



RESPONSES TO COMMENTS

800 Indiana Street

PLANNING DEPARTMENT
CASE NO. 2011.1374E

STATE CLEARINGHOUSE NO. 2014052067



SAN FRANCISCO
PLANNING
DEPARTMENT

Draft EIR Publication Date:	AUGUST 13, 2014
Draft EIR Public Hearing Date:	SEPTEMBER 11, 2014
Draft EIR Public Comment Period:	AUGUST 13, 2014 – SEPTEMBER 29, 2014
Final EIR Certification Hearing Date:	DECEMBER 4, 2014



SAN FRANCISCO PLANNING DEPARTMENT

DATE: November 5, 2014
TO: Members of the Planning Commission and Interested Parties
FROM: Sarah B. Jones, Environmental Review Officer
SUBJECT: **Attached Responses to Comments on Draft Environmental Impact Report
Case No. 2011.1374E – 800 Indiana Street**

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Attached for your review please find a copy of the Responses to Comments document for the Draft Environmental Impact Report (EIR) for the above-referenced project. This document, along with the Draft EIR, will be before the Planning Commission for Final EIR certification on December 4, 2014. The Planning Commission will receive public testimony on the Final EIR certification at the December 4, 2014 hearing. Please note that the public review period for the Draft EIR ended on September 29, 2014; any comments received after that date, including any comments provided orally or in writing at the Final EIR certification hearing, will not be responded to in writing.

The Planning Commission does not conduct a hearing to receive comments on the Responses to Comments document, and no such hearing is required by the California Environmental Quality Act. Interested parties, however, may always write to Commission members or to the President of the Commission at 1650 Mission Street and express an opinion on the Responses to Comments document, or the Commission's decision to certify the completion of the Final EIR for this project.

Please note that if you receive the Responses to Comments document in addition to the Draft EIR, you technically have the Final EIR. If you have any questions concerning the Responses to Comments document or the environmental review process, please contact Rachel Schuett at (415) 575-9030 or rachel.schuett@sfgov.org.

Thank you for your interest in this project and your consideration of this matter.

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- A Public Hearing Transcript Comments
- B Draft EIR Comment Letter

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1 INTRODUCTION

A PURPOSE OF THE RESPONSES TO COMMENTS DOCUMENT

The purpose of this Responses to Comments (RTC) document is to present comments on the Draft Environmental Impact Report (Draft EIR) for the proposed 800 Indiana Street Project, to respond in writing to comments on environmental issues, and to revise the Draft EIR as necessary to provide additional clarity. Pursuant to California Environmental Quality Act (CEQA) requirements included in California Public Resources Code Sections 21091(d)(2)(A) and 21091(d)(2)(B), the City of San Francisco Planning Department (Planning Department) has considered the comments received on the Draft EIR and evaluated the issues raised, and is providing written responses that address the comments on the physical environmental issues raised by commenters. In accordance with CEQA, the responses to comments focus on clarifying the project description and addressing physical environmental issues associated with the proposed project. These issues include physical impacts or changes attributable to the project rather than any social or financial implications of the project. Therefore, this document provides limited responses to comments received during the public review period that are not relevant to the proposed project or its physical environmental effects.

The Draft EIR together with this RTC document constitute the Final Environmental Impact Report (Final EIR) for the proposed project in fulfillment of CEQA requirements and consistent with CEQA Guidelines Section 15132. The Final EIR has been prepared in compliance with CEQA, including the CEQA Guidelines¹ and the San Francisco Administrative Code, Chapter 31. It is an informational document for use by (1) governmental agencies (in addition to the City and County of San Francisco [City]) and the public to aid in the planning and decision-making process, by disclosing the physical environmental effects of the project and identifying possible ways of reducing or avoiding the potentially significant impacts; and (2) the City and San Francisco Planning Commission (Planning Commission) before their decision to approve, disapprove, or modify the proposed project. If the Planning Commission approves the proposed project, it would be required to adopt CEQA findings and a Mitigation Monitoring and Reporting Program to ensure that mitigation measures identified in the Final EIR are implemented.

B ENVIRONMENTAL REVIEW PROCESS

NOTICE OF PREPARATION AND COMMUNITY PLAN EXEMPTION CHECKLIST

The Planning Department, as lead agency responsible for administering the environmental review of projects within the City and County of San Francisco under CEQA, prepared a Notice of Preparation (NOP) with a Community Plan Exemption (CPE) Checklist under the Eastern Neighborhoods Program EIR (Eastern Neighborhoods PEIR) on May 21, 2014. As described in the Draft EIR, the Planning Department sent the NOP and CPE Checklist to governmental agencies, organizations, and persons interested in the proposed project (see Appendix A in the Draft EIR). During the approximately 30-day public scoping period that ended on June 19,

¹ Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act.

2014, the Planning Department accepted comments from agencies and interested parties identifying environmental issues that should be addressed in the EIR.

DRAFT EIR PUBLIC REVIEW

The Planning Department prepared the Draft EIR for the proposed project in accordance with CEQA, the CEQA Guidelines in Title 14 of the California Code of Regulations, and Chapter 31 of the San Francisco Administrative Code. The Draft EIR was published on August 13, 2014, and circulated to local, state, and federal agencies and to interested organizations and individuals. A public comment period was held from August 13, 2014, to September 29, 2014, to solicit public comments on the adequacy and accuracy of information presented in the Draft EIR. Oral comments were provided by two Planning Commissioners and one individual representing an organization at the public hearing held on September 11, 2014. One comment letter was received from the Historic Preservation Commission. No comments were made by other public agencies during the public review period or public hearing. A complete transcript of proceedings from the public hearing on the Draft EIR is included in its entirety as Attachment A to this document. The Draft EIR comment letter is provided as Attachment B to this document.

RESPONSES TO COMMENTS DOCUMENT AND FINAL EIR

The comments received during the public review period are the subject of this RTC document, which addresses all substantive oral and written comments on the Draft EIR. After the public hearing, the Planning Department prepared and published this RTC document. In accordance with Administrative Code Section 31.15, the Planning Commission will hold a hearing on December 4, 2014 to consider the adequacy of the Final EIR. If the Planning Commission finds the Final EIR to be in compliance with CEQA requirements, it will certify the document as a Final EIR. The Final EIR will consist of the Draft EIR and this RTC document, which includes the comments received during the public review period, responses to comments on environmental issues, and any revisions to the Draft EIR that result from staff-initiated text changes.

The City decision-makers will consider the certified Final EIR, along with other information and the public process, to determine whether to approve, modify, or disapprove the proposed project and to specify any applicable environmental conditions as part of project approvals. If the City decides to approve the proposed project with any significant effects that are identified in the Final EIR, but that are not avoided or reduced to a less-than-significant level, the City must indicate that any such unavoidable significant effects are acceptable because of overriding considerations as described in CEQA Guidelines Section 15093. This is known as a Statement of Overriding Considerations. In preparing this statement, the City must balance the benefits of a proposed project against its unavoidable environmental risks. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines Section 15093). If an agency makes a Statement of Overriding Considerations, the statement must be included in the record of project approval.

