

## HASTINGS PARKING GARAGE PROJECT

### Draft Supplemental Environmental Impact Report

April 22, 2006

Public Review Period:  
April 22, 2006 - June 5, 2006



University of California ..  
**HASTINGS COLLEGE OF THE LAW**

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HASTINGS COLLEGE OF THE LAW

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Draft Supplemental  
Environmental Impact Report

April 22, 2006

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**TO:** Federal, State, and Local Agencies, Interested Groups and Individuals, Adjacent Land Owners, and Media  
**FROM:** David Seward, Chief Financial Officer, U.C. Hastings College of the Law  
**SUBJECT:** Notice of Availability of a Draft Supplemental Environmental Impact Report (SEIR)  
**DATE:** April 22, 2006

Hastings College of the Law, a public law school affiliated with the University of California and an instrumentality of the State of California, has completed a Draft Supplemental Environmental Impact Report (SEIR) for the following project:

**Project Title:** Hastings College of the Law Parking Garage Project

**Project Sponsor:** University of California Hastings College of the Law

**Lead Agency:** University of California Hastings College of the Law

**Draft SEIR Topics and Findings:** This Draft SEIR is meant to supplement the *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report (FEIR)* that was certified for a project originally proposed in 2002. The following environmental topics are evaluated in the Draft SEIR: Land Use, Plans, and Zoning; Transportation and Circulation; Historic Architectural Resources; Visual Quality; Shadow; Air Quality; and Noise. Potential cumulative impacts and project alternatives are also evaluated. The Draft SEIR identifies potentially significant impacts with respect to Historic Architectural Resources, Air Quality, and Noise. Potential impacts to these environmental factors can be reduced to a less-than-significant level with proposed mitigation measures. No other potentially significant impacts were identified. Mitigation measures that would carry over from the FEIR and visual simulations from the FEIR are included as appendices in the Draft SEIR.

Within 45 calendar days following publication of the Draft SEIR (i.e., by **June 5, 2006**), any person may:

- 1) Review the Draft SEIR as an informational item and take no action, or
- 2) Make recommendations for amending the text of the document. The text of the Draft SEIR may be amended to clarify or correct statements and/or expanded to include additional relevant environmental issues or cover issues already identified in greater depth.

Comments concerning the environmental effects of this project are welcomed. Please mail or email all comments or questions on the environmental review of the Draft SEIR in writing to **David Seward**, Environmental Review Officer, to the address below. You may review the Draft SEIR at the following web address: <http://www.uchastings.edu/SEIR> or please call Ellen Crosson at (415) 581-8885 for an appointment to review the document and supplemental materials weekdays between 9:00 a.m. and 5:00 p.m. at 50 United Nations Plaza, San Francisco, California. Hastings will hold a public hearing to receive comments on the Draft SEIR on **May 11, 2006** at 9:00 AM at The Auditorium at 455 Golden Gate Avenue (State Building).

**Project Description:** The proposed project is located on two blocks bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Leavenworth Street in San Francisco, California. The proposed project involves construction of a parking garage with ground-level retail and below-grade storage on the corner of Golden Gate Avenue and Larkin Street, and an adjacent development pad for potential future construction.

**Parking Garage.** The proposed parking garage project, on the southeast corner of Golden Gate Avenue and Larkin Street, would replace an existing surface parking lot currently containing about 155 parking spaces. The existing parking lot would be replaced with a parking structure containing approximately 430 spaces and 9,400 gross square feet (gsf) of ground-floor retail. There would be one level below grade for approximately 22,506 gsf of storage space. The structure would be seven and one half levels above grade, totaling 177,600 gsf. The parking structure would be approximately 68 feet tall, measured from the Golden Gate Avenue/Larkin Street corner to the top of the parapet. Mechanical equipment for the elevators would rise up to an additional approximately 24 feet above the top floor level, for a total height of approximately 92 feet at the top of the elevator towers. Driveways would be on Larkin Street. Approximately 300 parking spaces would be allocated for Hastings students, faculty, and staff. If these spaces were not in use they



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could be used for Hastings incidental use or for the public. The remainder of the spaces would be open to Hastings users or to the public.

Development Pad. The proposed project would also include construction of a development pad on the adjacent parcels to accommodate potential future development at the project site. The development pad would be approximately 12,000 sf (about 90 feet by 135 feet) with approximately 16-foot tall perimeter retaining walls on the south, east, and north sides that would abut the proposed parking garage on the west. Development pad construction would include excavation, grading, leveling, and construction of the retaining walls so that the site would be prepared for future development. Although not part of the proposed project, the SEIR also examines two potential options for future development on this pad: A) a community recreational facility; or B) a Hastings-initiated student housing/mixed-use facility.

University of California  
Hastings College of the Law  
Hastings Parking Garage Project  
Draft Supplemental Environmental Impact Report

TABLE OF CONTENTS

	<u>Page</u>
SUMMARY .....	S-1
I. INTRODUCTION .....	I-1
II. PROJECT DESCRIPTION .....	II-1
A. Project History .....	II-1
B. Project Objectives .....	II-6
C. Project Location .....	II-6
D. Project Characteristics .....	II-7
E. Project Schedule .....	II-15
III. ENVIRONMENTAL SETTING AND IMPACTS .....	III-1
A. Land Use, Plans, and Zoning .....	III.A-1
B. Transportation and Circulation .....	III.B-1
C. Historic Architectural Resources .....	III.C-1
D. Visual Quality .....	III.D-1
E. Shadow .....	III.E-1
F. Air Quality .....	III.F-1
G. Noise .....	III.G-1
IV. ALTERNATIVES ANALYSIS .....	IV-1
V. CEQA FINDINGS .....	V-1
A. Significant Environmental Effects that Cannot be Avoided if the Proposed Project Were Implemented .....	V-1
B. Growth Inducement .....	V-1
VI. DISTRIBUTION LIST .....	VI-1
A. Federal and State Agencies .....	VI-1
B. Regional Agencies .....	VI-1
C. City and County of San Francisco .....	VI-2
D. Groups and Individuals .....	VI-2
E. Adjacent Property Owners .....	VI-7
F. Media .....	VI-8

