines, BAAQMD has adopted the CEQA Air Quality Guidelines, most recently on June 17, 2010.<sup>30</sup> These guidelines establish thresholds of significance and provide procedures for evaluating criteria air pollutants, greenhouse gas (GHG) emissions, and health risks from new sources of emissions consistent with CEQA requirements.

The San Francisco General Plan includes an air quality element establishing policies to reduce the level of air pollutants and to improve the public health and quality of life of the people of San Francisco.

These policies are as follows:

- Adhere to state and federal ambient air quality standards and programs and reduce mobile sources of air pollution through implementation of the transportation element of the General Plan;

---

<sup>29</sup> State and Federal air quality standards for the Bay Area's attainment status is available at the BAAQMD website at [www.baaqmd.gov](http://www.baaqmd.gov), accessed March 23, 2011.

<sup>30</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, June 2010 (BAAQMD 2010 Guidelines). This document is available online at [www.baaqmd.gov](http://www.baaqmd.gov), accessed April 4, 2011.

- Decrease the air quality impacts of development by coordinating land use and transportation decisions;
- Improve air quality by increasing public awareness of the negative health effects of pollutants generated by stationary and mobile sources;
- Minimize particulate matter emissions from road and construction sites; and
- Link the positive effects of energy conservation and waste management to maintain reductions.

In addition, the San Francisco Department of Public Health (DPH) has issued guidance for the identification and assessment of potential air quality hazards and methods for assessing the associated health risks.<sup>31</sup> Consistent with CARB guidance, the DPH has identified a potential public health hazard for sensitive land uses, when such uses are within a 150-meter (approximately 500-foot) radius of any boundary of a project site that experiences 100,000 vehicles per day. To this end, San Francisco added Article 38 of the San Francisco Health Code, approved November 25, 2008, which requires that, for new residential projects of 10 or more units located near high-traffic roadways, as mapped by DPH, an air quality assessment be prepared to determine whether residents would be exposed to potentially unhealthful levels of PM<sub>2.5</sub>. Through air quality modeling, an assessment is conducted to determine if the annual average concentration of PM<sub>2.5</sub> from the roadway sources would exceed a concentration of 0.2 microgram per cubic meter (annual average).<sup>32</sup> If this standard were exceeded, the project sponsor must install a filtered air supply system, with high-efficiency filters, designed to remove at least 80 percent of ambient PM<sub>2.5</sub> from habitable areas of residential units.

---

<sup>31</sup>San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008, [http://dphwww.sfdph.org/phes/publications/Mitigating\\_Roadway\\_AQLU\\_Conflicts.pdf](http://dphwww.sfdph.org/phes/publications/Mitigating_Roadway_AQLU_Conflicts.pdf), accessed October 28, 2009.

<sup>32</sup>According to DPH, this threshold, or action level, of 0.2 micrograms per cubic meter represents about 8 – 10 percent of the range of ambient PM<sub>2.5</sub> concentrations in San Francisco based on monitoring data, and is based on epidemiological research that indicates that such a concentration can result in an approximately 0.28 percent increase in non-injury mortality, or an increased mortality at a rate of approximately 20 “excess deaths” per year per one million population in San Francisco. “Excess deaths” (also referred to as premature mortality) refer to deaths that occur sooner than otherwise expected, absent the specific condition under evaluation; in this case, exposure to PM<sub>2.5</sub>. (San Francisco Department of Public Health, Occupational and Environmental Health Section, Program on Health, Equity, and Sustainability, “Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review, May 6, 2008. Twenty excess deaths per million based on San Francisco’s non-injury, non-homicide, non-suicide mortality rate of approximately 714 per 100,000. Although San Francisco’s population is less than one million, the presentation of excess deaths is commonly given as a rate per million population.)

**Impact AQ-1: The project would not conflict with or obstruct implementation of an applicable air quality plan. (Less than Significant)**

The current air quality plan for the SFBAAB is the 2010 Clean Air Plan. This plan emphasizes travel activities and land use planning policies and measures to assist local jurisdictions in establishing goals for attaining compliance with the plan's target threshold dates. In addition, the plan uses the numbers from the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for population and demographic data for assuming regional emission forecasts. The project would introduce a new land use that would not induce additional traffic trips in numbers that would constitute a significant impact on the local roadway network, local transit lines, or local bicycle and pedestrian networks. In addition, the density of the project would not conflict with local area plans or induce growth beyond ABAG projections. Therefore, the proposed project would have a **less than significant** impact on the implementation of applicable air quality plans.

**Impact AQ-2: Construction of the proposed project would not violate or contribute to the violation of an air quality standard. (Less than Significant)**

Construction of the proposed project would involve both interior and exterior renovation and remodeling and minor excavation for the installation of an elevator. These construction activities would include use of emissions-producing equipment and fugitive dust and potentially volatile organic compounds by removing building materials and installing materials for the proposed use. To determine potential construction-related emissions against thresholds of significance established by the BAAQMD, an analysis was conducted.<sup>33</sup> This analysis calculates criteria pollutant emissions, diesel particulate emissions, and GHG emissions from construction or demolition activities and equipment.

Criteria pollutant emission estimates are provided for reactive organic compounds, nitrogen oxides, carbon monoxide, sulfur oxides, inhalable particulate matter (PM<sub>10</sub>), and fine particulate matter (PM<sub>2.5</sub>). Particulate matter emissions from diesel engines contain known and suspected carcinogens and consequently have been designated as a toxic air contaminant by CARB. Exhaust emissions of PM<sub>10</sub> from construction and demolition equipment provide the estimate of diesel particulate matter emissions. GHG emission estimates are provided for carbon dioxide, methane, and nitrous oxide. The

---

<sup>33</sup> Tetra Tech, Inc. Construction Emissions Analysis for the 3155 Scott Street Project, May 6, 2011. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

overall global warming potential of GHG emissions also is calculated in terms of carbon dioxide equivalents.

The construction emissions analysis assumed 109 truckloads of equipment, building materials, appliances, furnishings, and debris removal during an estimated 207-day construction period. Construction workers would add an additional six personal vehicles each day but would not be parking in the construction work zone. Construction zone emissions from truck traffic to and from the site assumed 5 minutes of engine operations in the construction zone during each one-way truck trip. The Scott Street frontage of the building was assumed to be the primary equipment activity zone during active construction hours.

As Table 3 indicates, construction site emissions would be well below the impact significance thresholds specified by the BAAQMD CEQA guidelines, as annual total construction site emissions would be less than 0.04 ton (80 pounds) for any individual pollutant.

**Table 3 – Summary of Daily Construction Emissions, Maximum Emissions**

Emissions Component	Construction Site Emissions, Pounds Per Day						
	ROG	NOx	CO	SOx	PM10	PM2.5	DPM
Engine exhaust	0.49	1.66	1.99	0.08	0.08	0.14	0.14
Fugitive dust	0.00	0.00	0.00	0.00	0.19	0.03	0.00
Fugitive ROG	3.98	0.00	0.00	0.00	0.01	0.00	0.00
TOTAL	4.47	1.66	1.99	0.08	0.28	0.17	0.14
BAAQMD threshold	54	54	NA	NA	82	54	NA
Above threshold?	No	No	No	No	No	No	No

ROG=reactive organic gases  
 NOx = nitrogen oxides  
 CO = carbon monoxide  
 SOx = sulfur dioxides  
 PM10 = inhalable particulate matter  
 PM2.5 = fine particulate matter  
 DPM = diesel particulate matter  
 Source: Tetra Tech, 2011

*Health Risk Evaluation Procedures*

Dispersion modeling analyses were conducted to evaluate health risks associated with construction site emissions. The CAL3QHCR dispersion model (EPA 1995) was used as an area source model for these analyses.

For analysis purposes, all construction site emissions were assumed to occur in a 15-foot-wide zone along the Scott Street frontage of the building. Annual meteorological data for 2004 and 2005 from the

Mission Bay meteorological station were used for the dispersion modeling analyses. The modeling analyses estimated maximum 1-hour, maximum 24-hour, and annual average pollutant concentrations at 21 off-site receptor locations in the project neighborhood. Universal transverse mercator coordinates for the modeled area source link and the various receptor locations were determined in the project vicinity. Construction emissions were modeled as occurring on Mondays through Fridays for 10 hours per day (7 AM to 5 PM). Modeled pollutants included PM<sub>2.5</sub>, diesel particulate matter (DPM), and total organic gases (TOG). Modeled pollutant concentrations were evaluated for cancer risk and health hazard index values, and are summarized in Table 4, as follows:

**Table 4 – Summary of Dispersion Modeling Results for Construction Site Emissions**

	Dispersion Modeling Outdoor PM <sub>2.5</sub>	Incremental Cancer Risks from DPM and TOG	Chronic Hazard Index from DPM and TOG (annual)	Acute Hazard Index from DPM and TOG (1hour)
Maximum value	0.14	2.7462	0.0177	0.0227
BAAQMD threshold	.30	10	1.0	1.0
Above threshold?	No	No	No	No

DPM = diesel particulate matter  
 PM2.5 = fine particulate matter  
 TOG = total organic gases  
 Source: Tetra Tech, 2011

This analysis indicates that construction at the proposed project site would not create PM<sub>2.5</sub>, DPM, and TOG concentrations above the BAAQMD impact significance threshold, even at immediately adjacent properties.