C DOCUMENT ORGANIZATION

This RTC document consists of the following sections:

1. **Introduction** – This section discusses the purpose of the RTC document, the environmental review process, and the organization of the RTC document.
2. **List of Persons Commenting** – This section presents the names of persons who provided comments on the Draft EIR. The names of persons who spoke at the public hearing are presented first, in the order of speakers, followed by the submitted written comments. This list also shows the commenter code (further described in Section 2), the format, and date of the comments.
3. **Responses to Comments** – This section presents the substantive comments excerpted verbatim from the public hearing transcript and comment letter. The comments are organized by topic. Following each comment or group of comments on a topic are the City’s responses. The responses generally provide clarification of the Draft EIR text.
4. **Draft EIR Revisions** – This section presents staff-initiated text changes identified by Planning Department staff to update, correct, or clarify the Draft EIR text. These changes and minor errata do not result in significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts. Therefore, recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 is not required.

Attachment A – Draft EIR Public Hearing Transcript

Attachment B – Draft EIR Comment Letter

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2 LIST OF PERSONS COMMENTING

The Planning Commission held a public hearing regarding the 800 Indiana Street Project Draft EIR on September 11, 2014. Two Commissioners and an individual representing a homeowners association made oral comments at that hearing. One comment letter was received from the Historic Preservation Commission. No other comments on the Draft EIR were received by the Planning Department during the public comment period. Commenters are listed below in Table 2-1, with the corresponding commenter code used in Section 3, Responses to Comments, to denote each set of comments.

Each comment begins with the commenter's name and, if applicable, title and affiliation; a designation as to whether the comment is from the public hearing transcript or letter, the corresponding date; and a comment code. The comments made at the public hearing are designated by the abbreviation "CPC" (for City Planning Commission), a number assigned to the commenter based on the order of presentation at the hearing (for example the first speaker is numbered CPC-1), and a sequential comment number. The written comment letter is designated by the abbreviation "HPC" (for Historic Preservation Commission), and a sequential comment number.

TABLE 2-1
COMMENTERS ON THE DRAFT EIR

Designation	Commenter	Comment Format	Comment Date
CPC-1	Sue Mortensen	Public Hearing Transcript	9/11/2014
CPC-2	Commissioner Christine Johnson	Public Hearing Transcript	9/11/2014
CPC-3	Commissioner Michael Antonini	Public Hearing Transcript	9/11/2014
HPC-1	Karl Hasz, Historic Preservation Commission	Letter	8/20/2014

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3 COMMENTS AND RESPONSES

This section presents summaries of the substantive comments received on the Draft EIR and responses to those comments. The comments and responses are organized by subject and are generally in the same order as presented in the Draft EIR, with miscellaneous comments at the end of this section. The order of the comments and responses in this section is shown below, along with the prefix to the topic codes (indicated in brackets):

Cultural (Historic Architectural) Resource [CP]

Transportation and Circulation [TR]

Noise [NO]

Air Quality [AQ]

Alternatives [ALT]

Other [OTH]

In each subsection under each topic area, comments are identified using the topic code prefix and sequential numbering for each subtopic. For example, Other [OTH] comments are listed as OTH-1 and OTH-2. Each topic code has a corresponding heading that introduces the comment subject; these subsections present quotes of comments and include the commenter's name. However, the reader is referred to Attachments A and B for the full text and context of each comment.

Following each comment or group of comments, a comprehensive response is provided to address issues raised in the comment(s) and to clarify or augment information in the Draft EIR, as appropriate. Response numbers correspond to the topic code; for example, the response to comment OTH-1 is presented under Response OTH-1. The responses may clarify the Draft EIR text or revise or add text to the EIR. Revisions to the Draft EIR are shown as indented text. New or revised text is double underlined; deleted material is shown in ~~striketrough~~.

A CULTURAL (HISTORIC ARCHITECTURAL) RESOURCES

Comment CP-1: Comment Regarding Mitigation Measure M-CP-1c

This response addresses the following comment:

► CPC-2.3

Commissioner Christine Johnson, Planning Commission, Public Hearing Transcript, September 11, 2014 [CPC-2.3]

"The Mitigation Measure M-CP-1C, which is the interpretive program, would like to see some alternatives there for placement. It's currently anticipated it's going to be placed in the lobby of the building in all three construction alternatives, but as a mitigation measure for the historical resource, I

don't feel that the lobby of a 100 percent residential building is truly a public space. You know, just literally if you don't live there, who is going to go into a lobby of some building that they don't live in. So I'd like to see that placed in some of the open space. I think that there might be opportunities in all three of the open space variants for some sort of interpretive program."

Response CP-1

The commenter requests an alternate location for the placement of the interpretive program as required by Historic Mitigation Measure M-CP-1c: Interpretive Program. The project sponsor has agreed to place the historic interpretive display in an outdoor, publicly-accessible area and has already initiated contact with the Planning Department's Preservation Technical Specialist to determine the content of the display.

Mitigation Measure M-CP-1c has been revised as follows on pages S-6 and 4.B-13 of the Draft EIR:

M-CP-1c: Interpretive Program. The project sponsor shall install a permanent on-site interpretive display in a publicly-accessible outdoor location, such as in one of the plazas along Indiana Street or within the open space area of the variants ~~in a main lobby or in an outdoor exhibit in a central courtyard~~. The display shall focus on the history of the 800 Indiana Street site, including the Ralston Iron Works and the A.M. Castle & Co. that were previously located on the site. The primary goal shall be to educate visitors about the property's historic themes, associations, and lost character-defining features within broader historical, social, and physical landscape contexts. The project sponsor shall work with a historic preservation professional so that the historical information provided in the HRE and supporting documentation and in the HABS report are used as a basis for the interpretive display. The interpretive display shall be reviewed and approved by a Planning Department Preservation Technical Specialist.

B NOISE

Comment NO-1: Construction Noise

This response addresses the following comment:

► CPC-1.2

Sue Mortensen, Public Hearing Transcript, September 11, 2014 [CPC-1.2]

"Secondly, noise. I know this is a common concern, we do just seek assurance that the work will be limited to a five day, 8:00 to 5:00 schedule."