	<u>Page</u>
VII. ORGANIZATIONS AND PERSONS CONSULTED .....	VII-1
A. Lead Agency .....	VII-1
B. SEIR Consultants .....	VII-1

### LIST OF FIGURES

1. Project Location .....	II-2
2. Ground Level Site Plan .....	II-9
3. Typical Garage Floor Site Plan (Second Level) .....	II-11
4. Top Level (Seventh/Roof) Site Plan .....	II-12
5. Golden Gate Avenue Elevation .....	II-13
6. Larkin Street Elevation .....	II-14
7. Existing Land Uses in the Project Vicinity .....	III.A-2
8. Existing Conditions – Lane Configurations, Traffic Control, and Volumes .....	III.B-4
9. Existing Off-Street Parking Facilities .....	III.B-7

### LIST OF TABLES

1. Community Recreational Facility Characteristics .....	I-5
2. Student Housing/Mixed-Use Facility Characteristics .....	I-8
3. Historical Uses of Hastings Property .....	II-3
4. Parking Garage Characteristics .....	II-8
5. Off-Street Parking Inventory and Occupancy Rate (Midday) .....	III.B-8
6. Trip Generation by Mode: Existing Plus Project Conditions .....	III.B-10
7. Intersection Levels of Service with Hastings Parking Garage .....	III.B-12
8. Trip Generation by Mode: Cumulative Project Conditions .....	III.B-20
9. Parking Supply and Demand (To Be Replaced) .....	III.B-21
10. Intersection Levels of Service Short-Term Cumulative Plus Project (With Option A) Conditions .....	III.B-22
11. Intersection Levels Of Service Long-Term (Year 2025) Cumulative Plus Project (With Option A) Conditions .....	III.B-26
12. Future Daily Operational Air Pollutant Emissions .....	III.F-6
13. Localized Carbon Monoxide Concentrations .....	III.F-7
14. Average Noise Levels and Abatement Potential of Construction Equipment Noise at 50 and 100 Ft. (In dBA) .....	III.G-5
15. Typical Commercial/Industrial Construction Noise Levels .....	III.G-6

### APPENDICES

- A. Mitigation Measures from the 2002 FEIR
- B. Visual Simulations

## SUMMARY

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The University of California, Hastings College of the Law (Hastings) proposes the development of a parking garage and an adjacent development pad (proposed project) on the block bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Hyde Street in San Francisco. This Supplemental Environmental Impact Report (SEIR) evaluates the effects of the proposed project. It is meant to supplement the *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR) that was certified on June 7, 2002.

Major aspects of the original project involved a substantially larger parking garage, proposed to use the entire project site, and an upgrade of the 100 McAllister Street residential building owned by Hastings. Differences between the original project and the proposed project as revised in this SEIR are discussed in the Project Description on p. II-1. In accordance with CEQA Guidelines Section 15163, this SEIR only includes environmental topics in Chapter III, Environmental Setting, Impacts, and Mitigation Measures that are necessary to update and provide a supplemental analysis of potential effects of the proposed project and appropriate mitigation to the FEIR. All relevant sections from the 2002 FEIR have been updated to reflect potential impacts of the proposed, new garage project. Each resource section also has a cumulative impacts heading which describes the impacts of both short-term cumulative and long-term cumulative scenarios. A short-term cumulative scenario is included to evaluate vertical development on the development pad adjacent to the proposed parking garage. Although there is no formal proposal for this vertical development and it is not a part of the project analyzed in this SEIR, two potential options for future development on the pad are evaluated because such development is reasonably foreseeable. Any vertical development project proposed for the pad will be subject to a separate approval process and a separate determination of the appropriate environmental review required in accordance with CEQA. The short-term cumulative scenario evaluates the combined impact of the project with each of the two potential vertical development options. A long-term cumulative impact scenario is also included in each section of the SEIR that evaluates the project plus the vertical development options plus cumulative development.

## A. PROJECT DESCRIPTION (P. II-1)

Hastings proposes development of a project on six contiguous vacant lots at the southeast corner of Golden Gate Avenue and Larkin Street in San Francisco. The proposed project has two elements: 1) a multi-level parking garage with ground-level retail and below-grade storage space on three parcels and a portion of a fourth; and 2) a development pad with perimeter retaining walls on two parcels and a portion of a third.

### PARKING GARAGE

The parking garage site would be approximately 25,110 sf (about 186 feet long by 135 feet wide) on the northwest corner of the project block, fronting Golden Gate Avenue and Larkin Street. The proposed parking garage structure would cover approximately 22,506 sf (about 186 feet long by 121 feet wide) of the garage site. The garage structure would replace part of an existing 155-space surface parking lot, and would contain approximately 430 parking spaces (249 standard spaces, 172 compact spaces, and nine handicap spaces) and six motorcycle spaces. Pods for a car share program and bike storage space would also be programmed into the facility. The proposed parking garage building would be one level (20 feet) below grade, with seven and one-half levels above ground, totaling approximately 177,600 gross square feet (gsf). The parking structure would be approximately 68 feet tall, measured from the Golden Gate Avenue/Larkin Street corner to the top of the parapet (see elevation Figures 4 and 5 on pp. II-12 and II-13). Mechanical equipment for the elevators would rise up to an additional approximately 24 feet above the top floor level, for a total height of approximately 92 feet at the top of the elevator towers.<sup>1</sup>

The parking structure would be reinforced concrete with a spread footing foundation. Exterior cladding would be a combination of plaster, glass, concrete, metal louvers, and metal window mullions. Entrance "towers" and parapets would be expressed architecturally, and would be compatible with the design of other buildings in the Civic Center neighborhood. Safety and security lighting would be placed throughout the parking garage building. The parking garage would be equipped with emergency telephones on all floors and monitored by closed circuit television. The parking garage driveways would have signage and audible warning devices to alert pedestrians of on-coming vehicles. Approximately 84 percent of the south-facing walls would be enclosed to screen the proposed project from adjacent residential uses. Wall openings on the south side would contain light-resistant metal louvers and mesh-type screens to reduce noise and light intrusion to adjacent

properties. An existing walnut tree just south of the property line in the rear yard of 270 McAllister Street would be retained. Additional trees would be planted on the south side of the building to further screen the parking structure from adjacent residential uses. Street trees would be planted along Golden Gate Avenue and Larkin Street, and landscape trees would be planted along the walkway between the parking garage and the Hastings Academic Building fronting 200 McAllister Street.