In addition, the San Francisco Building and Health Code contains a construction dust control ordinance<sup>34</sup> that addresses dust emissions related to construction site preparation, demolition, and construction. This ordinance requires that all site preparation, demolition, or other construction that has the potential to create dust or expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures as prescribed. Since site preparation and construction activities of the proposed project would be under this threshold, the provisions of this ordinance would not apply.

Construction of the project would have a **less than significant** impact on air quality. This is because construction would not violate or exceed any threshold of significance, in accordance with BAAQMD

<sup>34</sup>Ordinance Number 176-08, effective June 30, 2008

construction emissions standards. Moreover, guidelines and BMPs are in place from existing ordinances that may apply to construction.

**Impact AQ-3: The proposed project’s emissions would expose sensitive receptors to substantial pollutant concentrations (Less than Significant with Mitigation)**

The BAAQMD has adopted impact significance thresholds for traffic and stationary source health risks. These thresholds include cancer risk, non-cancer hazards, and PM<sub>2.5</sub> exposure levels. The 2010 BAAQMD CEQA Air Quality Guidelines use the same thresholds of significance as the 1999 BAAQMD CEQA Guidelines for health risk from operational sources (i.e., increased cancer risk greater than 10 per million, and for both chronic and acute non-cancer hazard index each greater than 1.0). The 2010 BAAQMD CEQA Air Quality Guidelines also established a new threshold of 0.3 µg/m<sup>3</sup> or greater annual average for operational ambient PM<sub>2.5</sub> increases, and recommend more complex modeling techniques for determining carcinogenic health risk, non-carcinogenic health hazard, and maximum annual PM<sub>2.5</sub> concentrations in areas subject to mobile source TAC emissions. The BAAQMD health risk thresholds are summarized in Table 5 below.

**Table 5 – Project Increment Health Risk Significance Criteria**

Health Risk Category	BAAQMD Threshold
Annual average PM <sub>2.5</sub> exposure	0.30 micrograms/cubic meter
Cancer risk	10 in a million
Non-cancer hazard index, chronic exposure	1.0
Non-cancer hazard index, acute exposure	1.0

PM<sub>2.5</sub> = fine particulate matter

Occupants of the proposed project would be exposed to air pollutants associated with existing and future traffic conditions in the project vicinity, as well as to local stationary emission sources, such as dry cleaners and gas stations. Emissions associated with stationary sources can include toxic air contaminants. Lombard Street carries about 34,500 vehicles per day in the vicinity of the project site,<sup>35</sup> and the proposed project is adjacent this street. Sensitive receptor locations within several hundred feet of highways carrying high traffic volumes could be exposed to elevated concentrations of PM<sub>2.5</sub>, DPM, and carcinogenic compounds in vehicle exhaust. Therefore an analysis was conducted to determine

<sup>35</sup> Caltrans, 2010b.

whether project occupants could be exposed to any of these contaminants that would meet or exceed BAAQMF thresholds.<sup>36</sup>

This analysis determined that outdoor PM<sub>2.5</sub> concentrations would exceed the BAAQMD impact significance threshold (annual average of 0.30 microgram per cubic meter) around the northern half of the building. Outdoor PM<sub>2.5</sub> concentrations also would exceed the San Francisco Health Code Article 38 action level (annual average of 0.20 microgram per cubic meter) for the middle and northern portions of the building. Therefore, the following mitigation measure, Building Air Filtration and Ventilation Requirements, has been incorporated into the project to reduce PM<sub>2.5</sub> impacts to **less than significant**.

**Mitigation Measure M-AQ-1: Building Air Filtration and Ventilation Requirements**

To reduce the potential for exposure of building occupants to PM<sub>2.5</sub> and other toxic air contaminants, the project shall be designed to incorporate a mechanical ventilation system with air filtration that is capable of removing 80 percent of ambient PM<sub>2.5</sub>. This level of filtration requires filters with at least a MERV (minimum efficiency reporting value) rating of 12, in accordance with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). In addition, the project's air intakes shall be located on the eastern, western, or southern half of the building, as specified in the Air Quality Technical Report. This would increase the separation from traffic emissions on Lombard Street. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology. In addition to installation of air filtration, the project sponsor shall present a plan that ensures ongoing maintenance plan for the ventilation and filtration systems.

Implementation of the **Mitigation Measure M-AQ-1** would ensure that indoor air quality levels would be well below the BAAQMD significance thresholds as well as Article 38 action levels.

---

<sup>36</sup> Tetra Tech, Inc., CEQA Air Quality Technical Report: 3155 Scott Street Project, San Francisco, CA, May 2011. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.



### *Local Stationary Source Analysis*

For the analysis, the BAAQMD stationary source database from the CEQA Guidelines was used to identify local stationary sources in the vicinity. Ten sources were identified from that database (two gas stations, one auto body shop, and seven dry cleaners) as being within 1,500 feet of the project site. Seven of those sources (two gas stations, one auto body shop, and four dry cleaners) were within 1,000 feet of the project site. The remaining three dry cleaners were between 1,000 and 1,500 feet of the project site.<sup>37</sup> The BAAQMD *CEQA Guidelines* recommend that health hazard risks be evaluated for local stationary sources within 1,000 feet of the project site. The BAAQMD also suggests that this radius be expanded if there are other relatively large sources of hazardous air pollutant emissions beyond the 1,000 foot radius. Because one of the three dry cleaners beyond the 1,000-foot distance had a relatively large incremental cancer risk value, all sources within 1,500 feet of the project site were included to provide a conservative analysis.

BAAQMD data show that none of the local stationary sources have any PM<sub>2.5</sub> emissions. BAAQMD data also show that four of the dry cleaners and the auto body shop have no emissions of toxic air contaminants. The four dry cleaners with no hazardous emissions are using a nontoxic hydrocarbon compound in their process. One of these dry cleaners (Scott Cleaners) recently shut down a process unit that had been using perchloroethylene solvent and now has no emissions of toxic air contaminants.<sup>38</sup>

As indicated in Table 6, local stationary sources would not create excessive cancer risk or non-cancer health hazard exposure conditions at the project site.

---

<sup>37</sup> Ibid.

<sup>38</sup> Lutz, Scott. 2010. Bay Area Air Quality Management District. Personal communication with Bob Sculley, Tetra Tech, November 22, 2010.

**Table 6 – Health Risk Analysis Results for Local Stationary Sources**

Stationary Source	Source Site Cancer Risk	Source Site Hazard Index		Project Site Cancer Risk	Project Site Hazard Index	
		Acute	Chronic		Acute	Chronic
Union 76	1.297538	0.000303	0.001173	0.0304122	0.0000071	0.0000275
Lombard Valero	1.297538	0.000303	0.001173	0.0044860	0.0000010	0.0000041
Walnut Cleaners	30	0.0014	0.0797	0.1733642	0.0000081	0.0004606
Norman Cleaners	11.2	0.000523	0.0299	0.0756522	0.0000035	0.0002020
Scott Cleaners	0	0	0	0.0000000	0.0000000	0.0000000
Arlene's Cleaners	18	0.000837	0.0478	0.0151918	0.0000007	0.0000403
Priority Express Cleaners	0	0	0	0.0000000	0.0000000	0.0000000
Cow Hollow French Cleaners	0	0	0	0.0000000	0.0000000	0.0000000
Clean Image	0	0	0	0.0000000	0.0000000	0.0000000
Lombard Collision Works	0	0	0	0.0000000	0.0000000	0.0000000
TOTALS	na	na	na	0.2991064	0.0000205	0.0007344
BAAQMD threshold	na	na	na	10	1.0	1.0
Above BAAQMD threshold?	na	na	na	No	No	No

*Combined Health Risks from Local Traffic and Stationary Sources*

Table 7 below summarizes the combined cancer risk from traffic and stationary source emissions exposure for residents of the proposed project. This analysis assumes a maximum youth residency of seven years and a maximum building manager residency of 50 years.

These analyses have shown that most BAAQMD emissions standards would be met with construction and operation of the proposed project. Where PM<sub>2.5</sub> levels are above BAAQMD thresholds, implementation of the air filtration and ventilation requirements of Mitigation Measure M-AQ-1 would ensure that the project would not exceed these thresholds. Therefore, the project would have a **less than significant** impact on exposing sensitive receptors to pollution concentrations with incorporation of this mitigation measure.