Response NO-1

The commenter would like to know whether construction work would be limited to a 5 weekdays, 8:00 a.m. to 5:00 p.m. schedule. The project sponsor has confirmed that construction hours would not be limited to 8:00 a.m. to 5:00 p.m., however construction of the project would comply with the San Francisco Noise Ordinance which limits construction to hours between 7 a.m. and 8 p.m. Construction noise impacts are analyzed on pages 72-74 of the CPE Checklist (Appendix A of the Draft EIR). The CPE Checklist (attached to the Draft EIR) acknowledges on

page 73 that construction noise may be considered an annoyance by occupants of nearby properties and that the construction contractor would be subject to and would comply with the Noise Ordinance. The Noise Ordinance establishes the daytime period for construction as the hours between 7 a.m. and 8 p.m., which extend past the hours that the commenter requests. However, further restriction of construction hours beyond those required by the San Francisco Noise Ordinance (7 a.m. to 8 p.m.) is not considered necessary to achieve the goals and intent of the San Francisco Noise Ordinance, as long as the noise level standards of the ordinance are achieved. Nor is it necessary to avoid a significant impact under CEQA.

As analyzed in the CPE Checklist, construction noise impacts would be less than significant with the implementation of Project Mitigation Measures M-NO-1 and M-NO-2, which would ensure compliance with the Noise Ordinance and may address some of the commenter's concerns. Project Mitigation Measures M-NO-1 and M-NO-2 involve restrictions to pile-driving activities and would require the project sponsor to prepare and submit to the Department of Building Inspection, prior to construction, a plan to ensure that maximum feasible noise attenuation will be achieved. Mitigation Measure M-NO-2 would also require regular monitoring of construction noise levels for the effectiveness of noise attenuation measures. Signs posted on-site would contain complaint procedures and the contact information for a designated project sponsor/construction contractor representative in the event of a problem, thereby providing a process to respond to issues raised.

C AIR QUALITY

Comment AQ-1: Dirt and Dust

This response addresses the following comment:

► CPC-1.3

Sue Mortensen, Public Hearing Transcript, September 11, 2014 [CPC-1.3]

"Dirt and dust also, I'm sure a typical complaint. It is a real problem for our homeowners on the Indiana side directly facing this construction site. We spend about \$8,000 a year washing windows on that side and unfortunately we'll need to anticipate an increase of that because of the construction."

Response AQ-1

The commenter is concerned about the need to increase the frequency of residential window washing for the homeowners near the project site as a result of dirt and dust from the construction site. The commenter correctly identifies a likely temporary increase in localized dust during construction operations. This is a common construction-related concern, particularly within a dense urban environment. Construction dust is typically addressed through the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). As described on page 87 of the CPE Checklist (Appendix A of the Draft EIR), implementation of the measures required under the Construction Dust Control Ordinance would reduce the impact of construction-related fugitive dust to a less-than-significant level through implementation of measures to control construction-generated particulate matter. The Construction Dust Control Ordinance applies to all sites in San Francisco that have the potential to create dust or expose/disturb more than 10 cubic yards of soil. Dust suppression activities

may include the following: watering all active construction areas; wet sweeping or vacuuming the streets, sidewalks, paths, and intersections during excavation and dirt-moving activities; and covering or tarping inactive stockpiles. In addition, because the project site is more than one-half acre, the project sponsor is required to prepare and submit a site-specific Dust Control Plan for approval by the San Francisco Department of Public Health.

The site-specific Dust Control Plan would include measures to address the commenter's concerns regarding dirt and dust: operating a hotline for community members who may be affected by project-related dust; installing dust curtains and windbreaks on the property line; sweeping affected streets with water sweepers at the end of the day; installing wheel washers to clean truck tires and prevent the track out of dirt; and designating a dust control monitor. The designated person(s) is required to be on the site or available by telephone or other means during all times that site preparation, demolition, or construction activities may be in progress. Compliance with the Construction Dust Control Ordinance and implementation of the Dust Control Plan would prevent dust resulting from construction of the 800 Indiana Street project from affecting buildings in the vicinity.

Comment AQ-2: Air Pollutant Exposure Zone

This response addresses the following comment:

► CPC-2.1

Commissioner Christine Johnson, Planning Commission, Public Hearing Transcript, September 11, 2014 [CPC-2.1]

“Thank you very much. I just have a couple questions about the EIR. The first one is about air quality control. So the EIR states that the site is not within an Air Pollutant Exposure Zone, but it looks – it's right next to the highway, and if you look at the Air Pollutant Exposure Zone Map from DPH, the Air Pollutant Exposure Zone is blue, which indicates that it is a zone all along all of the freeways in San Francisco, so can you explain how that assessment was made?”

Response AQ-2

The commenter states that the project appears to be within the Air Pollutant Exposure Zone and requests an explanation of how it was determined that the project site is not within this zone. This comment refers to the 2014 Air Pollutant Exposure Zone map² developed by the San Francisco Department of Public Health (DPH), in coordination with the Planning Department, pursuant to proposed amendments to Article 38 of the Health Code.³ The proposed amendments to Article 38 of the Health Code expand upon the definition of the Air Pollutant Exposure Zone that is utilized pursuant to CEQA, as elaborated upon below.

As mentioned on pages 85 and 86 of the CPE Checklist (Appendix A of the Draft EIR), in an effort to identify areas of San Francisco most adversely affected by sources of toxic air contaminants (TACs), the City partnered

² The DPH Air Pollutant Exposure Zone Map is available at <http://www.sfdph.org/dph/files/EHSdocs/AirQuality/AirPollutantExposureZoneMap.pdf>, accessed October 22, 2014.

³ San Francisco Board of Supervisors, File No. 140806. Note: this ordinance passed the first reading of the Board of Supervisors on October 21, 2014.

with the Bay Area Air Quality Management District (BAAQMD) to inventory and assess air pollution; particularly exposures from mobile, stationary, and area sources within San Francisco. This citywide modeling was completed in 2012.⁴ Areas with poor air quality were termed the “Air Pollutant Exposure Zone”. The Air Pollutant Exposure Zone was defined based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per 1 million population, and/or (2) cumulative fine particulate matter (PM_{2.5}) concentrations greater than 10 micrograms per cubic meter.

As stated on page 86 of the CPE Checklist (Appendix A of the Draft EIR), “Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.” As stated on page 89 of the CPE Checklist (Appendix A of the Draft EIR), “based on current practices, the project site is not located within an identified Air Pollutant Exposure Zone.” The “current practices” refer to the Air Pollutant Exposure Zone as utilized pursuant to CEQA, and, as defined based on the two health-protective criteria mentioned above.

DPH, in partnership with the Planning Department, utilized the aforementioned modeling and health-protective criteria completed in 2012 for consideration in defining an Air Pollutant Exposure Zone for proposed amendments to Article 38 of the Health Code. Based on feedback conducted during community outreach in 2013 and 2014 for proposed amendments to Article 38 of the Health Code, an expanded definition of the Air Pollutant Exposure Zone was subsequently proposed. The expanded definition of the Air Pollutant Exposure Zone includes health vulnerable locations and locations within 500-feet of freeways, if the aforementioned modeling did not otherwise capture those locations. The project site is within 500 feet of a freeway and therefore is included in the Air Pollutant Exposure Zone as defined by proposed amendments to Article 38 of the Health Code. Given the proposed project would be subject to the existing Article 38 of the Health Code and the proposed amendments to Article 38 of the Health Code if implemented, Project Improvement Measure I-AQ-1, “Enhanced Ventilation System,” was recommended, agreed to by the project sponsor, and would be included as a condition of approval for the proposed project in compliance with the requirements in the ordinance.