Approximately 300 parking spaces would be allocated for Hastings students, faculty, and staff. If these spaces were not in use, they would be available for Hastings incidental use (e.g., adjunct faculty, visitors, etc.) or for the public. The remainder of the spaces would be open to Hastings users or the public. The public would be charged parking rates intended to discourage long-term, commuter parking. The parking garage would operate from 6:00 a.m. to 12:00 a.m. (midnight), seven days a week. Steel roll-down garage doors would restrict entry between 12:00 a.m. and 6:00 a.m. The structure would initially be staffed with security personnel for a three to six month period to assess whether on-going security presence is needed after hours. Parking fees would be based on market conditions with a discount for Hastings students.

## **DEVELOPMENT PAD**

The proposed project would also include construction of a development pad on Lots 14, 15, and part of Lot 13 to accommodate potential future development. Although no project has been formally proposed for this development pad, this SEIR evaluates build-out of the pad under two potential options in order to fully assess the reasonably foreseeable future development of the pad. One potential use of the development pad site would be for a new Shih Yu Lang Central YMCA to continue serving the Tenderloin and Civic Center neighborhoods of San Francisco as a community recreational facility. In the event that the YMCA potential development does not go forward, another option would be for Hastings to develop the development pad as a mixed-use facility with student housing, academic and conference facilities, and fitness and recreational space. A discussion of the two options, Option A—a community recreational facility and Option B—a student housing/mixed-use facility, is included in the Introduction. The development pad would be approximately 12,000 sf (about 90 feet by 135 feet) with approximately 16-foot tall perimeter retaining walls on the south, east, and north sides that would abut the proposed parking garage on the west. Development pad construction would include excavation, grading, leveling, and construction of the retaining walls so that the site would be prepared for future development.

The construction period for the proposed project would last approximately 16 to 18 months and would be completed in late 2007 or early 2008.

## **B. MAIN ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES**

This SEIR is meant to supplement the *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR) that was certified for a project originally proposed in 2002. The FEIR, composed of the Draft EIR published on January 16, 2002 and the Comments and Responses document published on April 12, 2002, was certified on June 7, 2002. In accordance with CEQA Guideline Section 15163, this SEIR only includes environmental topics in Chapter III, Environmental Setting, Impacts, and Mitigation that are necessary to update and provide a supplemental analysis of potential effects of the proposed project and appropriate mitigation to the FEIR. Mitigation measures from the FEIR that are applicable to the proposed project are included in Appendix A of this SEIR.

The environmental issues analyzed in this SEIR include land use, plans, and zoning; transportation and circulation; historic architectural resources; visual quality; shadow; air quality; and noise. This SEIR concludes that the proposed project would not result in significant environmental impacts that could not be mitigated to a less-than-significant level. These effects are summarized below.

### **LAND USE, PLANS, AND ZONING (P. III.A-1)**

As a state entity, projects undertaken by Hastings in the furtherance of its educational mission are not subject to local codes or regulations, but a discussion of local plans and zoning are included in the SEIR for informational purposes and to provide context. The project site covers six parcels totaling 0.77 acres (33,541 sf) that are currently used as a surface parking lot for about 155 cars on the southeastern corner of Golden Gate Avenue and Larkin Street. The remainder of the block is occupied by a six-story building used for various Hastings academic uses and five-story residential and hotel uses, some with ground floor retail. Areas to the northeast and northwest of the site include federal and state office buildings ranging from 14 to 20 stories in height, as well as five- and six-story residential/mixed-use buildings. The proposed garage, at seven and one half stories and built to the lot lines on the Golden Gate Avenue and Larkin Street elevations, would be generally consistent with the density, height, and scale of the surrounding uses. The proposed project would

retain the existing parking uses on the project site and would retain the existing pattern of ground-floor retail uses in the immediate vicinity of the project site. The project would be urban in-fill that would not disrupt or divide the neighborhood.

The project would promote a range of *San Francisco General Plan* policies and may not promote others. The project's physical effects on the environment such as visual quality, transportation, and shadows are discussed in their respective sections of this SEIR. The San Francisco Planning Code Use District for the site is high-density residential-commercial (RC-4 Use District); the project would not substantially deviate from the existing uses nor would it disrupt the existing development pattern. Parking facilities are permitted as a conditional use in RC-4 Use Districts. The proposed ground-floor, street-level uses would be consistent with permitted uses in RC-4 Districts. As a result, the proposed project would be generally compatible with allowable uses in this zoning district. The approximately 68-foot-tall parking garage would be consistent with the 80-T Height and Bulk Limit for the site. Mechanical rooms associated with the elevator towers would rise an additional 24 feet above the top floor level, which would exceed the Planning Code height limits that allow for mechanical or architectural projections up to 16 feet (Section 261 [B]). The elevator mechanical rooms would exceed that limit by about 8 feet.

The North of Market Special Use District is intended to protect and enhance low- and moderate-income housing, among other goals. The proposed parking garage project would not include new infill housing, nor would it eliminate existing low- or moderate-income housing. The project would not adversely affect buildings of architectural or historic importance and would generally maintain the existing scale of development. The project would maintain sunlight in public places (see Visual Quality and Shadows sections for further discussion), and would not include tourist hotels or other commercial development that could adversely affect the neighborhood. The street level retail uses proposed as part of the garage would serve the Hastings community and the neighborhood.

### **Short-term Cumulative Impacts**

Development of a community recreational facility (Option A) on the proposed development pad would not fall under state jurisdiction and would thus be subject to City plans, policies, and regulations, and would also be subject to environmental review through the City prior to project approval. Development of Option A on the proposed development pad would change the existing use on these lots from surface parking to a community recreational facility. Potentially, the existing

Shih Yu-Lang Central YMCA would be relocated about one and one-half blocks west of its current location, to the project site, and would continue to serve the Tenderloin, Civic Center, and Hastings communities. Although it would increase development and intensity of use at the project site, this use would maintain and enhance the existing pattern of community-serving uses in the immediate vicinity. Other public uses in the Civic Center area would not be affected. The community recreational facility would be urban in-fill that would not disrupt or divide the neighborhood. Development of Option A would promote a range of *San Francisco General Plan* policies and may not promote others. It would be consistent with the allowable uses in the RC-4 District, the North of Market Special Use District, and with the City's 80-T Height and Bulk Limit for the site.