**Table 7 – Combined Cancer Risks for Project Residents Due to Local Emission Sources**

Receptor Location	Carcinogenic Component	Estimated Cancer Risk (Chances per Million) by Duration of Residency at the Project Site				
		5 Years	7 Years	20 Years	35 Years	50 Years
NW corner of building	DPM	0.332	0.465	1.328	2.324	3.320
	TOG	0.590	0.826	2.360	4.130	5.900
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>1.221</b>	<b>1.590</b>	<b>3.987</b>	<b>6.753</b>	<b>9.520</b>
NE corner of building	DPM	0.328	0.459	1.311	2.295	3.278
	TOG	0.583	0.816	2.332	4.082	5.831
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>1.210</b>	<b>1.574</b>	<b>3.943</b>	<b>6.676</b>	<b>9.408</b>
SE corner of building	DPM	0.173	0.242	0.691	1.210	1.728
	TOG	0.367	0.514	1.468	2.570	3.671
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>0.839</b>	<b>1.055</b>	<b>2.459</b>	<b>4.078</b>	<b>5.698</b>
SW corner of building	DPM	0.173	0.242	0.691	1.210	1.728
	TOG	0.368	0.516	1.474	2.579	3.684
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>0.840</b>	<b>1.057</b>	<b>2.464</b>	<b>4.087</b>	<b>5.711</b>
Middle of north side of building	DPM	0.328	0.459	1.311	2.295	3.278
	TOG	0.583	0.816	2.332	4.082	5.831
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>1.210</b>	<b>1.574</b>	<b>3.943</b>	<b>6.676</b>	<b>9.408</b>
Middle of east side of building	DPM	0.228	0.319	0.911	1.594	2.277
	TOG	0.454	0.636	1.816	3.179	4.541
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>0.981</b>	<b>1.254</b>	<b>3.026</b>	<b>5.071</b>	<b>7.117</b>
Middle of south side of building	DPM	0.173	0.242	0.691	1.210	1.728
	TOG	0.367	0.514	1.468	2.570	3.671
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>0.839</b>	<b>1.055</b>	<b>2.459</b>	<b>4.078</b>	<b>5.698</b>
Middle of west side of building	DPM	0.223	0.313	0.894	1.564	2.235
	TOG	0.453	0.634	1.810	3.168	4.525
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>0.975</b>	<b>1.246</b>	<b>3.003</b>	<b>5.031</b>	<b>7.059</b>
Typical exposure scenario	DPM	0.257	0.360	1.030	1.802	2.575
	TOG	0.446	0.624	1.783	3.119	4.456
	Stationary	0.299	0.299	0.299	0.299	0.299
	<b>Total</b>	<b>1.002</b>	<b>1.283</b>	<b>3.112</b>	<b>5.221</b>	<b>7.330</b>
BAAQMD significance threshold		10	10	10	10	10
Maximum impact above BAAQMD Threshold?		No	No	No	No	No

DPM = diesel particulate matter  
 PM2.5 = fine particulate matter  
 TOG = total organic gases  
 Source: Tetra Tech, 2011

**Impact AQ-4: The proposed project would not create objectionable odors affecting a substantial number of people. (No Impact)**

The project would not result in a perceptible increase or change in odors on the project site or in the vicinity of the project, as it would not include uses prone to generating odors. In addition, surrounding land uses are not sources of noticeable odors and so would not adversely affect project residents. Therefore, the proposed project would have **no impact** on generation or reception of objectionable odors.

**Impact AQ-5: The proposed project would not result in a cumulatively considerable net increase in criteria air pollutants or otherwise conflict with regional air quality plans. (Less Than Significant)**

The proposed project would be generally consistent with the Air Quality element of the General Plan and air quality management plans, such as the 2010 Clean Air Plan. In addition to the proposed project, other projects recommended for analysis of cumulative air quality impacts in accordance with the BAAQMD *CEQA Guidelines* include the projects within 1,000 feet of the project site, including 2353 Lombard Street. The 2353 Lombard Street project would involve more demolition and construction than would be required by the proposed project; however, the Lombard Street project is below the BAAQMD screening thresholds for both construction and operational emissions analyses. Traffic generated by the 2353 Lombard Street project may be less than traffic previously generated by the commercial uses at that site. Consequently, cumulative emissions from both the proposed project and the 2353 Lombard Street project clearly would be less than the BAAQMD air quality impact thresholds for cumulative project analyses.

Accordingly, the proposed project would not contribute considerably to cumulative air quality impacts, nor would it interfere with adopted plans developed to improve air quality toward attaining the state and federal air quality standards. As such, operational characteristics of the proposed project would result in **less than significant** cumulatively considerable increases in regional air pollutants.

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

Under CEQA criteria, a project would have significant impacts on greenhouse gas (GHG) emissions if it were to significantly generate GHG emissions or conflict with any applicable plan, policy, or regulation related to the emission of GHG.

Gases that trap heat in the atmosphere are referred to as 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 GHGs 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, methane, and nitrous oxide 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 (CO<sub>2</sub>E units).<sup>39</sup>

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

<sup>39</sup>Because of the differential heat absorption potential of various GHGs, emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

global rise in sea level, impacts on agriculture, changes in disease vectors, and changes in habitat and biodiversity.<sup>40</sup>

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO<sub>2</sub>E (MMTCO<sub>2</sub>E), or about 535 million U.S. tons.<sup>41</sup> 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 emissions.<sup>42</sup> 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 percent of the Bay Area's 95.8 MMTCO<sub>2</sub>E emitted in 2007.<sup>43</sup> Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions followed by residential fuel usage at 7 percent, off-road equipment at 3 percent and agriculture at 1 percent.<sup>44</sup>

### ***Regulatory Setting***

In 2006, the California legislature passed AB 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq.), 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

---

<sup>40</sup>California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Internet website: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

<sup>41</sup>California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006 – by Category as Defined in the Scoping Plan." Internet website: [http://www.arb.ca.gov/cc/inventory/data/tables/ghg\\_inventory\\_scopingplan\\_2009-03-13.pdf](http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf). Accessed March 2, 2010.

<sup>42</sup>*Ibid.*

<sup>43</sup>Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Internet website: [http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007\\_2\\_10.ashx](http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx). Accessed March 2, 2010.

<sup>44</sup>*Ibid.*

levels.<sup>45</sup> The Scoping Plan estimates a reduction of 174 MMTCO<sub>2</sub>E (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 8, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.<sup>46</sup> 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.

**Table 8 – GHG Reductions from the AB 32 Scoping Plan Sectors<sup>47</sup>**

<b>GHG Reduction Measures By Sector</b>	<b>GHG Reductions (MMT CO<sub>2</sub>E)</b>
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
<b>Total</b>	<b>174</b>
<b>Other Recommended Measures</b>	
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	9
<ul style="list-style-type: none"> <li>• Commercial Recycling</li> <li>• Composting</li> <li>• Anaerobic Digestion</li> <li>• Extended Producer Responsibility</li> <li>• Environmentally Preferable Purchasing</li> </ul>	
<b>Total</b>	<b>42.8-43.8</b>

<sup>45</sup>California Air Resources Board, California's Climate Plan: Fact Sheet. Internet website: [http://www.arb.ca.gov/cc/facts/scoping\\_plan\\_fs.pdf](http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf). Accessed March 4, 2010.

<sup>46</sup>California Air Resources Board. AB 32 Scoping Plan. Internet website: [http://www.arb.ca.gov/cc/scopingplan/sp\\_measures\\_implementation\\_timeline.pdf](http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf). Accessed March 2, 2010.

<sup>47</sup>Ibid.

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 (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.

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 *2010 CEQA Air Quality Guidelines* provide for the first time CEQA thresholds of significance for GHG 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. 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.<sup>48</sup> 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.

---

<sup>48</sup>San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. Internet website: <http://www.sfplanning.org/index.aspx?page=1570>.



San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced GHG emissions, including increasing the energy efficiency of new and existing buildings, installing solar panels on building roofs, implementing a green building strategy, adopting a zero waste strategy, passing a construction and demolition debris recovery ordinance, offering a solar energy generation subsidy, incorporating alternative fuel vehicles into the City's transportation fleet (including buses and taxis), and imposing a mandatory composting ordinance. The strategy also identifies 42 specific regulations for development that would reduce a project's GHG emissions.

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

- By 2008, determine the City's 1990 GHG emissions, which are set to the baseline level of target reductions;
- 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 are consistent with the State's 2050 GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, and alternative transportation and solid waste policies. It concludes that San Francisco's policies have reduced GHG emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 MMTCO<sub>2</sub>E, and 2005 GHG emissions are estimated at 7.82 MMTCO<sub>2</sub>E, 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. The GHG Reduction Strategy provides standards to establish thresholds of significance when conducting analysis for CEQA documents. The BAAQMD further 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."<sup>49</sup>

**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)**

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

The proposed project would increase the activity on-site by a net addition of 33 daily vehicle trips, compared to the 117 daily vehicle trips generated by the hotel use. The project would also create a residential population in place of the hotel's transient guests. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential operations associated with energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in a minor increase in GHG emissions. 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 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 9.

---

<sup>49</sup>Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. .

**Table 9 – Regulations Applicable to the Proposed Project**

Regulations	Project Requirements
Commuter Benefits Ordinance (Environment Code, Section 421)	The building owner/operator offers all employees a Pre-Tax Election program that complies with the terms of the Environment Code.
Emergency Ride Home Program	The building owner/operator participates in the San Francisco Emergency Ride Home program.
Bicycle parking in residential buildings (Planning Code, Section 155.5)	The proposed project would comply with the Planning Code Section 155.5 by providing 9 Class I spaces in the building basement.
Parking requirements for San Francisco's Mixed-Use zoning districts (Planning Code Section 151.1)	The proposed project does not include any car-parking spaces.
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code Chapter 13C)	The project will exceed Title 24 requirements by more than 15% and will meet LEED Silver certification criteria. EnergyStar-rated appliances would be used. In addition, green energy devices, including solar panels if feasible, would be included for project operation.
Residential Water Conservation Ordinance (SF Building Code, Housing Code, Chapter 12A)	The proposed project would meet LEED Silver certification. Low-water use showerheads, faucets, and other water sources will be employed.
Residential Energy Conservation Ordinance (SF Building Code, Housing Code, Chapter 12)	The rehabilitation scope would include inspecting steam and hot water pipes and tanks, insulating those that are currently uninsulated and cleaning and tuning the boiler. The boiler is currently on a time-clock and a recent inspection showed no leaks.
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	The proposed project would be in compliance with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The project's residents and employees would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream.
San Francisco Green Building Requirements for construction and demolition debris recycling (SF Building Code, Chapter 13C)	The proposed project would include minor interior and exterior alterations to the existing building at 3155 Scott Street. The project sponsor would comply with the San Francisco Building Code Chapter 13C by diverting from landfills a minimum of 75% of all construction and demolition debris.