Comment AQ-3: Air Quality and Exposure to Pollutants

This response addresses the following comment:

► CPC-2.4

Commissioner Christine Johnson, Planning Commission, Public Hearing Transcript, September 11, 2014 [CPC-2.4]

“And then the final one is I would like, going back to air quality, I believe that there should be some comparative analysis of the air quality control mitigation measures across all three of the alternatives.

⁴ BAAQMD, San Francisco Department of Public Health, and San Francisco Planning Department. 2012 (December). The San Francisco Community Risk Reduction Plan: Technical Support Documentation. This document is available online at ftp://ftp.baaqmd.gov/pub/CARE/SFCRRP/SF_CRRP_Methods_and_Findings_v9.pdf, accessed October 22, 2014.

“In the proposed alternative, there is an open courtyard/roof deck, which I do not believe adequately mitigates potential for exposure to air pollutants, but I do think that the other two construction alternatives do actually adequately mitigate exposure to air pollutants, so I’d like to see – it would be great to see some sort of comparative analysis of the air quality control measures for all three project alternatives. Thank you.”

Response AQ-3

The commenter states that the open courtyard/roof deck included as part of the proposed project does not adequately mitigate the potential for occupants’ exposure to air pollutants, and further indicates that the two project alternatives; Alternative B: Full Preservation Alternative and Alternative C: Partial Preservation Alternative would perhaps have fewer impacts associated with exposure to air pollutants and suggests that a comparative analysis of the Alternatives B and C be done. An additional comparative analysis of the alternatives regarding exposure to air pollutants was not performed. These concerns are likely related to fact that with the proposed project, several open courtyards and a roof deck are proposed as part of the design, whereas under Alternatives B and C, the design of the open space is more limited, largely located at the ground level, and appears more shielded within the building footprint. As explained on page 6-1 of the Draft EIR, Section 15126.6(a) of the CEQA Guidelines requires that an EIR evaluate a reasonable range of alternatives to the project which would reduce, avoid, or eliminate one or more of the significant effects of the proposed project identified in the EIR while also meeting most of the project’s objectives. The EIR concludes on page 4.B-13 that the proposed project would result in significant and unavoidable impacts related to historic architectural resources. Thus, the alternatives chapter includes a Partial Preservation Alternative and a Full Preservation Alternative, which seek to avoid or lessen the proposed project’s significant and unavoidable impacts to historic architectural resources.

Other than the identified impact to historic architectural resources, the CPE Checklist concluded on pages 125 to 126 (Appendix A of the Draft EIR) that the proposed project would not result in new, significant environmental impacts or impacts of greater severity than analyzed in the Eastern Neighborhoods PEIR. Since air quality impacts related to the proposed project were determined to be less than significant on pages 82 to 93 of the CPE Checklist (Appendix A of the Draft EIR), further reduction of air quality impacts through additional analysis or the development of alternatives was not required in the Draft EIR.

As discussed in Response AQ-2 above, impacts related to proposed residents’ exposure to TACs from nearby sources of air pollutants (e.g., Interstate 280) was determined in the CPE Checklist to be less than significant.

The Draft EIR concludes on page 6-12 that for the Full Preservation Alternative (Alternative B), “this alternative would have similar or reduced potentially significant archeological, transportation and circulation, noise, air quality, and hazards and hazardous materials impacts, compared to the proposed project’s already less than significant impacts for these same resource topics.”

The Draft EIR concludes on page 6-21 that for the Full Preservation Alternative (Alternative C), “this alternative would have similar potentially significant archeological, transportation and circulation, noise, air quality, and hazards and hazardous materials impacts as the proposed project.”

To offer further clarification to the finding that air quality impacts would be less than significant, it is helpful to consider that the duration of exposure is a primary consideration. For residential projects, the exposure to outdoor air pollutants, while the residents inhabit their units is the main concern, particularly during early years of exposure (i.e., fetal development, early childhood), as this is the typical location where residents spend the majority of their time. Conversely, common open space is a location where residents would spend a small fraction of their time. The citywide modeling described previously in Response AQ-2 conservatively assumed continuous 70-year exposure to air pollutants, while taking into account age sensitivity factors for early years of exposure. This analysis does not assume a reduction in exposure concentration for interior building spaces, thus the analysis conservatively assumes all receptors are exposed to outdoor pollutant concentrations. As stated above, this analysis determined the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, although residents under the proposed project may be exposed to TACs while spending time in common open space, this exposure would be limited and not rise to a level of significance for the proposed project or alternatives and thus no further analysis pursuant to CEQA is warranted.

D TRANSPORTATION AND CIRCULATION

Comment TR-1: Construction Traffic Control

This response addresses the following comment:

► CPC-1.1

Sue Mortensen, Public Hearing Transcript, September 11, 2014 [CPC-1.1]

“Thank you, Commissioners for the opportunity to speak. My name is Sue Mortensen. I live at 808 Minnesota Street in the Esprit Park Condominiums. I am a member of the Board of Directors of our Association and I am the appointed Community Liaison. Our buildings contain 147 homes and approximately 300 residents.

We’ve raised no objections to this development to date; however, I am here to address environmental issues anticipated in the construction of the project that are not specifically mentioned in the EIR. That is, the impacts of this construction on our homeowners located directly across the street from the construction site.

Specifically, we are concerned with traffic control. We have one combined entrance and exit to the parking garage underneath the building. It sits about midway to the construction site. We cannot have this entrance blocked at any time. We are seeking assurances that this will not happen.”

Response TR-1

The commenter states that no objections to the project have been raised by Esprit Park Condominiums Homeowner’s Association, but expressed concern regarding the construction impacts. The commenter would like to know whether the combined entrance and exit to the Esprit Park Condominiums parking garage would be blocked during construction. Construction-related traffic impacts are described on page 6 of the CPE Checklist

(Appendix A of the Draft EIR). Pages 56 to 80 of the CPE Checklist (Appendix A of the Draft EIR) summarize a detailed transportation impact study (TIS)⁵ conducted for the project, and concluded that construction-related traffic impacts would be less than significant. Separate from the CEQA process, the project sponsor met with the Esprit Park Homeowner’s Association in late September 2014 and provided details about the proposed project’s construction and what would be done to avoid traffic conflicts. Construction staging would take place underneath the 20th Street overpass and within the right-of-way on the west side of Indiana Street. Construction equipment or delivery trucks would not be allowed to park on the east side of Indiana Street. Therefore, the entrance and exit to parking garage would not be blocked on Indiana Street.

The TIS identified improvement measures that could be implemented to further reduce less-than-significant impacts. One of the improvement measures included construction management practices that would minimize construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. This improvement measure was inadvertently omitted from the Draft EIR.