Development of a Hastings-initiated student housing/mixed-use facility (Option B) on the proposed development pad would fall under state jurisdiction and would therefore, not be bound by City plans, policies, and regulations, the discussion of which is thus provided for informational purposes and for context. Development of a student housing/mixed-use facility would change the existing land use of part of the project site from surface parking to that of a facility consisting of about 55 student housing units; 11,745 gross sf of student fitness and recreational amenities; 10,527 gross sf of neighborhood- and student-oriented retail space; and 10,527 gross sf of academic/conference space. Although construction of a student housing/mixed-use facility would increase development and intensity of use at the project site, the existing pattern of ground-floor retail and the Hastings campus in the vicinity of the project site would be maintained and enhanced by the student housing/mixed-use facility. Other public uses in the Civic Center area would not be affected. The community recreational facility would be urban in-fill that would not disrupt or divide the neighborhood. Development of Option B would promote a range of *San Francisco General Plan* policies and may not promote others. It would be consistent with the uses allowed in the RC-4 District and the North of Market Special Use District. The approximately 76-foot-tall student housing/mixed-use facility would be consistent with the City's 80-T Height and Bulk Limit for the site. Mechanical rooms associated with the elevator towers would rise an additional 21 feet above the floor slab, which would exceed the *Planning Code* height limits for roof top equipment [Section 261 (B)] by 5 feet.

### Long-term Cumulative Impacts

No significant impacts related to land use were identified regarding the proposed project or the short-term cumulative scenarios. As a result, the proposed project would not contribute to any long-term cumulative impacts.

### TRANSPORTATION AND CIRCULATION (P. III.B-1)

The proposed parking garage would be expected to have peak movements of vehicles arriving and departing the site during morning and evening peak periods. Other than some of the retail uses included in the proposed project, the transportation analysis would normally assume that no new trips would be generated by the additional parking spaces, but rather that the proposed parking garage would result in vehicle trips shifting from existing parking facilities in the vicinity to the project site. These shifted trips would be used to analyze project effects on nearby intersections. However, to provide a more conservative analysis and to account for the short-term impacts of an increase in the parking supply, this SEIR assumes that the parking garage would generate net new vehicular trips at the same rate as other spaces in the area (about 3.5 auto trips per parking space per day and with 10 percent of those trips occurring in the PM peak hour).

The transportation analysis also assumes that no new vehicle trips would be generated by the proposed coffee shop or restaurant and storage uses within the parking garage, as these uses would primarily be internal to the project and accessed on-foot by Hastings students, faculty, staff, passers-by (in the case of the coffee shop or restaurant), or employees of the State Office Building. Proposed retail uses would, however, generate some net new vehicle trips.

Existing traffic plus that generated by the proposed project would generate a total of approximately 1,693 daily auto trips, of which about 1,290 would be attributable to the parking garage and about 403 would be attributable to the retail component. The 275 net new parking spaces would generate 14 inbound and 83 outbound PM peak hour trips, for a total of 97 PM peak hour trips. This total would be net new trips, beyond existing trips to and from the existing parking lot. Total PM net new peak-hour trips to the site, including trips generated from the proposed retail uses, would be 119 PM peak hour trips, or 24 inbound and 95 outbound trips.

With the addition of project traffic all study intersections would continue to operate acceptably (LOS C or better). The project would have a less-than-significant impact on intersection level-of-service.

It is assumed that the proposed garage would not generate additional transit trips as most users would arrive and depart by automobile. The proposed project would generate approximately 256 total pedestrian trips from/to the garage and from/to the retail elements during the PM peak hour. This number reflects pedestrians arriving by automobile, transit, by foot, and by other means because it is assumed that all arrival modes would generate a pedestrian trip to the parking garage or the retail.

The average number of inbound trips to the parking garage during a peak minute would be five vehicles at the Larkin Street driveway. The parking garage gates would be capable of accommodating 15 cars per minute, and would therefore, have sufficient capacity to accommodate demand over the course of the peak periods. However, in reality, cars would not arrive at a uniform rate and other factors, such as waiting for pedestrians to cross the driveway, can cause vehicular queues. The Larkin Street driveway would provide a throat depth (distance between the gates and the street) of approximately 48 feet. The Larkin Street entrance driveway would provide adequate throat depth to accommodate two large passenger vehicles, such as SUVs, simultaneously. During the peak hour, vehicles awaiting entrance to the garage would not likely back onto the sidewalk and Larkin Street. This would be a less-than- significant impact.

A stopping sight distance analysis was conducted at the project driveways, which showed that a minimum of 200 feet of stopping sight distance is required at the driveway to allow sufficient length to enable a vehicle traveling at or near design speed to stop before reaching a vehicle exiting the garage. While the minimum 200 feet of stopping sight distance would be available at the project driveway, parked vehicles on Larkin Street and Golden Gate Avenue near the driveways could obstruct exiting vehicles from view. While this would not be considered a significant impact, implementation of Improvement Measures B.4 could be implemented to improve sight distances in these locations. These measures include the option of eliminating two to three on-street parking spaces south of the Larkin Street driveway, and/or coordination with the San Francisco Department of Parking and Traffic to repaint the curb to a No Parking Zone.

During PM peak hours, potential queuing and delay could occur when vehicles exit and enter the project driveway on Larkin Street during transit pick-up and loading times. However, the project would not generate a substantial number of trips and would not add enough traffic to disrupt transit operations on Larkin Street. Muni Route 19-Polk travels along Larkin Street during the PM peak hour (six buses per hour).