In addition to the regulations listed above, the proposed project would meet LEED Silver certification criteria to further reduce the project's GHG emissions. The proposed project would include solar panels, if feasible, for project operation.

The proposed project would be consistent with San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>50</sup> by complying with all the applicable regulations documented in the *Compliance Checklist*<sup>51</sup> and in Table 9 above. 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>
<b>9. WIND AND SHADOW—Would the project:</b>					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would have significant wind and shadow impacts under CEQA if it would substantially alter wind patterns in public areas, or create new shadows in outdoor recreational facilities or public areas.

**Impact WS-1: The proposed project would not impact wind patterns. (No Impact)**

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 would not substantially alter the exterior envelope of the building and so would not result in adverse effects on ground level winds. Thus, the proposed project would have **no impact** on wind patterns in the project vicinity.

**Impact WS-2: The proposed project would not create any new shadow in a manner that would affect outdoor recreational facilities or public areas. (No Impact)**

Section 295 of the Planning Code was adopted in response to Proposition K (passed November 1984) to protect certain public open spaces from shadowing by new structures from one hour after sunrise to one hour before sunset, annually. Section 295 restricts new shadows on public spaces under the

<sup>50</sup>San Francisco Planning Department. *Greenhouse Gas Analysis: Compliance Checklist*. November 24, 2010. This document is available for review at the Planning Department 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2010.0420E.

<sup>51</sup>*Ibid.*

jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet, unless the City Planning Commission finds the impact to be insignificant. There are no recreation or open spaces next to the proposed project. Further, the proposed project would not increase the height or bulk of the building and would therefore not cast new shadows. Because of this, no shadow study was required by the provisions of Section 295, and no impact would occur. Thus, the proposed project would not create new shadows in a manner that substantially affect outdoor recreation facilities or other public areas. As such, the proposed project would create **no impact** from shadows on any public open space.

**Impact WS-3: The proposed project in combination with past, present, or reasonably foreseeable projects would not result in cumulative wind and shadow impacts. (No Impact)**

The project would entail minor façade alternations and major interior configurations and would have **no impact** related to wind or shadow.

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

Under CEQA criteria, a project would have significant recreation impacts if it were to increase the use and physically deteriorate recreation facilities or require the construction or expansion of recreation facilities.

**Impact RE-1: The proposed project would not substantially increase in the use of existing parks and recreation facilities or the deterioration of these facilities. (Less than Significant)**

The project site does not include open space, and the proposed project would not provide any open space. Future residents would use parks and recreation facilities in the area. The following parks and recreation facilities are located within half a mile of the project site: the Presidio (0.3 mile), the Palace of

Fine Arts (0.4 mile), George Moscone Recreation Center (0.4 mile), Alta Plaza Park (0.5 mile), Marina Green (0.5 mile), Exploratorium (0.4 mile), San Francisco Bay (0.4 mile), and the Fort Mason complex (approximately 0.5 mile). The additional use of the recreation facilities by project residents would be relatively minor, compared with the existing use, so the proposed project would not result in any potentially significant physical deterioration or degradation of recreation resources. Therefore, the impact on existing recreation facilities would be **less than significant**.

**Impact RE-2: The proposed project would not require the construction or expansion of recreational facilities. (No Impact)**

Future residents could use the existing recreational facilities located within the project area. The addition of 25 residents would incrementally increase the demand for park and recreation services and facilities in the area but not in excess of the amounts provided for in the project vicinity, given the choice and proximity of park and recreation options. The proposed project does not include or require the construction or expansion of recreational facilities. The increase in demand would not be in excess of amounts expected and provided for in the project area and the City as a whole. Therefore, the proposed project would not require the construction or expansion of recreational facilities. As such, it would have **no impact** from the construction or expansion of recreation facilities.

**Impact RE-3: The proposed project in combination with past, present, or reasonably foreseeable projects would not result in significant cumulative impacts on recreational resources. (Less than Significant)**

The project site is in an area well served by numerous park and recreation facilities within a one-mile radius in all directions. The addition of 25 residents to the area would not require additional off-site park facilities and would not significantly impact existing facilities. Therefore, the proposed project would not result in cumulatively considerable impacts on recreation resources, and this impact is considered to be **less than significant**.

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

The utilities and public services serving the project site include wastewater collection and transfer, stormwater drainage, solid waste collection, and water facilities. Under the proposed project, a 29-room hotel would be replaced with 25 group housing units, with 1,856 square feet of supportive services and community space. The hotel's need for public utilities and service systems may have been higher than that of the proposed project during full occupancy periods. However, the conversion of the 29-room hotel into 25 units of group housing could increase demand for public services and utilities and would add to cumulative water and energy consumption, but not in excess of amounts projected by agencies responsible for management of those services and utilities. Under CEQA criteria, a project would have significant impacts on utilities and services if it were to increase wastewater treatment requirements, require the construction of new water or wastewater treatment facilities, require the construction or expansion of new drainage facilities, exceed the capacity of the wastewater treatment provider, exceed the landfill permitted capacity, or violate any federal, state, or local regulations related to solid waste.

**Impact UT-1: The proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board, require or result in the construction of new, or expansion of existing, water, wastewater treatment facilities, or stormwater drainage facilities, and the proposed project would be adequately served by the City's wastewater treatment provider. (Less than Significant)**

The proposed project would not require new wastewater or stormwater collection and treatment facilities. The project site is entirely covered with impervious surfaces, so the proposed project would not affect the amount of stormwater discharged from the project site. The minor increase in population at the project site would incrementally increase the demand for wastewater treatment; however, it would not cause the collection treatment capacity to be exceeded or require the wastewater treatment facilities to be expanded or a sewer line to be extended. 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, before discharging into San Francisco Bay. Therefore, the proposed project would have a **less than significant** impact on San Francisco's wastewater and stormwater systems.

**Impact UT-2: The proposed project would increase the amount of water used on the site but would be adequately served by existing entitlements and water resources. (Less than Significant)**

The proposed project would add permanent residential units to the site, which might result in a slight net increase in the demand for water supply, but not in excess of amounts expected and provided for in the project area. The projected water consumption for the project site was accounted for in the SFPUC's 2005 Final Urban Water Management Plan (UWMP) and in the Final Water Supply Availability Study for the City and County of San Francisco.<sup>52</sup> Due to their programmatic nature, these studies did not specifically analyze the anticipated water needs of the proposed project; rather, they were based on anticipated water supply and availability projections, which were themselves based on land use and population forecasts from ABAG and other sources. Given that the proposed resident population is well within the future population projection levels analyzed in the studies, the water supply needs for the project can be met by existing sources. Therefore, the proposed project would not need new or expanded water supplies or services. In addition, water conservation measures would be

---

<sup>52</sup>The SFPUC's 2005 UWMP is based on data presented in the ABAG'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 2025.



incorporated into the proposed project's design, such as low-flush toilets and low-volume showers. This complies with California State Building Code Section 402.0(c) and LEED Silver certification requirements. Therefore, the proposed project would have a **less than significant** impact on existing and projected water supplies.

**Impact UT-3: The proposed project would increase the amount of solid waste generated on the project site but would be adequately served by the City's landfill and would comply with federal, state, and local statutes and regulations related to solid waste. (Less than Significant)**

Solid waste generated by the City and County of San Francisco is transported to the Altamont Landfill. This landfill has a permitted peak maximum disposal capacity of 11,150 tons per day and is operating well below that capacity, at approximately 4,000 to 5,000 tons per day. In addition, the landfill has an annual solid waste capacity of 2,226,500 tons from the City and County of San Francisco. However, the landfill is well below its allowed capacity, receiving approximately 1.29 million tons of solid waste in 2007, the most recent data year available. The total permitted capacity for the landfill is 62 million cubic yards; the remaining capacity is approximately 45.7 million cubic yards.<sup>53</sup>

Recycling, composting, and waste reduction are expected to increasingly divert waste from the landfill, per California and local requirements. The City was required by the State's Integrated Waste Management Act (AB 939) to divert 50 percent of its waste stream from landfill disposal by 2000. The City met this threshold in 2003 and has since increased it to 69 percent in 2005 and 70 percent in 2006. In addition, the Board of Supervisors adopted a plan in 2002 to recycle 75 percent of annual wastes generated by 2010.

The proposed project would be in compliance with the San Francisco Building Code Chapter 13 C, which requires a minimum of 75 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the proposed project would be in compliance with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The project's residents and employees would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. The Altamont Landfill is expected to remain operational until

---

<sup>53</sup>California Integrated Waste Management Board, Active Landfill Profiles, Altamont Landfill. Internet website: <http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/LFProfile1.asp?COID=1&FACID=01-AA-0009>. Accessed November 10, 2010

at least 2029 and has plans to increase capacity by 250 additional acres.<sup>54</sup> With the City's increase in recycling and the potential Altamont Landfill expansion, the City's solid waste disposal demand could be met through at least 2029. Given the existing and anticipated increase in solid waste recycling and the proposed landfill expansion, the project would have a **less than significant** impact on solid waste facilities.