The following text has been added as a new row in Table S-2 after Improvement Measure I-TR-4 – Queue Abatement Condition of Approval on page S-10 of the Draft EIR:

<p><u>Improvement Measure I-TR-5: Construction Management. To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries should be limited during peak hours (generally 7:00 to 9:00 AM and 4:00 to 6:00 PM, or other times, as determined by SFMTA and its Transportation Advisory Staff Committee [TASC]).</u></p>	<p><u>Proposed Project and All Variants</u></p>
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The last paragraph on page 1-5 of the Draft EIR is revised as follows:

With implementation of the mitigation measures identified above, the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR for the respective environmental topic areas. In addition, the project sponsor would implement Project Improvement Measure I-TR-1 Residential Transportation Demand Management Program, Improvement Measure I-TR-2 Transportation Demand Management Monitoring Program, Improvement Measure I-TR-3 Enhanced TDM Program – Car Share, ~~and~~ Improvement Measure I-TR-4 Queue Abatement Condition of Approval, and Improvement Measure I-TR-5 Construction Management to further reduce less than significant vehicle trip impacts.

The first paragraph on page 67 of the CPE Checklist (Appendix A of the Draft EIR) has been revised as follows:

Construction

The proposed project’s construction activities would last approximately 26 months and would include below-ground surface construction and building construction. Although construction activities would result in additional vehicle trips to and from the project site from workers and material and equipment deliveries, these activities would be limited in duration. Therefore, the proposed project’s construction

⁵ Fehr & Peers. 2013 (December). Transportation Impact Study 800 Indiana Street. This document is on file and available for review as part of Case No. 2011.1374E at 1650 Mission Street, Suite 400, San Francisco, CA.

would not result in significant impacts on transportation, either individually or cumulatively, that were not identified in the Eastern Neighborhoods FEIR. Improvement Measure I-TR-5 would further reduce the less-than-significant impacts to minimize construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods.

The following text has been added on page 126 of the CPE Checklist (Appendix A of the Draft EIR):

Improvement Measure I-TR-5: Construction Management

To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries should be limited during peak hours (generally 7:00 to 9:00 AM and 4:00 to 6:00 PM, or other times, as determined by SFMTA and its Transportation Advisory Staff Committee [TASC]).

The addition of this improvement measure does not provide new information that identifies new significant environmental impacts or change the construction-related traffic impact conclusion in the CPE Checklist.

E ALTERNATIVES

Comment ALT-1: General Comments Regarding Alternatives

This response addresses the following comments:

- ▶ CPC-3.1
- ▶ HPC-1.1

Commissioner Michael Antonini, Planning Commission, Public Hearing Transcript, September 11, 2014 [CPC-3.1]

“And I note, of course, we have a partial preservation/preservation alternative and certainly that’s important to have in an EIR and it’s worthy of discussion as we move forward with approval of the project because nearby the Esprit Project did a preservation and, in addition to the preservation, it certainly makes for an adequate EIR, so I’m happy to see those in there.”

Karl Hasz, Historic Preservation Commission, Letter, August 20, 2014 [HPC-1.1]

“On August 20, 2014, the Historic Preservation Commission (HPC) held public hearings and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed demolition of the existing building at 800 Indiana Street, and new construction of five-story residential complex with 338 dwelling units.

The HPC concurs with the analysis contained within the DEIR, and appreciate the efforts of the Project Sponsor in exploring preservation alternatives, which mitigate the impacts to the site’s historic resources.

The HPC appreciates the opportunity to participate in review of this environmental document.”

Response ALT-1

These comments do not raise any specific issues regarding the adequacy of the Draft EIR; rather, they are supportive of the discussion/analysis of the preservation alternatives in the Draft EIR. Therefore, these comments do not require further response in this RTC document; however, they are acknowledged and may be considered by the decision-makers as part of their deliberations on the proposed project.

F OTHER

The comments and corresponding responses in this section are general in nature and not CEQA-related. These comments do not raise specific issues on the adequacy, accuracy, or completeness of the analysis presented in the Draft EIR. However, the following responses are provided for informational purposes.

Comment OTH-1: General Comment Regarding Project

This response addresses the following comment:

► CPC-1.5

Sue Mortensen, Public Hearing Transcript, September 11, 2014 [CPC-1.5]

“And last but not least, a compliment is due. I have contacted Joe Kirchofer with Avalon and he has agreed to come and speak to our homeowners this month. We’re anxious to have a good system of communication in place for the developers and the construction foremen once this begins. Thank you very much.”

Response OTH-1

The commenter compliments the efforts of AvalonBay Communities for communicating with the Esprit Park Condominiums Homeowner’s Association regarding the project. The comment is noted. The comment does not raise issues regarding the adequacy, accuracy, or completeness of the analysis in the Draft EIR. These comment does not require further response in this RTC document; however, it is acknowledged and may be considered by the decision-makers as part of their deliberations on the proposed project.

Comment OTH-2: Vermin

This response addresses the following comment:

► CPC-1.4

Sue Mortensen, Public Hearing Transcript, September 11, 2014 [CPC-1.4]

“I’m a dog owner and I walk past this site on a regular basis. That’s my authority in my next statement, which is pests. This site is home to an impressive population of vermin. They’re going to be looking for a

new home once the construction begins and we'd like to see that there were some kind of containment or control program for this issue. "

Response OTH-2

The commenter is concerned about the vermin population at the site and would like to know whether there would be a containment or control program once construction begins. The containment and control of vermin at the project site is addressed through established requirements and the following response is provided for informational purposes only. The construction contractor is required to adhere to California Division of Occupational Safety and Health (Cal/OSHA) regulations and standards. Prior to initiation of construction, the contractor would be required to prepare a site-specific health and safety plan in accordance with Cal/OSHA regulations. The purpose of the health and safety plan is to address potential threats to the health and safety of both site construction workers and the public during the project's construction activities. The handling of vermin would be addressed in this plan. In addition, AvalonBay has contacted the current owner of the site and confirmed that they have instituted an abatement program for vermin at the site. The project sponsor has also indicated that once AvalonBay Communities formally takes ownership of the building, the abatement program will continue with the goal to reduce the rodent and pest population to the extent possible prior to and after any demolition activity.

Comment OTH-3: Non-Renewable Resources

This response addresses the following comment:

► CPC-2.2

Commissioner Christine Johnson, Planning Commission, Public Hearing Transcript, September 11, 2014 [CPC-2.2]

"The other one is for the consumption of non-renewable resources. It would be – this program for the development in any of the alternatives includes alternative energy such as solar and other water efficiency methods. It would be great to see not only what the usage of that non-renewable resources is, but also what the energy production of the building system would be, to sort of what is the offset. So that would be great to see as part of the Draft EIR assessment."