The one-way flow on Larkin Street would generally allow buses and other vehicles to move around occasional driveway queues. In addition, the use of reversible driveway lanes during peak periods and electronic transponder equipment at all fare gates would speed ingress/egress movements, reducing potential for queuing at the project driveway, and potential conflicts with transit movement. As a result, project-related impacts to transit operations would be less than significant.

The project would generate approximately 256 new pedestrian trips (82 inbound and 174 outbound in the PM peak hour). These new trips would not cause the crosswalk levels of service at the primary intersections adjacent to the proposed project to reach congested conditions and they would continue to operate acceptably at LOS A. Therefore, the project's impact on pedestrian level of service at crosswalks would be less than significant. Improvement Measure B.6, which would involve implementing pedestrian-scale lighting around the Hastings campus and adopting appropriate recommendations from the Tenderloin transportation study, would improve pedestrian conditions in the area.

The retail and storage components of the proposed project would generate demand for loading spaces. However, the peak demand for loading spaces would be less than one space and would likely be accommodated by surrounding on-street commercial parking spaces. Improvement Measure B.8 would further reduce potential loading impacts.

During project construction, construction-related traffic would affect the capacities of local streets due to the slower movement of and larger turning radii of trucks compared to passenger vehicles. Potential lane blockage and transit interruptions could occur on Golden Gate Avenue, McAllister Street, Larkin Street, and Hyde Street during the PM peak hour. While traffic and transit interruptions could occur, the estimated two to three truck trips in the PM peak hour would not substantially disrupt peak hour traffic or transit patterns in the project vicinity. Moreover, these effects would be temporary, lasting the duration of the construction period.

Parking demand in the vicinity could increase temporarily when current parking users would be displaced, and as a result of construction workers' vehicles. The removal of the existing parking facility, which can accommodate up to 200 vehicles with valet parking, would temporarily create additional parking demand at other nearby facilities, which are essentially full. Therefore, the temporary closure of the existing parking facility may cause increased difficulty finding parking and/or a shift in travel mode whereby some drivers would switch to other modes to avoid difficulty finding parking.

In addition to potential increased demand at other facilities due to displaced existing parking users, construction workers would likely park in available on-street spaces, on the site when possible, or in area garages. Parking shortfalls are not regarded a significant impact because it does not constitute a physical environmental effect as defined by the California Public Resources Code Section 21060.5. Thus, a parking shortage is not considered to be a permanent condition and is also not considered to be a physical environmental impact even though it is understood to be a short-term inconvenience to drivers. Therefore, an increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not itself be considered a significant environmental effect under CEQA. In the absence of such physical environmental impacts, CEQA does not require environmental documents to propose mitigation measures solely because a project is expected to generate parking shortfalls. Therefore, any effect of the increased parking demand in the area due to construction activity for the proposed project would be less than significant.

Pedestrian travel would be accommodated on both sides of all streets surrounding the project site during the construction period through the use of sidewalk canopies, barriers, or other methods to allow unrestricted pedestrian flow around the construction site.

Because the construction period impacts would be minimal, temporary, and short-term, these impacts are considered less than significant.

### **Short-term Cumulative Impacts**

Through 2009, the project area is expected to experience a net decrease in parking supply, even with the proposed project. By 2010, with the expected implementation of the *Mid-Market Redevelopment Plan* and other plans, parking supply would increase in proportion with the expected increases in parking demand associated with new development. Thus future conditions would not create a net

increase in parking supply in the vicinity beyond projected increases in demand. This suggests that the proposed project would not likely increase traffic volumes in the area in the long term, but would rather move those trips from existing garages that are likely to be removed. However, to ensure that a worst-case scenario was evaluated, this analysis assumes that under long-term cumulative conditions parking would be scarcer than today, and the proposed project would still contribute to traffic volume increases.

Under short-term cumulative plus project conditions, all study intersections would continue to operate acceptably at LOS D or better. A comparison to existing-plus-project conditions shows that the levels of service at the intersections of Golden Gate Avenue/Larkin Street would deteriorate from LOS A to B. All other intersections would operate at the same LOS as existing-plus-project conditions.

The proposed project (retail component) plus short-term cumulative conditions would not generate a significant amount of additional transit riders. During PM peak hours, the project plus either Option A or Option B would not generate a substantial number of trips to add enough traffic to disrupt transit operations on Larkin Street and would therefore be less than significant.

The addition of project-related and either Option A or Option B pedestrian traffic would increase pedestrian volumes in the area. However, pedestrian facilities are still expected to operate at acceptable levels and no mitigation measures are required.

Construction of the adjacent building and construction of the proposed project are expected to occur at different times. Therefore, the short-term cumulative impacts associated with construction activity are expected to be less than significant.

### **Long-term Cumulative**

Under long-term cumulative plus project conditions all study intersections would continue to operate acceptably at LOS D or better. A comparison to existing plus project conditions shows that the levels of service at the intersections of Golden Gate Avenue/Hyde Street would deteriorate from LOS A to B. Market Street/Ninth Street/Larkin Street would deteriorate from LOS B to LOS C. Market Street/Eight Street/Hyde Street and Market Street/Sixth Street/Taylor Street would deteriorate from LOS B to LOS D. All other intersections would operate at the same LOS as existing plus project conditions.

The proposed project driveways and on-site circulation system are not expected to contribute to long-term cumulative impacts.

As with existing-plus-project conditions, the proposed project (retail component) would not contribute a significant amount of additional transit riders. Although transit demand would likely increase by year 2025 such that additional capacity is required, the relatively small amount of usage expected as a result of the proposed project is considered less than significant.

The addition of project-related pedestrian traffic and pedestrian traffic associated with long-term cumulative development would increase pedestrian volumes in the area. However, pedestrian facilities are still expected to operate at acceptable levels and no mitigation measures are required.

The proposed project's loading areas are not expected to contribute to long-term cumulative impacts.

The proposed project's construction schedule calls for completion by early 2008. Therefore, project-related construction activities are not expected to contribute to long-term cumulative construction impacts.

### **HISTORIC ARCHITECTURAL RESOURCES (P. III.C-1)**

The SEIR analyzed both the proposed parking garage and the development pad for potential impacts to historic architectural resources. The project site is outside of and is not a direct contributor to any of these districts, but immediately north of three designated historic districts: the San Francisco Civic Center National Register Historic District; the San Francisco Civic Center National Historic Landmark District; and the City-designated Civic Center Historic District.