**Impact UT-4: The proposed project, in combination with other past, present, or reasonably foreseeable projects, would result in less than significant impacts on utilities and service systems. (Less than Significant)**

The proposed project would not require new or expanded utilities or service systems. Cumulative developments in the project area, including the residential developments on 2353 Lombard Street and 2774-2776 Filbert Street would incrementally increase demand on City's utilities and service systems. Given that the City's existing service management plans address anticipated growth in the region, the project in combination with other cumulative projects, would not be expected to have cumulatively considerable impacts on utility service provision or facilities under future conditions. The project would not contribute considerably to cumulative impacts related to utilities and service systems. Therefore, the proposed project would result in **less than significant** impacts on utilities and service systems.

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

The project site is already served by public services, including police and fire protection, schools, and parks. Under CEQA criteria, a project would have significant impacts on public services if it were to

<sup>54</sup>Ibid.

substantially affect the service ratios or response times of any public service, which would necessitate the need for new or expanded governmental facilities.

**Impact PS-1: The proposed project would result in less than significant impacts on public services, including police and fire protection and schools and parks. (Less than Significant)**

*Police Protection Services*

The project site is serviced by the Northern Police District of the San Francisco Police Department (District). The closest police station is the Northern Police Station at 1125 Fillmore Street, approximately 1.5 miles from the site. Development of the proposed project would bring 25 residents and seven employees to the site, replacing the hotel, which contained 29 guest rooms and included four employees. The project would include one on-site resident manager, who would enforce operational rules, including proposed quiet hours. In addition, the project would include a security system (with exterior video monitoring and door and window alarms). With the permanent presence of the resident manager and the security system, the demand for police services would not be significantly impacted by the proposed project and no new or modified police protection facilities would be needed. The total number of emergency calls received by the District from the period of May 1, 2009 to April 30, 2010 was 30,832 service calls, of which 167 calls were received from the Bridge Motel, a 53-room motel used as a Single Room Occupancy facility located at 2524 Lombard Street.<sup>55</sup> During that same period, the District received 46 calls from the Ellis Street Apartments, a 24-unit group housing facility managed by Larkin Street Youth Services and located at 864 Ellis Street.<sup>56</sup> The estimated additional number of calls that may be generated by the proposed project are expected to be similar to the number of calls generated by the Ellis Street Apartments, given the similarity in uses and resident population. Therefore, the number of calls that may result from the proposed project would be negligible compared with the existing number of calls handled by the District. As such, the proposed project would have a **less than significant** impact on police protection services.

---

<sup>55</sup>Department of Emergency Management, Division of Emergency Communications – Custodian of Records, 1011 Turk Street, San Francisco, CA 94102. Data retrieved on January 21, 2011. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

<sup>56</sup>Department of Emergency Management, Division of Emergency Communications – Custodian of Records, 1011 Turk Street, San Francisco, CA 94102. Data retrieved on May 11, 2010 This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

### *Fire Protection Services*

The project site is serviced by San Francisco Fire Department Station 16, located four blocks away at 2251 Greenwich Street at Fillmore Street. Although the project would feature primarily interior alterations, they would be subject to review by the San Francisco Fire Department for compliance with all applicable local and state codes and ordinances, as discussed below. The overall size and height of the building would not be increased, and the scale of the project would not result in a substantial increase in demand for fire protection services or in the need for new fire protection facilities that would result in impacts on the physical environment.

The project proponents would be required to comply with all regulations of the 2001 California Fire Code, which establishes requirements pertaining to fire protection systems, including providing state-mandated smoke alarms, fire extinguishers, appropriate building access, and emergency response notification systems. Therefore, the proposed project would result in a **less than significant** impact on fire protection services.

### *Schools*

The nearest public schools are Claire Lilienthal Alternative Elementary School, at 3850 Divisadero Street (0.41 mile from the site); Marina Middle School, at 3500 Fillmore Street (0.44 mile from the project site); and Galileo High School, at 1150 Francisco Street (1.12 miles from the project site). Of the 25 residents on site, 24 would be transitional-age youth, between the ages of 18 and 24. Because no school-age children would occupy the proposed project, there would be **no impact** on local elementary and secondary schools.

**Impact PS-2: The proposed project, in combination with other past, present, or reasonably foreseeable projects, would result in less than significant public service impacts. (Less than Significant)**

The project would result in the reuse of an existing building as a residential project for transitional-age youth. Project demand for public services, including police and fire protection, would exist but not beyond levels anticipated and planned for by public service providers. In addition, there would be no impact on local elementary or secondary schools, since the facility would provide housing to young adults ages 18 to 24. Cumulative development in the project area, including residential developments at 2353 Lombard Street and 2774-2776 Filbert Street, would incrementally increase demand for public services, including police, fire protection and schools, but not beyond levels anticipated and planned

for by public service providers. Thus, project-related impacts on public services would not contribute to cumulatively considerable impacts related to public services. Thus, cumulative impacts of the proposed project on public services 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>
<b>13. BIOLOGICAL RESOURCES—</b>					
<b>Would the project:</b>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 is in a long-developed urban area and is completely covered by impervious surfaces. Therefore, the 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. Therefore, the proposed project would have **no impact** on biological resources.

**Impact BI-2: The proposed project in combination with other past, present, or reasonably foreseeable projects would not result in impacts on biological resources. (No Impact)**

As described above, the project site does not contain biological resources, and the project would therefore have **no impact** on biological resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>14. GEOLOGY AND SOILS—</b>					
<b>Would the project:</b>					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<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>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Under CEQA criteria, a project would have significant impacts on geological resources if it were to expose people or structures to substantial risk from seismic activity, result in substantial soil erosion or landslide, be located on an expansive soil or soil incapable of adequately supporting a septic tank, or substantially change the topography. The project site, as indicated in Section E.11, Utilities and Service Systems, is served by the City's combined sewer system. Therefore, the project site would not require the use of septic systems and significance criterion E.14.e is not applicable to the project site.

**Impact GE-1: The proposed project would result in less than significant impacts from exposure of persons or structures to seismic and geologic hazards. (Less than Significant)**

The San Francisco Bay Area is one of most seismically active regions in the United States. Significant earthquakes have occurred in the region and will occur in the future. In 2003, the Working Group on California Earthquake Probabilities (WG2003), in conjunction with the United States Geological Survey, published an updated report evaluating the probabilities of significant earthquakes occurring in the Bay Area over the next three decades. They concluded that there is a 62 percent probability that at least one magnitude 6.7 or greater earthquake will occur in the San Francisco Bay region before 2031.

Earthquake intensities vary throughout the San Francisco Bay Area, depending on the magnitude of the earthquake, the distance of the site from the causative fault, the type of materials underlying the site, and other factors. The principal active faults in the Bay Area are the San Andreas, Hayward, Calaveras, and the San Gregorio. Although the project site is not within an Alquist-Priolo Earthquake Fault Zone, earthquakes occurring along these or other smaller or unmapped faults are capable of

generating strong ground shaking at the project site. The proposed project would comply with the latest California Building Code (CBC) requirements for construction and rehabilitation, which would reduce the associated risk of property loss and hazards to occupants to a less than significant level.

According to the United States Geological Survey<sup>57</sup>, the site is not within a liquefaction zone, so the potential impact for ground seismic shaking as a result of liquefaction is low.

The extent of hazards from seismic shaking depends on the specifics of the earthquake and the resistance of individual structures. Pre-1974 masonry structures are typically less resistant to seismic shaking damage than are newer wood and steel-framed structures, built in accordance with more recent building codes. Similarly, structures not adequately bolted to their foundations have a greater risk of damage than adequately secured structures.

The building at the project site is a three-story plus basement structure. The foundation is reinforced concrete, with continuous perimeter footings and interior footings. The proposed project includes minor structural stabilization in the basement. A building survey revealed that the subject property suffered no significant structural damage from the Loma Prieta earthquake on October 17, 1989.<sup>58</sup> The proposed project would incorporate all seismic improvements identified by the Department of Building Inspection during plan review.

Because incorporation of these improvements would minimize the risk of loss, injury, and death, the proposed project would have a **less than significant** impact related to seismic and geologic hazards. Further, the proposed project would have **no impact** related to landslides as the project site is flat and within a fully developed urban area.

**Impact GE-2: The proposed project would result in less than significant impacts on soil erosion or from loss of topsoil. (Less than Significant)**

The project site has an elevation of 22.4 feet per the San Francisco City Datum, and slopes slightly downward to the north. It is not in an erosion-sensitive area, on a steep slope, or in the vicinity of a natural watercourse. Further, the project site is fully covered with impervious surfaces, and the

---

<sup>57</sup>USGS. 2010. Susceptibility Map of the San Francisco Bay Area. Internet website: <http://geomaps.wr.usgs.gov/sfgeo/liquefaction/susceptibility.html>. Accessed on January 14, 2011.

<sup>58</sup>Basis Architecture and Consulting. 2010. Property Condition Assessment for Edward II Hotel, 3155 Scott Street, San Francisco, CA 94123. March 31, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.



proposed project would not increase the amount of impervious surfaces. Construction would not require any excavation or disturbance of underlying soils, except for a shallow ground disturbance to install the elevator. The project proponents would be required to implement construction best management practices (BMPs) listed on the Stormwater Pollution Prevention Program "Checklist for Construction Requirements." They also would implement erosion and sedimentation control measures, as required by the City and resources agencies. Given that the site is already covered with impervious surfaces, the proposed project would not result in soil erosion or the loss of topsoil, and impacts from soil erosion or loss of topsoil would be considered **less than significant**.

**Impact GE-3: The proposed project would not result in changes to the topography or any unique geologic or physical features of the site. (No Impact)**

There are no unique geologic or physical features at the site, so the project would have **no impact** on soils or topography.