Response OTH-3

The commenter requests information related to the project's consumption of non-renewable resources. Although a quantitative analysis is not required under CEQA, the proposed project's alternative energy and use of non-renewable resources are qualitatively discussed on pages 5-2 and 5-3 of the Draft EIR, and in the Greenhouse Gas Emissions and Mineral and Energy Resources sections of the CPE Checklist (pages 94 to 96 and 117 to 118 in Appendix A of the Draft EIR). The CPE Checklist acknowledges on page 95 (Appendix A of the Draft EIR) that the proposed project would result in additional vehicle trips and an increase in energy use. This would be from an increase in overall water usage (with indirect emissions from the energy required to pump, treat, and convey water), increased vehicle trips, and operations associated with energy use, wastewater treatment, and solid waste disposal.

However, the proposed project would contain features that would reduce the consumption of non-renewable resources. Solar panels are anticipated to be used on the roofs as stated on page 2-13 of the Draft EIR. The detailed design and inclusion of specific alternative energy is unknown at this stage; however, as stated on page 2-14 of the Draft EIR, “the proposed project would be constructed to the standards required, and at minimum would have a Leadership in Energy Efficient Design (LEED®) Silver rating.” In addition, the CPE Checklist also concludes on page 95 (Appendix A of the Draft EIR) that the proposed project is consistent with regulations adopted to reduce greenhouse gas (GHG) emissions as identified in San Francisco’s GHG Reduction Strategy.⁶ A GHG compliance checklist was prepared for the project, which includes a description and assessment of how the project would comply with regulations in the following sectors: transportation sector, energy efficiency sector, renewable energy sector, water reduction sector, and environment/conservation sector.⁷ The following are several examples of methods and features that the proposed project would include to reduce the consumption of non-renewable resources:

- ▶ Constructing the building to meet LEED® Gold certification requirements, which would exceed the required LEED® Silver certification. The new building would be at least 15 percent more energy efficient than Title 24 energy efficiency requirements.
- ▶ Installation of solar panels or electric photovoltaic panels are anticipated as part of the building design.
- ▶ Designing features on-site to decrease the volume of stormwater runoff from the 2-year, 24-hour design storm by 25 percent from existing conditions.
- ▶ Complying with standards required for indoor water efficiency, water efficient irrigation, and the Residential Water Conservation Ordinance. This would include installing low-flow plumbing fixtures and Energy Star rated appliances.
- ▶ Diverting approximately 75 percent of the materials generated from the demolition of the existing building to recycling.

⁶ Greenhouse Gas Analysis: Compliance Checklist, April 28, 2014. This document is on file and available for review as part of Case No. 2011.1374E at 1650 Mission Street, Suite 400, San Francisco, CA.

⁷ Ibid.

4 DRAFT EIR REVISIONS

The following changes to the text of the Draft EIR are made in response to comments on the Draft EIR or are staff-initiated to clarify the Draft EIR text. The revised text does not provide new information that would necessitate changes to any of the EIR's conclusions, that would result in any new significant impact not already identified in the EIR, or that would amount to a substantial increase in the severity of an impact in the EIR. In these revisions, new text is underlined and deletions are shown in ~~strike through~~. The changes are organized in the order of the Draft EIR table of contents.

Mitigation Measure M-CP-1c has been revised as follows on pages S-6 and 4.B-13 of the Draft EIR:

M-CP-1c: Interpretive Program. The project sponsor shall install a permanent on-site interpretive display in a publicly-accessible outdoor location, such as in one of the plazas along Indiana Street or within the open space area of the variants ~~in a main lobby or in an outdoor exhibit in a central courtyard~~. The display shall focus on the history of the 800 Indiana Street site, including the Ralston Iron Works and the A.M. Castle & Co. that were previously located on the site. The primary goal shall be to educate visitors about the property's historic themes, associations, and lost character-defining features within broader historical, social, and physical landscape contexts. The project sponsor shall work with a historic preservation professional so that the historical information provided in the HRE and supporting documentation and in the HABS report are used as a basis for the interpretive display. The interpretive display shall be reviewed and approved by a Planning Department Preservation Technical Specialist.

The following text has been added as a new row in Table S-2 after Improvement Measure I-TR-4 – Queue Abatement Condition of Approval on page S-10 of the Draft EIR:

Improvement Measure I-TR-5: Construction Management. <u>To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries should be limited during peak hours (generally 7:00 to 9:00 AM and 4:00 to 6:00 PM, or other times, as determined by SEMTA and its Transportation Advisory Staff Committee [TASC]).</u>	<u>Proposed Project and All Variants</u>
--	--

The last paragraph on page 1-5 of the Draft EIR is revised as follows:

With implementation of the mitigation measures identified above, the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR for the respective environmental topic areas. In addition, the project sponsor would implement Project Improvement Measure I-TR-1 Residential Transportation Demand Management Program, Improvement Measure I-TR-2 Transportation Demand Management Monitoring Program, Improvement Measure I-TR-3 Enhanced TDM Program – Car Share, ~~and~~ Improvement Measure I-TR-4 Queue Abatement Condition of Approval, and Improvement Measure I-TR-5 Construction Management to further reduce less than significant vehicle trip impacts.

The first paragraph on page 67 of the CPE Checklist (Appendix A of the Draft EIR) has been revised as follows:

Construction

The proposed project's construction activities would last approximately 26 months and would include below-ground surface construction and building construction. Although construction activities would result in additional vehicle trips to and from the project site from workers and material and equipment deliveries, these activities would be limited in duration. Therefore, the proposed project's construction would not result in significant impacts on transportation, either individually or cumulatively, that were not identified in the Eastern Neighborhoods FEIR. Improvement Measure I-TR-5 would further reduce the less-than-significant impacts to minimize construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods.

The following text has been added on page 126 of the CPE Checklist (Appendix A of the Draft EIR):

Improvement Measure I-TR-5: Construction Management

To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries should be limited during peak hours (generally 7:00 to 9:00 AM and 4:00 to 6:00 PM, or other times, as determined by SFMTA and its Transportation Advisory Staff Committee [TASC]).

ATTACHMENT A

Public Hearing Transcript Comments

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SAN FRANCISCO PLANNING COMMISSION
COMMISSIONER CHAMBERS, ROOM 400
CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102

September 11, 2014, 12:00 p.m.

ITEM 8

2011.1374E

800 INDIANA STREET PROJECT DRAFT EIR

Reported by:
Tahsha Sanbrailo - D-482

1

CALIFORNIA REPORTING, LLC
52 Longwood Drive, San Rafael, California 94901 (415) 457-4417

APPEARANCES

COMMISSIONERS

Cindy Wu - President
Rodney Fong - Vice President
Michael Antonini
Rich Hillis
Christine Johnson
Kathrin Moore
Dennis Richards

STAFF

Jonas Ionin - Secretary
John Rahaim - Director of Planning
Scott Sanchez

Tahsha Sanbrailo - Reporter D-482

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Certificate of Transcriber	16

1

3

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1 P R O C E E D I N G S
2 SEPTEMBER 11, 2014 12:29 P.M.
3 MR. IONIN: Case Number 2011.1374E for
4 800 Indiana Street, the Public Hearing on the
5 Draft Environmental Impact Report. Please note
6 that written comments will be accepted at the
7 Planning Department until 5:00 p.m. on Monday,
8 September 29, 2014.