The proposed project would have no direct impact on historic architectural resources because no buildings are currently located on the site. In addition, the parking garage would have a less-than-significant impact on the historic setting of the adjacent Civic Center historic districts. Construction-generated vibration, in the form of excavation, or truck traffic could potentially damage the nearby Civic Center Power House at Larkin Street and McAllister Street, a contributory structure to all three Civic Center historic districts. This would be a potentially significant impact. Mitigation measures proposed to reduce the potential for vibration damage to this historic resource

and other neighboring structures include construction monitoring to be completed by a qualified structural engineer.

### **Short-term Cumulative Impacts**

The community recreational facility building would not substantially exceed the height of the parking garage and would be set back from the sidewalk at a comparable distance. The development pad on the easterly end of the Hastings site would also generally not be visible from locations at the Civic Center historic districts. It would be expected that the façade would be designed to blend into the existing setting to the greatest extent possible and would not substantially alter the character of the nearby historic district. In addition, the proposed facility would undergo a separate review process through the City whereby design specifics would be assessed in relation to nearby historic resources. The short-term cumulative impacts of Option A, in combination with the proposed project, would be less than significant.

The student housing/mixed-use facility would result in a building of similar appearance, height, and bulk to the community recreational facility. Construction methods would not be significantly different. Short-term cumulative impacts to historic resources from the proposed project combined with Option B would therefore be comparable to impacts that would be expected under Option A; less than significant.

### **Long-term Cumulative**

The Civic Center area is mostly built-out, with no vacant and developable parcels remaining within the district, and few on the edge of the district. As noted above, the proposed project, in conjunction with either build-out option for the development pad, would have no direct impact on historic architectural resources because no historic buildings are located on the existing parking lot site. The only potential long-term impact to historic resources in the nearby Civic Center Historic District would be from vibration caused by pile driving used in renovation or expansion projects. However, no pile driving would be necessary for the proposed parking garage or development pad and vibration is unlikely to occur simultaneously for other future projects. Additionally, any future projects would comply with existing historic preservation legislation, requiring consultation with the State Historic Preservation Office (SHPO) and the City, both of which would require mitigation measures to reduce construction-related effects to less-than-significant levels.

## VISUAL QUALITY (P. III.D-1)

The proposed project would change views of the site, replacing a portion of the existing 155-space surface parking lot with a seven-level, approximately 68-foot-high parking garage, with elevator mechanical rooms up to 24 feet above the top floor level. This SEIR relies on the visual simulations from the 2002 FEIR because the dimensions of the currently proposed project would be similar, though smaller, to those of the original garage project (see Appendix B of this SEIR). The FEIR simulations show a parking garage that occupies the entire project site; the currently proposed garage would only cover about two-thirds of the project site. Eventual build-out of the proposed development pad would cover the other one-third of the project site, making the FEIR visual simulations comparable in height and mass to the future look of the proposed project site.

The FEIR simulations included in Appendix B were taken from four vantage points: 1) from the Federal Building Plaza looking east; 2) from Larkin Street looking south; 3) from the edge of the Civic Center Plaza looking north; and 4) from within the Civic Center Plaza looking north. The parking garage would be generally compatible with surrounding development and would not substantially block major views from street locations, the Federal Building Plaza, or the Civic Center Plaza. Views would change from that of a surface parking lot to a seven-story development. The horizontal elements of the new structure would be built to the streetwall, and would therefore be generally consistent with adjacent structures to the north and west of the project site. The project would be taller than the surrounding development, but not to a substantial degree. Ground-floor retail uses, visible along the east side of Larkin Street, would be continued with the parking structure, creating visual consistency at the ground-floor, sidewalk level. Overall, the project would not substantially degrade or obstruct scenic views from public areas.

The existing, north-facing views from the north elevations of the residential buildings immediately south of the project site would be obstructed by the parking garage. However, this change in views from private residences would be typical of conditions that occur in dense urban areas in San Francisco. The SEIR found that the proposed project would have a less-than-significant impact on the existing visual character and quality of the site.

Views of major public buildings and open spaces from the surrounding uses would generally be maintained. The proposed project would not have a substantial adverse impact on the visual quality of the surrounding development, nor would it block significant views from the upper floors of the

public building at the northwest corner of McAllister Street and Golden Gate Avenue, or from the residential building adjacent to this public building. The proposed garage would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial, demonstrative negative aesthetic effect.

The SEIR also determined that while the proposed parking garage would increase the overall lighting levels on the site, the amount of light would be generally consistent with that found in the immediate area, would be typical for lighting levels found in urban areas, and would not create adverse effects to adjacent uses.

### **Short-term Cumulative Impacts**

Either potential option for future build-out of the development pad, the community recreational facility or the student housing/mixed-use facility, would be generally compatible with the immediate surrounding development and would not substantially block major views from street locations, the Federal Building Plaza, or the Civic Center Plaza. Views would change from that of a 155-space surface parking lot to a multi-story development. The horizontal elements of the new structure would be built to the streetwall, and would therefore be consistent with adjacent structures to the north and west of the project site. Though either option would be taller than the surrounding development, it would not be to a substantial degree. Overall, the build-out options for the proposed development pad would not substantially degrade or obstruct scenic views from public areas.

The design of both Option A and Option B would be compatible with the architectural character of neighboring buildings. Short-term cumulative development would maintain views of and from public buildings and open spaces, therefore, construction of Option A or Option B would not have a substantial adverse impact on the visual quality of the surrounding development, nor would it block significant views from selected vantage points.

While Option A and Option B would increase the overall lighting levels on the project site, the amount of light would be generally consistent with that found in the immediate area, would be typical for lighting levels found in urban areas, and would not create adverse effects to adjacent uses.