**Impact GE-4: The proposed project, in combination with past, present, or reasonably foreseeable projects, would result in less than significant impacts on geology and soils. (Less than Significant)**

Geology impacts are generally site specific and do not have cumulative effects with other projects. Other cumulative projects within the project vicinity could result in potential impacts on geological resources. However, project proponents would be required to comply with applicable regulations to reduce impacts on geological resources. Further, the proposed project does not contribute to cumulative impacts on geological resources. Thus, the proposed project would have **no cumulative impacts** on geological resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>15. HYDROLOGY AND WATER QUALITY—</b>					
<b>Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Under CEQA criteria, a project would have significant impacts from hydrology and water quality if it were to violate any water standard, degrade water quality, deplete groundwater supplies or recharge, alter existing drainage pattern in a manner that could erode or increase surface runoff, result in substantial additional source of polluted runoff, place housing or structures within a 100-year flood hazard area, or expose people or structures to a significant flood, seiche, tsunami, or mudflow risk.

**Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements or impact water quality. (Less than Significant)**

The proposed project would not 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 NPDES Permit for the Southeast Water Pollution Control Plant, before discharging to San Francisco Bay. Treatment would be provided in accordance with the effluent discharge standards contained in the City's NPDES permit for the plant. Construction of the proposed project would not impact stormwater runoff since only minor façade alterations and interior reconfiguration would be performed. During construction, there would be a potential for the transport of soil particles during the building alterations and shallow excavation activities to install the elevator. Once they are suspended in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into San Francisco Bay.

Stormwater runoff would drain into the City's combined sewer and stormwater system and be treated at the Southeast Water Pollution Control Plant before discharging into San Francisco Bay. In accordance with the San Francisco Building Code and the City's NPDES permit, the project proponent would be required to implement measures to reduce potential erosion impacts. During operation and construction, the project proponent 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 deplete groundwater supplies, interfere with groundwater recharge, or otherwise alter the existing drainage pattern resulting in erosion or flooding on- or off-site. (No Impact)**

The proposed project would not affect groundwater or alter the existing drainage pattern of the site. The proposed project does not involve the alteration of any hydrologic features, such as a stream or river. The project site is completely covered with impervious surfaces, so the proposed project would not increase the amount of surface runoff that drains into the City's combined sewer system. The proposed project would require minor excavation of up to three feet for installing the elevator. The

Phase I Environmental Site Assessment (ESA) prepared for the project site by SCA Environmental<sup>59</sup> stated that shallow groundwater is at 8 to 30 feet below ground surface, so groundwater would not be encountered during construction, and the proposed project would not alter existing groundwater or surface flow conditions; therefore, there would be **no impact** on groundwater or site runoff.

**Impact HY-3: The proposed project would not result in an increase in risks from flood, tsunami, seiche, or mudflow. (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. The flood management agencies and cities implement the National Flood Insurance Program under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City of San Francisco does not participate in the National Flood Insurance Program, and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a one percent chance of occurrence in a given year (also known as a “base flood” or “100-year flood”). FEMA refers to the flood plain that is at risk from a flood of this magnitude as a special flood hazard area (“SFHA”).

FEMA has tentatively identified SFHAs along the City’s shoreline in and along the San Francisco Bay consisting of Zone A (in areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).<sup>60</sup> On June 10, 2008, the San Francisco Board of Supervisors introduced legislation to enact a floodplain management ordinance to govern construction and substantial improvements in flood prone areas of San Francisco and to authorize City participation in NFIP on passage of the ordinance. Once the Board of Supervisors adopts the Floodplain Management Ordinance, the Department of Public Works will publish flood maps for the City, and applicable City departments and agencies may begin implementing new construction and substantial improvements in areas shown on the interim floodplain map.

---

<sup>59</sup>SCA Environmental, Inc. Phase I Environmental Site Assessment 3155 Scott Street Block: 0937 Lot :001 San Francisco CA. March 15, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

<sup>60</sup>City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet. Internet website: <http://www.sfgsa.org/index.aspx?page=828>. Accessed on January 11, 2011.

According to the preliminary map, the project site is not in a flood zone designated on the preliminary map, and the proposed project would result in **no impact** related to placement of structures within a 100-year flood zone.

The project site is not within the tsunami inundation boundary, as defined on the California Emergency Management Agency Tsunami Inundation Map for Emergency Planning, San Francisco Bay Area;<sup>61</sup> therefore, no identified significant tsunami hazard exists at the site. A seiche is an oscillation of a water body, such as a bay, which may cause local flooding. A seiche could occur on San Francisco Bay due to seismic or atmospheric activity. However, seiches are rare and the site elevation is 22.4 feet per the San Francisco City Datum, rendering any impacts from a seiche highly unlikely. The site is not susceptible to mudslides because the site and vicinity are fully developed and are not in an area of erosion-prone slopes or related natural features. Therefore, the proposed project would have **no impact** from seiches, tsunamis, or mudflow hazards.

**Impact HY-4: The proposed project, in combination with past, present, or reasonably foreseeable projects, would result in less than significant hydrology and water quality impacts. (Less than Significant)**

The proposed project would have a less than significant impact on hydrology and water quality. Therefore, it would not significantly contribute to any potential cumulative impacts on hydrology and water quality. Cumulative development in the project area could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment for the City, has accounted for such growth in its service projections. Further, other cumulative projects within the vicinity of the project site, in particular the Presidio Parkway project, could result in significant runoff and erosion impacts. However, project proponents would be required to comply with the applicable regulations and apply best management practices to reduce impacts from increases in runoff and siltation. Therefore, cumulative impacts of the proposed project on hydrology and water quality would be **less than significant**.

---

<sup>61</sup>California Emergency Management Agency, Tsunami Inundation Map for Emergency Planning, San Francisco Bay Area. Internet website: [http://www.consrv.ca.gov/cgs/geologic\\_hazards/Tsunami/Inundation\\_Maps/Documents/Tsunami\\_Inundation\\_SanFranciscoBayArea300.pdf](http://www.consrv.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Documents/Tsunami_Inundation_SanFranciscoBayArea300.pdf). Accessed on November 10, 2010

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b>					
<b>Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 in an airport land use plan, nor is it in the vicinity of a private airstrip. Therefore, criteria E.16e and E.16f are not applicable to the proposed project.

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

Operation of the proposed project would involve use of common household cleaning materials for routine purposes, 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. Therefore, hazardous

materials used during project operations would not pose any substantial public health or safety hazards related to hazardous materials. Thus, the proposed project would result in **less than significant** impacts from the use of hazardous materials.

**Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant)**

SCA Environmental prepared a Phase I ESA for the project site in March 2010. The Phase I ESA report lists current and past operations, reviews environmental agency databases and records, identifies site reconnaissance observations, and summarizes potential contamination issues about the project site. The Phase I ESA preparers concluded that there is no evidence of recognized environmental conditions in connection with project site. They noted the following building materials that may pose potential hazards to future development:

- Possible polychlorinated biphenyl (PCB)-containing light ballasts in fluorescent light fixtures;
- Possible asbestos-containing building materials;
- Possible naturally occurring asbestos in the soil;
- Possible lead-containing paints and coatings; and
- Possible mercury-containing items.

#### *PCBs and Mercury*

PCBs are regulated under federal and state law. Byproducts of PCB combustion are known carcinogens and are respiratory hazards, so specific handling and disposal of PCB-containing products is required. PCBs are most commonly found in lighting ballasts, wet transformers, and electrical equipment that uses dielectric fluids. PCBs are also occasionally found in hydraulic fluids.

There are PCB-containing lighting ballasts, in conjunction with mercury-containing fluorescent lighting fixtures, at the project site. The preparers of the Phase I ESA concluded that, in their current state, the ballasts are not an environmental concern. No electrical transformers, hydraulic equipment, or other potential PCB-containing equipment were observed on the project site. In accordance with the Occupational Safety and Health Administration, items containing PCBs and mercury that are intended for disposal must be managed as hazardous waste. These regulations and procedures, already

established as a part of the permit review process, ensure that potential project impacts from the presence of PCBs and mercury would be reduced to a **less than significant** level.

#### *Asbestos*

Due to the age of the building at the project site, there is a potential for asbestos-containing materials (ACM) to be present. ACM contain greater than 1.0 percent asbestos. Trace ACM contain less than 1.0 percent but greater than 0.1 percent asbestos. These materials may be construction debris (in which case they fall under Comprehensive Environmental Response, Compensation, and Liability Act regulatory requirements), as materials in intact buildings (in which case they fall under the Toxic Substances Control Act and National Emissions Standards for Hazardous Air Pollutants requirements), or as geological deposits, in which case they are typically regulated by local air pollution control district standards.

Although an asbestos survey has not been completed for the project site, the following items were noted to be present and may contain asbestos:

- Wall and ceiling drywall, tape and mud with skim coats;
- Wall and ceiling plaster;
- Ceramic tiles, grouts, and mortars;
- Insulation on heating ducts, piping, and other HVAC components;
- Insulation on an abandoned boiler in the basement;
- Paints on radiators;
- Cement fiberboard (assumed present behind radiators);
- Electrical wiring;
- Roofing mastics, felts;
- Carpet mastics;
- Stucco;
- Exterior paints;
- Paints in basement and boiler areas;



- Window and door caulks and putties;
- Mastic behind textured wallpaper;
- Vinyl flooring and associated mastics; and
- Cement fiberboard liner for trash chutes in light wells.

The list above was based only on visible areas inspected by the contractor. Other suspect items may be present behind wall cavities or in ceilings at the project site.