9 MS. SCHUETT: Good afternoon. I am
10 Rachel Schuett, Planning Department Staff. The
11 item before you is the Public Hearing to receive
12 comments on the Draft Environmental Impact Report
13 (Draft EIR) on the 800 Indiana Street Project,
14 Case No. 2011.1374E.

15 I am joined here today by my colleagues,
16 Rich Sucre and current planner for the proposed
17 project, Devyani Jain, Senior Environmental
18 Planner, and members of the Project Sponsor Team
19 are also present.

20 The project site is located at 800
21 Indiana Street, which is on the west side of
22 Indiana Street between 20th and 22nd Streets,
23 located in the southeast quadrant of the City.

24 The site is adjacent to the I-280
25 elevated freeway.

1 The site is currently developed within an
2 approximately 78,000 square foot, 50-foot tall,
3 steel frame historic industrial warehouse which
4 was constructed in 1926. The warehouse is
5 currently used for storage and costume and set
6 design.

7 The proposed project would include
8 demolition of the existing historic warehouse,
9 construction of a five-story multi-family
10 residential development comprised of three
11 separate buildings, each designed by a different
12 architectural firm. Building heights would be
13 approximately 58 feet.

14 The proposed project would include up to
15 338 residential units, ground floor residential
16 amenities, and would accommodate up to 230
17 parking spaces.

18 I would also like to note that the EIR
19 also includes the analysis of two variants for
20 the streetscape improvements along Indiana
21 Street, as well as an optional dog park.

22 The existing warehouse was identified as
23 a potential historic resource as part of the
24 Central Waterfront, a subsequent historic
25 resource evaluation and response concluded that

5

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1 the warehouse is individually eligible for
2 listing in the California Register of Historic
3 Places. It is significant as a large warehouse
4 for metals use with an aesthetically designed
5 associated office. Its demolition would be
6 considered a significant impact.

7 The project site is not within both the
8 Dogpatch Landmark District and the eligible
9 Central Waterfront Third Street Industrial
10 Historic District. However, the historic
11 resource evaluation and response prepared for the
12 proposed project also found that, even though the
13 proposed project would result in a significant
14 unavoidable impact to a historic site warehouse,
15 the proposed project would not impair the
16 integrity of the adjacent districts; also, that
17 the proposed project is designed to address the
18 massing and scale of the surrounding context and
19 the streetscape and dog park variance would not
20 impact or affect any of the nearby historic
21 resources.

22 The following historic resource
23 mitigation measures were included in the draft
24 EIR. First, the complete Historic American
25 Building Surveyor (HABS) documentation prior to

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1 demolition, a salvage program, and also
2 installation of a permanent onsite interpretive
3 exhibit. However, these mitigation measures
4 would not reduce the impact to historic
5 architectural resources to a less-than-
6 significant level. Thus, the impacts on historic
7 resources would remain significant and
8 unavoidable. No other significant and
9 unavoidable impacts were identified in the Draft
10 EIR.

11 A Community Plan Exemption (CPE), tiered
12 from the Eastern Neighborhood's EIR was also
13 prepared for the proposed project. The CPE
14 identified four significant impacts related to
15 accidental discovery of archaeological resources,
16 interior and exterior noise and vibration, and
17 the handling of hazardous building materials.

18 Mitigations were identified to reduce
19 these potentially significant impacts to less
20 than significant levels.

21 A hearing to receive the Historic
22 Preservation Commission's comments on the Draft
23 EIR was held on August 20, 2014. At the hearing,
24 the HPC stated that they appreciated the thorough
25 analysis of the preservation and partial

7

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1 preservation alternatives contained within the
2 Draft EIR, and to date have not provided any
3 additional comments on the Draft EIR.

4 I would like to remind all speakers that
5 this is not a hearing to consider approval or
6 disapproval of the proposed project. Approval
7 hearings will follow final EIR certification, so
8 your comments today should be confined to the
9 adequacy and accuracy of the information and
10 analysis contained within the Draft EIR.

11 The comments will be transcribed by the
12 Court Reporter and responded to in the Responses
13 to Comments document. This document will respond
14 to all verbal and written comments received on
15 the Draft EIR and make revisions to the Draft EIR
16 as appropriate.

17 I would remind commenters to speak slowly
18 and clearly so that the Court Reporter can
19 produce an adequate transcript of today's
20 hearing. Also, commenters should state their
21 name and address for the record so that they may
22 be properly identified and also so that we may
23 send them a copy of the Responses to Comments
24 document once it is completed. After hearing
25 comments from the general public, we will also

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1 take any comments on the Draft EIR from the
2 Planning Commission.

3 I will note that the public review period
4 for this Draft EIR began on August 13th and will
5 continue until 5:00 p.m. on September 29th.

6 Comments that are not made verbally today
7 should be submitted in writing to the Planning
8 Department.

9 This concludes my presentation on this
10 matter and unless the Commissioners have any
11 questions, I would respectfully suggest that the
12 public hearing on this item be opened.

13 PRESIDENT WU: No questions, thank you.
14 Okay, let's open for public comment. I have one
15 speaker card, Sue Mortensen.

16 MS. MORTENSEN: Thank you, Commissioners
17 for the opportunity to speak. My name is Sue
18 Mortensen. I live at 808 Minnesota Street in the
19 Esprit Park Condominiums. I am a member of the
20 Board of Directors of our Association and I am
21 the appointed Community Liaison. Our buildings
22 contain 147 homes and approximately 300
23 residents.

24 We've raised no objections to this
25 development to date; however, I am here to



CPC-1.1

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1 address environmental issues anticipated in the
2 construction of the project that are not
3 specifically mentioned in the EIR. That is, the
4 impacts of this construction on our homeowners
5 located directly across the street from the
6 construction site.

7 Specifically, we are concerned with
8 traffic control. We have one combined entrance
9 and exit to the parking garage underneath the
10 building. It sits about midway to the
11 construction site. We cannot have this entrance
12 blocked at any time. We are seeking assurances
13 that this will not happen.

14 Secondly, noise. I know this is a common
15 concern, we do just seek assurance that the work
16 will be limited to a five day, 8:00 to 5:00
17 schedule.

18 Dirt and dust also, I'm sure a typical
19 complaint. It is a real problem for our
20 homeowners on the Indiana side directly facing
21 this construction site. We spend about \$8,000 a
22 year washing windows on that side and
23 unfortunately we'll need to anticipate an
24 increase of that because of the construction.