### **Long-term Cumulative Impacts**

In addition to the proposed project, five other projects in the vicinity are under review or have been approved within the City and County of San Francisco. These projects would alter the visual character of the area by increasing the density of the skyline; however, they would be consistent with the trend toward increased building height and density in the Mid-Market area. The proposed project and planned and approved development would be within the existing range of scale and massing in the project area. Furthermore, planned and approved projects under City jurisdiction would be subject to City environmental review, zoning controls, and design guidelines. Review and approval of those projects under those controls would be expected to reduce any potential visual quality impacts from those projects to less than significant. Long-term cumulative development was found to have less-than-significant visual quality impacts. Night lighting associated with cumulative development in the project area could increase nighttime ambient lighting levels at individual project sites; however, new light introduction would be similar to lighting on existing buildings and that of urban areas and would not cause cumulatively substantial light or glow that would adversely affect day- or nighttime views of the area.

### **SHADOW (P. III.E-1)**

A shadow analysis of the proposed project indicated that the project would add no new shadow on public open space under the jurisdiction of the San Francisco Recreation and Park Commission at Civic Center Plaza or on other public open space at United Nations Plaza, and the Fulton Street Mall. The proposed project would cast shadow on nearby streets and sidewalks at the times indicated in the FEIR (pp. III-71 and II-72). The net new shading of street and sidewalks that would result from the project would be limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. These would not be considered significant shadow effects. The proposed project would not add any shade to the Federal Building Plaza, on the north side of Golden Gate Avenue west of the project site, after 10:00 a.m. at any time of the year. Therefore, the project would not affect sun conditions on that open space during midday periods of higher use. Overall, the project would not have significant adverse effects on shadow conditions on public open space, streets, or sidewalks.

### **Short-term Cumulative Impacts**

No new project shadows would be cast on the Civic Center Plaza, the nearest open space under Recreation and Park Commission jurisdiction. The proposed project and the community recreational facility would be lower in height than the project analyzed in the 2002 FEIR and would likewise cast no new shadow on the Civic Center Plaza. Therefore, the community recreational facility combined with the proposed project would have no impact on Recreation and Park Commission open space and would have no impact on UN Plaza and the Fulton Street Mall.

The proposed project with a community recreational facility on the development pad would cast shadow on nearby street and sidewalks. However, the net new shading that would result from the build-out of the project site with the community recreational facility would be limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. These would not be considered significant shadow effects. Therefore, short-term cumulative shadow from the proposed project combined with the community recreational facility would be less than significant.

Because the building heights for both Option A and Option B would be essentially the same, the shadow impacts on public open space under the jurisdiction of the San Francisco Recreation and Park Commission from the proposed project plus the student housing/mixed-use facility would be the same as those described above regarding the community recreational facility.

Because the building heights would be essentially the same for the student housing/mixed-use facility as the community recreational facility, the shadow impacts to nearby streets and sidewalks from the proposed project plus the student housing/mixed-use facility would be the same as those described above regarding the community recreational facility.

### **Long-term Cumulative Impacts**

The proposed project plus build-out of the development pad would not result in significant shadow impacts, as discussed above. Any other future projects under City jurisdiction in the vicinity would be required to comply with Section 295 of the San Francisco Planning Code, which restricts new shadow upon public parks and open spaces under the jurisdiction of the Recreation and Park Commission. Those projects would undergo review that would be expected to avoid significant

shadow impacts. Therefore, long-term cumulative development would result in less-than-significant shadow impacts.

### **AIR QUALITY (P. III.F-1)**

Regional emissions caused by project-related traffic are estimated using the CARB URBEMIS2002 version 8.7 computer program. URBEMIS assesses the region-wide impacts of proposed land use development based on vehicle trip information, which is provided by the project's transportation analysis conducted by Fehr & Peers.

Carbon monoxide concentrations near congested intersections are analyzed using Caltrans' CALINE4 program and the CO Protocol from the Institute of Transportation Studies. This guidance is used to evaluate "worst-case" air quality conditions at the most heavily impacted intersections. As recommended by the BAAQMD *CEQA Guidelines*, worst-case conditions are considered by placing receptors in locations that yield maximum exposure (at the sidewalk corners) and by assuming a stable atmosphere where dispersion of CO in the vicinity of the intersection would be minimal.

Construction emissions would occur in short-term and temporary phases, but the SEIR determined that they could still cause adverse effects on local air quality. The project would implement BAAQMD basic dust control measures during construction through implementation of Mitigation Measure F.1, keep construction equipment engines properly tuned at all times, and prohibit unnecessary idling of internal combustion engines near sensitive receptors. A portion of the PM<sub>10</sub> emitted by construction equipment would be diesel particulate matter (DPM), a known Toxic Air Contaminant (TAC) with a potential for significantly increasing cancer risk after long exposure (i.e., 70-year exposure periods are commonly used to assess TAC cancer risk potentials). The State of California has implemented a Diesel Risk Reduction Program managed by the CARB.<sup>2,3</sup> The program establishes more stringent emissions standards for new diesel engines and vehicles. This program is expected to reduce DPM emissions from all on-road, off-road, and stationary diesel engines by 85 percent by the year 2020. The proposed project would have its greatest short-term impact on local DPM levels during the construction phases. Since the construction period would be much shorter than the usual 70-year period used for health risk assessment, emissions of DPM from project construction equipment would not create significant health risks. Accordingly, the proposed project would not cause significant construction-related air quality effects.

The proposed project would increase the number of motor vehicle trips per day. However, implementation of the project would not result in operation emissions exceeding the BAAQMD's significance thresholds for ROG, NO<sub>x</sub>, or PM<sub>10</sub> and thus would not result in a significant impact.

Project traffic would contribute to increased localized CO concentrations in the immediate vicinity of congested intersections. The SEIR found that the project would not contribute to substantial increases in localized CO emissions at these intersections or to violations of ambient air quality standards. Exhaust emissions from mechanical venting equipment on the roof would be located over 120 feet away from residential uses on the project block, and would not have a substantial effect on local CO concentrations.

### **Short-term Cumulative Impacts**

Implementation of the basic dust and equipment emission control measures as specified in Mitigation Measure F.1 would reduce construction impacts for both the community recreational facility (Option A) and student housing/mixed-use facility (Option B) to a less-than-significant level. Implementation of the proposed project together with Option A or Option B would not result in operation emissions exceeding the BAAQMD's significance thresholds for ROG, NO<sub>x</sub>, or PM<sub>10</sub> and thus would not result in a significant impact. Note, however, that implementation of Option B would generate more operational emissions than Option A because the former would result in more work-related motor vehicle trips, which would have longer average lengths in the Bay Area than non-work-related trips.