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California Legislature has vested the BAAQMD with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement. BAAQMD is to be notified ten days in advance of any proposed demolition or abatement work. Notification includes the names and addresses of operations and persons responsible; a description and location of the structure to be demolished or altered, including size, age, and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be used; procedures to be used to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations and would inspect any removal operation for which it has received a complaint.

The local office of the Occupational Safety and Health Administration must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14, where there is asbestos-related work involving 100 square feet or more of ACM. Asbestos removal contractors must be certified as such by the Contractors State License Board. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a hazardous waste manifest that details the hauling of the material from the project site and the disposal of it. Pursuant to California law, the San Francisco DBI would not issue the required permit until the applicant has complied with the above notice requirements. Compliance with these regulations and

procedures, already established as a part of the permit review process, would ensure that potential impacts of demolition due to asbestos would be reduced to a **less than significant** level.

The preparers of the Phase I ESA noted the potential for soil at the site to contain naturally occurring asbestos. The proposed project would include minor excavation, so impacts related to naturally occurring asbestos would be **less than significant**.

#### *Lead-Based Paint (LBP)*

The Phase I ESA prepared for the project site concluded that based on the age of the building lead may be present in the interior and exterior surfaces including paint and glazing on ceramic tiles.

Renovation of the proposed project would comply with Chapter 34, Section 3407, of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Chapter 34 requires specific notification and work standards and identifies prohibited work methods and penalties. This would apply where there is any work that may disturb or remove lead paint on any building built on or before December 31, 1978, or on any steel structures where LBP would be disturbed or removed and where exterior work would disturb more than 100 square feet or 100 linear feet of LBP.

Section 3407 applies to buildings or steel structures built before 1979, which are assumed to have LBP on their surfaces unless a certified lead inspector assessor tests surfaces for lead and determines it is not present, according to the definitions of Section 3407. The ordinance contains performance standards, including establishment of containment barriers at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development Guidelines (the most recent guidelines for evaluation and control of lead-based paint hazards). The ordinance also identifies prohibited practices that may not be used when disturbing or removing LBP. Any person performing work subject to the ordinance should, to the maximum extent possible, protect the ground from contamination during exterior work, should protect floors and other horizontal surfaces from work debris during interior work and should make all reasonable efforts to prevent migration of lead-paint contaminants beyond containment barriers during the course of the work. Cleanup standards require the removal of visible work debris, including the use of a high efficiency particulate air filter vacuum following interior work.

Chapter 34, Section 3407, also includes notification requirements, information the notice should contain, and requirements for signs. Notification includes notifying project construction contractors of any paint-inspection reports that verify the presence or absence of LBP in the regulated area of the proposed project. Before work, the responsible party must provide written notice to the Director of the Division of Building Inspection of the following:

- Location of the project;
- The nature and approximate square footage of the painted surface being disturbed or removed;
- Anticipated job start and completion dates for the work;
- Whether the responsible party has reason to know or presume that LBP is present;
- Whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any;
- The dates that the responsible party has or would fulfill any tenant or adjacent property notification requirements; and
- The name, address, telephone number, and pager number of the party who would perform the work.

Further notice requirements include posting signs when containment is required, the landlord notifying tenants of the impending work, the availability of a pamphlet about lead in the home, notice by contractor of the early commencement of work, and notice of lead-contaminated dust or soil, if applicable. The ordinance contains provisions regarding inspection and sampling for compliance by the Department of Building Inspection and enforcement and describes penalties for noncompliance.

The regulations and procedures established by the San Francisco Building Code would ensure that potential impacts from LBP disturbance during construction would be reduced to a level of insignificance. These regulations and procedures are already established as a part of the permit review process to further ensure their implementation. They would ensure that potential impacts of rehabilitation related to LBP would be reduced to a level of insignificance. Therefore, impacts of the proposed project from LBP would be **less than significant**.

**Impact HZ-3: The project site is not located within one-quarter mile of a school and therefore would not emit hazardous emissions or handle hazardous material within the vicinity of a school. (No Impact)**

There are no schools within a quarter-mile of the site, so the proposed project would not emit hazardous emissions or materials within one-quarter mile of a school; therefore, **no impact** would occur.

**Impact HZ-4: The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (No Impact)**

The Phase I ESA prepared for the project site assessed possible environmental concerns from on-site or nearby chemical use, storage, handling, spillage, or on-site disposal, with particular focus on potential degradation of soil or groundwater quality.<sup>62</sup> The ESA preparers also reviewed the land use history of the project site and operating practices at or near the site to assess potential hazards from reported chemical releases on nearby properties and the potential migration of chemicals, contaminants, and toxics onto the project site. The ESA was performed in substantial conformance with guidelines of the American Society for Testing and Materials E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, and with the US Environmental Protection Agency's Rule for 40 CFR, 312, Standards and Practices for All Appropriate Inquiry, as published in the *Federal Register*, Volume 70, Number 210, on November 1, 2005.

The purpose of the Phase I ESA is to identify recognized environmental conditions at the project site. A recognized environmental condition is the presence or likely presence of hazardous substances or petroleum products that may indicate an existing, past, or future threat of a release of such material to the structures, soil, surface water, or groundwater at the project site. The Phase I ESA revealed no evidence of a recognized adverse environmental condition at the project site. Therefore, the proposed project would have **no impact** related to listing on hazardous materials sites.

---

<sup>62</sup>SCA Environmental, Inc., Phase I Environmental Assessment, 3155 Scott Street, Block 0937 Lot: 001, March 15, 2010. This document is available for review in Project File No. 2010.0420E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

**Impact HZ-5: The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving fires and would not interfere with the implementation of an emergency response plan. (Less than Significant)**

San Francisco ensures fire safety and emergency accessibility within new and existing developments by 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 project. Potential fire hazards would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections for the residential structure. Therefore, the proposed project would not have a **less than significant** impact on fire hazards and interference with emergency access plans.

**Impact HZ-6: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less than significant impacts related to hazards and hazardous materials. (Less than Significant)**

Impacts from hazards are generally site-specific and typically do not result in cumulative impacts. Any hazards at nearby sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any hazard effects to **less than significant**. Overall, the proposed project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

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

Under CEQA criteria, a project would have significant impacts on minerals and energy resources if it were to result in the loss of a known mineral resource or a local, regional, or state-wide important mineral resource, or result in the use or waste of a large amount of fuel energy. All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Department of Mines and Geology (CDMG), under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and II). This designation indicates that there is not adequate information available for assignment to any other MRZ, so the site is not a designated area of significant mineral deposits. However, because the project site is already developed, future evaluation or designation would not affect or be affected by the project. There are no potentially affected operational mineral resource recovery sites in the project vicinity.

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

No known mineral deposits are at the project site. The proposed project would not result in excavation or grading that could impact underlying mineral deposits or their availability; therefore, the proposed project would have **no impact** on mineral resources.

**Impact ME-2: 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)**

The project would meet all applicable state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the DBI. Other than natural gas used to

generate electricity for the project, the project would not have a substantial effect on the use, extraction, or depletion of a natural resource.

San Francisco's 2002 Electricity Resource Plan discussed sources for electricity and projected citywide demand.<sup>63</sup> Pacific Gas & Electric's peak load forecast is approximately 1,200 megawatts, while the available capacity is over 1,700 megawatts. Any new developments, including the proposed project, would be expected to conform to new City policies designed to reduce energy consumption. The project-generated demand for electricity would be negligible in the context of the overall consumer demand in the city and the state. Further, the project would attempt to meet LEED Silver certification criteria. EnergyStar-rated appliances would be used. In addition, green energy devices, including solar panels, would be included for project operation. Therefore, the project would not, in and of itself, generate a significant demand for energy and a major expansion of power facilities since it would consist of residential group housing, and the anticipated energy usage would conform to typical residential uses taking into account the proposed density of the facility. Therefore, the project would not cause a wasteful use of energy and would have a **less than significant** effect on existing or proposed energy supplies or resources.

**Impact ME-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less than significant cumulative impacts on energy and minerals. (Less than Significant)**

As described above, no known minerals exist at the project site, and the proposed project would not entail excavating or grading that could disturb underlying mineral resources; therefore, the proposed project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco, the greater Bay Area, and the state and would not in and of itself require any expansion of power facilities. The City plans to reduce consumption by 107 megawatts by 2012 through various energy efficiency strategies. Therefore, the energy demand associated with the project would result in a less than significant physical environmental effect and therefore would not contribute to a cumulative impact on existing or proposed energy supplies or resources. Overall, the proposed project would result in **less than significant** cumulatively considerable impacts on minerals and energy resources.

---

<sup>63</sup>San Francisco Public Utilities Commission and San Francisco Department of the Environment, The Electricity Resource Plan, 2002. Internet website: [http://sfwater.org/detail.cfm/MC\\_ID/12/MSD\\_ID/138/MTO\\_ID239/C\\_ID/1346](http://sfwater.org/detail.cfm/MC_ID/12/MSD_ID/138/MTO_ID239/C_ID/1346).

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

Under CEQA criteria, a project would have significant impacts on agriculture and forest resources if it were to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, conflict with existing agricultural or forest land zoning, or result in the loss or conversion of forest land. Since the project site is not within a Williamson Act contract and is not on land defined as forest or timberland by the State Public Resources Code, criteria E.18b and E.18c are not applicable.