25 I'm a dog owner and I walk past this site

CPC-1.1
con't

CPC-1.2

CPC-1.3

CPC-1.4

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1 on a regular basis. That's my authority in my
2 next statement, which is pests. This site is home
3 to an impressive population of vermin. They're
4 going to be looking for a new home once the
5 construction begins and we'd like to see that
6 there were some kind of containment or control
7 program for this issue.

CPC-1.4
con't

8 And last but not least, a compliment is
9 due. I have contacted Joe Kirchofer with Avalon
10 and he has agreed to come and speak to our
11 homeowners this month. We're anxious to have a
12 good system of communication in place for the
13 developers and the construction foremen once this
14 begins. Thank you very much.

CPC-1.5

15 PRESIDENT WU: Thank you. Is there
16 additional public comment? Okay, seeing no
17 public comment, the public comment is closed.
18 Commissioners? Commissioner Johnson.

19 COMMISSIONER JOHNSON: Thank you very
20 much. I just have a couple questions about the
21 EIR. The first one is about air quality control.
22 So the EIR states that the site is not within an
23 Air Pollutant Exposure Zone, but it looks -- it's
24 right next to the highway, and if you look at the
25 Air Pollutant Exposure Zone Map from DPH, the Air

CPC-2.1

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1 Pollutant Exposure Zone is blue, which indicates
2 that it is a zone all along all of the freeways
3 in San Francisco, so can you explain how that
4 assessment was made?

↑
CPC-2.1
con't
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5 MS. SCHUETT: So that's actually a
6 comment that we'll be responding to in writing.

7 COMMISSIONER JOHNSON: Okay, yes,
8 explain, that would be one. So I'll just go
9 quickly through the other ones for public
10 comment.

11 MS. SCHUETT: Please do.

12 COMMISSIONER JOHNSON: The other one is
13 for the consumption of non-renewable resources.
14 It would be -- this program for the development
15 in any of the alternatives includes alternative
16 energy such as solar and other water efficiency
17 methods. It would be great to see not only what
18 the usage of that non-renewable resources is, but
19 also what the energy production of the building
20 system would be, to sort of what is the offset.
21 So that would be great to see as part of the
22 Draft EIR assessment.

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CPC-2.2
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23 The Mitigation Measure M-CP-1C, which is
24 the interpretive program, would like to see some
25 alternatives there for placement. It's currently

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CPC-2.3
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1 anticipated it's going to be placed in the lobby
 2 of the building in all three construction
 3 alternatives, but as a mitigation measure for the
 4 historical resource, I don't feel that the lobby
 5 of a 100 percent residential building is truly a
 6 public space. You know, just literally if you
 7 don't live there, who is going to go into a lobby
 8 of some building that they don't live in. So I'd
 9 like to see that placed in some of the open
 10 space. I think that there might be opportunities
 11 in all three of the open space variants for some
 12 sort of interpretive program.

CPC-2.3
 con't

13 And then the final one is I would like,
 14 going back to air quality, I believe that there
 15 should be some comparative analysis of the air
 16 quality control mitigation measures across all
 17 three of the alternatives.

18 In the proposed alternative, there is an
 19 open courtyard/roof deck, which I do not believe
 20 adequately mitigates potential for exposure to
 21 air pollutants, but I do think that the other two
 22 construction alternatives do actually adequately
 23 mitigate exposure to air pollutants, so I'd like
 24 to see -- it would be great to see some sort of
 25 comparative analysis of the air quality control

CPC-2.4

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1 measures for all three project alternatives.

2 Thank you.

3 MS. SCHUETT: Thank you for your
4 comments.

5 VICE PRESIDENT FONG: Commissioner
6 Antonini.

7 COMMISSIONER ANTONINI: And I note, of
8 course, we have a partial preservation/
9 preservation alternative and certainly that's
10 important to have in an EIR and it's worthy of
11 discussion as we move forward with approval of
12 the project because nearby the Esprit Project did
13 a preservation and, in addition to the
14 preservation, it certainly makes for an adequate
15 EIR, so I'm happy to see those in there.

16 VICE PRESIDENT FONG: No further
17 comments? Okay. Thank you, Commissioners.

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↑ CPC-2.4
con't

┌
CPC-3.1
└

REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of September, 2014.

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TAHSHA SANBRAILO
CER**D-482
Commission Number

1973164

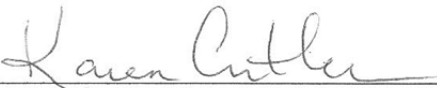
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52 Longwood Drive, San Rafael, California 94901 (415) 457-4417

TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of September, 2014.



Karen Cutler
Certified Transcriber
AAERT No. CET**D-723

ATTACHMENT B

Draft EIR Comment Letter

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SAN FRANCISCO PLANNING DEPARTMENT

August 20, 2014

Sarah B. Jones
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones,

On August 20, 2014, the Historic Preservation Commission (HPC) held public hearings and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed demolition of the existing building at 800 Indiana Street, and new construction of five-story residential complex with 338 dwelling units.

The HPC concurs with the analysis contained within the DEIR, and appreciate the efforts of the Project Sponsor in exploring preservation alternatives, which mitigate the impacts to the site's historic resources.

The HPC appreciates the opportunity to participate in review of this environmental document.

Sincerely

Karl Hasz, President
Historic Preservation Commission

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

HPC 1.1

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: DECEMBER 4, 2014

Hearing Date: December 4, 2014
Case No.: **2011.1374E**
Project Address: **800 INDIANA STREET**
Zoning: UMU (Urban Mixed-Use) Zoning District
58-X Height and Bulk District
Block/Lot: 4105/009
Project Sponsor: Joe Kirchofer, AvalonBay Communities, Inc.
455 Market Street, Ste. 1650
San Francisco, CA 94105
Staff Contact: Rachel Schuett – (415) 575-9030
rachel.schuett@sfgov.org

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Information:
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PROJECT AT 800 INDIANA STREET TO DEMOLISH THE EXISTING BUILDING AND CONSTRUCT A 5-STORY RESIDENTIAL BUILDING WITH UP TO 338 RESIDENTIAL UNITS AND BELOW-GRADE PARKING FOR 230 VEHICLES.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2011.1374E, 800 Indiana Street (hereinafter "Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on May 21, 2014.
 - B. On August 13, 2014, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
 - C. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on August 13, 2014.

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- D. On August 13, 2014, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.
 - E. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on August 13, 2014.
2. The Commission held a duly advertised public hearing on said DEIR on September 11, 2014 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 29, 2014.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on November 5, 2014, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
 4. A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.
 5. Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.
 6. On December 4, 2014, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
 7. The Planning Commission hereby does find that the FEIR concerning File No. 2011.1374E, 800 Indiana Street reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA and the CEQA Guidelines.
 8. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR:
 - A. Will have a significant project-specific effect on the environment by demolishing the existing building at 800 Indiana Street, thus causing a substantial adverse change in the significance of historic architectural resources.

9. The Planning Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of December 4, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: December 4, 2014