**Impact AF-1: The proposed project would not convert farmland and would not result in the loss or conversion of forest land. (No Impact)**

The project site is within an area of San Francisco that has been urbanized since the early twentieth century. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as Urban and Built-Up Land. The site does not contain agricultural uses and is not zoned for such uses. In addition, the project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to nonagricultural use. Also, it would not result in the loss of



forest land or convert forest land to non-forest use and would therefore not conflict with any of the policies of the San Francisco Urban Forestry Ordinance.<sup>64</sup> Thus, the proposed project would have **no impact** on agricultural and forest resources.

**Impact AF-2: The proposed project, in combination with other past, present, or reasonably foreseeable projects, would not result in impacts on agricultural and forest resources. (No Impact)**

As described above, the project would have no impacts from agriculture and forestry resources. Therefore, the proposed project would not contribute to any cumulatively considerable impacts on agricultural and forest resources.

<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>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:</b>					
a) Have the potential to degrade the quality of the environment, conflict with an adopted land use plan, 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 type="checkbox"/>	<input checked="" 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 preparers of the Initial Study have discussed all of the environmental issue areas required by Section 15063 of the CEQA Guidelines and have found either no impact or less than significant impacts in most issue areas for the project. The analysis has found one air quality issue area to be less than significant with incorporation of **Mitigation Measure M-AQ-1**, agreed to by the project sponsor and determined to be feasible by the Lead Agency. Furthermore, the preparers found that the proposed

<sup>64</sup> San Francisco Public Works Code, Article 16

project would not have the potential to degrade the quality of the environment, reduce habitat or populations of fish or wildlife species, threaten to eliminate a plant or animal community, restrict the range of a rare or endangered plant or animal, or eliminate important examples of local or California history or prehistory.

None of the environmental issue areas discussed above identified any potentially significant cumulative impacts from the proposed project. Cumulative impacts were analyzed based on land use projections, compliance with adopted plans, statutes, and ordinances, and currently proposed projects. All potential cumulative impacts of the proposed project would be less than significant for all checklist items.

---

## **F. MITIGATION MEASURES AND IMPROVEMENT MEASURES**

### **Mitigation Measure M-AQ-1: Building Air Filtration and Ventilation Requirements**

To reduce the potential for exposure of building occupants to PM<sub>2.5</sub> and other toxic air contaminants, the project shall be designed to incorporate a mechanical ventilation system with air filtration that is capable of removing 80 percent of ambient PM<sub>2.5</sub>. This level of filtration requires filters with at least a MERV (minimum efficiency reporting value) rating of 12, in accordance with the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). In addition, the project's air intakes shall be on the eastern, western, or southern half of the building, as specified in the Air Quality Technical Report, to increase the separation from traffic emissions on Lombard Street. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology. In addition to installation of air filtration, the project sponsor shall present a plan that ensures an ongoing maintenance plan for the ventilation and filtration systems.

---

## **G. PUBLIC NOTICE AND COMMENTS**

On June 29, 2010, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially

interested parties. The Planning Department received several comments in response to the notice. Concerns and issues raised in the public comments on the environmental review are discussed in the corresponding topical sections of this Initial Study. No significant, adverse environmental impacts from issues of concern have been identified. Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

The following is a consolidated list of the comments made in response to the Notice of Project Receiving Environmental Review. Reference to the corresponding topic in the Initial Study follows in italics.

**Level of CEQA Analysis**—A commenter expressed concern that the proposed project would result in significant impacts that would require the preparation of an Environmental Impact Report.

*The analysis in this Initial Study did not identify any significant environmental impacts that, under CEQA, would warrant the preparation of an Environmental Impact Report.*

**Project Alternatives**—The proposed project could result in significant adverse impacts, so an analysis of alternative locations is warranted.

*CEQA requires an analysis of alternatives when it is necessary to prepare an Environmental Impact Report due to the potential for significant and unavoidable impacts. No significant impacts were identified that would warrant the preparation of an EIR. CEQA does not require an alternatives analysis as part of a Negative Declaration or Mitigated Negative Declaration.*

**LEED Certification**—Although not required under CEQA, the proposed project should pursue the LEED certification.

*See Proposed Project, beginning on page 4.*

**Public Outreach**—Notification about the proposed project must be published in the newspapers. It is likely that the notice did not get to all the residents within the 300-foot radius of the project site.

*See the first paragraph of this Section G, Public Notice and Comment, on page 104.*

**Compatibility with Existing Zoning and Plans**—The proposed project is inconsistent with existing plans and policies.

*See Section C, Compatibility of Existing Zoning and Plans, beginning on page 22.*

**Zoning and Conditional Use**—The proposed building would require a change in NC-3 zoning to accommodate 25 permanent residents. The change in zoning and in use from a tourist hotel to a group housing constitutes a significant alteration in the character of the neighborhood.

*See Section C, Compatibility of Existing Zoning and Plans, and Land Use, beginning on page 22.*

**Aesthetics**—The proposed project would alter the visual character of the project site and the immediate vicinity. The proposed project would increase the light and glare at the project site.

*See Aesthetics, beginning on page 30.*

**Population and Housing**—The proposed project would result in a high population density, which would result in adverse impacts on the environment.

*See Population and Housing, beginning on page 33.*

**Cultural Resources**—The building at the project site is historically significant and the proposed project would result in significant impacts on a historic resource.

*See Cultural and Paleontological Resources, beginning on page 35.*

**Traffic Impacts**—The proposed project would have adverse transportation impacts and would increase the number of vehicles.

*See Project Description, page 3, and Transportation and Circulation, beginning on page 39.*

**Emergency Access**—The proposed project does not include adequate emergency access, in compliance with the ADA.

*See Proposed Alternations, page 4, and Transportation and Circulation, beginning on page 39.*

**Parking Space**—The proposed project requires the provision of parking spaces.

*See Proposed Project, beginning on page 3, and Transportation and Circulation, beginning on page 39.*

**Loading Space**—Loading and unloading at the project site would impact vehicular and bicycle traffic.

*See Transportation and Circulation, beginning on page 39.*

**Transit Service**—The proposed project would increase demand on transit services.

*See Transportation and Circulation, beginning on page 39.*

**Pedestrians Sidewalks**—The proposed project would result in overcrowding on the sidewalk near the building.

*See Transportation and Circulation, beginning on page 39.*

**Existing Ambient Noise**—The proposed project would be in an area with high levels of ambient noise.

*See Noise, beginning on page 50.*

**Operational Noise**—The proposed project would increase ambient noise in the project vicinity.

*See Noise, beginning on page 50.*

**Health Risk**—There is a potential health risk concern from the proximity of the project site to US Highway 101.

*See Air Quality, beginning on page 54.*

**Greenhouse Gas Emissions**—The proposed project would result in an increase in GHG emissions.

*See Greenhouse Gas Emissions, beginning on page 66.*

**Recreation**—The proposed project does not include an outdoor space. The proposed project would result in physical deterioration and increase the use of existing recreation resources.

*See Recreation, beginning on page 74.*

**Water and Wastewater Systems and Solid Waste**—The proposed project would increase the demand on water and wastewater systems. The proposed project would result in a net increase in solid waste.

*See Utilities and Service Systems, beginning on page 76.*

**Public Services**—The proposed project would increase the demand on public services, in particular police emergency calls.

*See Public Services, beginning on page 79.*

**Seismic Risks**—The proposed project requires a study assessing the geology and seismicity at the project site. There is a risk of liquefaction at the project site.

*See Geology and Soils, beginning on page 83.*

**Flood Risk**—There is a potential of flood risk at the project site. The project site elevation is just a few feet above sea level.

*See Hydrology and Water Quality, beginning on page 87.*

**Fire Hazards**—The proposed project would be at a high risk of fire hazards, and the site plans do not show compliance with the Building Fire Code.

*See Public Services, beginning on page 81. In addition, the project would be required to comply with all regulations of the 2001 California Fire Code.*

**Hazardous Materials**—The building at the project site may contain PCBs (polychlorinated biphenyl) and LBP (lead-based paints).

*See Hazards and Hazardous Materials, beginning on page 91.*

**Cumulative Impacts**—Construction of the proposed project would overlap with that of the Presidio Park project. The proposed project would contribute to cumulative impacts on public services. It also would contribute to cumulative effects of waivers of zoning laws and consistency with plans and policies, transportation and traffic, and cultural and aesthetic resources.


*The Presidio Park project is located over one mile from the project site and project effects would not be related.*

In addition, there were public comments on issues that are not relevant to environmental analysis under CEQA. These comments included the request for preparation of an Institutional Master Plan, the viability of the proposed project with only one live-in manager and with the proposed amenities, concerns about the hotel closure, and cost of the proposed project. Issues not related to the physical environment but on the merits of the proposed project are not relevant to the environmental review process under CEQA; however, decision makers may take them into account during the project approval process.

## 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.



Bill Wycko  
Environmental Review Officer

DATE May 23, 2011



## **I. INITIAL STUDY AUTHORS AND PROJECT SPONSOR TEAM**

### ***Initial Study Authors***

Planning Department, City and County of San Francisco  
Major Environmental Analysis  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Environmental Review Officer: Bill Wycko  
Senior Environmental Planner: Sarah B. Jones  
Environmental Planner: Andrea M. Contreras, LEED AP

### ***Project Sponsor Team***

Community Housing Partnership  
280 Turk Street  
San Francisco, CA 94102

### ***Initial Study Consultants***

Tetra Tech, Inc.  
555 Market Street, 15<sup>th</sup> Floor  
San Francisco, CA  
Project Manager: Derek Farmer  
QA/QC Reviewer: John Bock