Because (1) construction activities would be temporary; (2) the contribution to the cumulative context is so small as to be virtually immeasurable; and (3) all of the appropriate and feasible construction-related measures recommended by the BAAQMD (see Mitigation Measure F.1) would be implemented, the contribution of construction emissions associated with the proposed project and one or other development plan options would not be cumulatively considerable.

### **Long-term Cumulative Impacts**

The BAAQMD has established thresholds to judge the significance of potential air quality impacts from operational pollutant emissions. The proposed project's operational emissions would be below BAAQMD thresholds for all criteria pollutants. The project site is not adjacent to any heavy industrial uses, and the project area is well served by public transit. Therefore, under BAAQMD

guidelines a cumulative analysis of project operational criteria pollutant emissions is not required for the proposed project.

### **NOISE (P. III.G-1)**

The existing ambient noise environment in the vicinity of the project site is typical of downtown San Francisco, dominated by vehicular traffic including cars, trucks, buses, and emergency vehicles. Noise measurements were taken during the PM peak hour near the project site along Golden Gate Avenue between Hyde Street and Larkin Street and along McAllister Street between Hyde Street and Larkin Street on April 10, 2006. The hourly  $L_{eq}$  noise levels for the PM peak hour were between 69 and 70 dBA on both streets. Using the Federal Transit Administration (FTA) guidance for estimating the  $L_{dn}$  from observed hourly noise levels, the  $L_{dn}$  would be approximately 68 dBA in the project area.

Based on Federal Highway Administration Traffic Noise Model calculations, the project traffic's contributions to both peak hour and twenty-four hour average ( $L_{dn}$ ) noise levels on any of the streets accounted for in the project transportation study would be small fractions of a dBA (i.e., 0.4 dBA or less during the peak hour on Golden Gate Avenue, less for both peak hour and twenty-four-hour averages on all other streets). Thus, the project traffic would not cause a significant increase in the ambient noise levels above baseline conditions. Noise from motor vehicles inside the garage would be contained by solid walls at the rear (south-facing) elevation, which would limit noise from disturbing adjacent residents to the south. The pedestrian warning system for cars exiting the garage at Larkin Street would be audible at the project driveways, but such noise would be intermittent and not likely loud enough to substantially affect sensitive residential uses to the north and south of the site, given that the garage building itself would block the direct noise propagation path from the exit to the residences. Mechanical ventilation equipment would be located on the northern corners of the roof, approximately 120 feet away from residential uses to the south, and approximately 75 feet away from residential uses to the north, and would not be considered a substantial source of noise. Finally, all project-related noise would cease from 12:00 p.m. to 6:00 a.m., when the garage would be closed. As such, noise impacts would be less than significant.

While not considered a significant noise effect, project construction could cause temporary noise increases would result from the operation of heavy equipment. The project would not require pile driving because the parking structure would have a concrete slab foundation. Average exterior noise

levels during proposed project construction would be below 80 dBA at distances greater than 100 feet from the project site, except during the ground clearing and excavation phase. This would exceed the 80 dBA criterion during ground clearing and excavation and would be reduced to a less-than-significant impact with implementation of Mitigation Measure G.2. Any nighttime construction activities (occurring between 8:00 p.m. and 7:00 a.m.) would have the potential to increase the nighttime ambient noise levels by more than 5 dBA, exceeding the 5 dBA significance criteria for nighttime noise, and resulting in disturbance of occupants of the adjacent residential uses. Mitigation Measure G.2 would reduce this potential impact to a less-than-significant level.

Vibration would be generated by operation of construction equipment and haul trucks. Vibration would not be expected to be severe enough to damage nearby buildings, but it could be noticeable enough to disrupt sleep in residential buildings adjacent to the site and to the haul truck routes. This would be considered a potentially-significant impact. Mitigation Measure G.3 would be implemented to reduce this potential impact to a less-than-significant level.

### **Short-term Cumulative Impacts**

Noise from the construction of Option A or Option B would be similar to that of the proposed project. As construction of the proposed project would be complete before construction of either option would begin, implementation of either option would not increase construction noise levels in the project site vicinity. The same construction noise and vibration mitigation measures implemented for the proposed project would also reduce the noise and vibration impacts of Option A or Option B to a less-than-significant level with the implementation of Mitigation Measure G.2. Therefore, the impacts of construction noise from the proposed project together with Option A or Option B would be less than significant.

Because (1) project construction activities would be temporary; (2) project construction noise increment at locations greater than a few hundred feet from the project site would be so small as to be virtually immeasurable; and (3) all of the appropriate and feasible construction noise reduction measures would be implemented in accordance with the BAAQMD standards, the contribution of construction noise associated with the proposed project together with either Option A or Option B would not be cumulatively considerable.

### Long-term Cumulative Impacts

Localized traffic noise would increase as a result of cumulative growth in the project vicinity. However, cumulative traffic noise increments along any local streets would be less than one dBA (i.e., 0.9 dBA during the peak hour on Golden Gate Avenue, based on noise modeling using the traffic projections). Therefore, sensitive receptors located in proximity to these intersections would not be exposed to substantially greater noise levels, and the traffic noise impact of cumulative development would not be significant.

### C. ALTERNATIVES (P. IV-1)

The proposed project would not create any new significant impacts compared to the approved 2002 FEIR, therefore no new alternatives have been identified and no new discussion of Alternatives Considered but Rejected is presented.

The No Project Alternative presented in the FEIR would remain the same. Alternative 2 of the FEIR was a parking garage reduced in scale by about 27 feet (through the elimination of elevator service to the top floor), so that no elevator mechanical rooms or towers would project above the 80-ft. parapet. The currently-proposed parking garage project would be about 12 feet lower, with a total height of approximately 68 feet to the top of the parapet. The parking garage approved in 2002 contained 885 stalls and covered the entire developable area, whereas the currently-proposed project would contain approximately 430 stalls and would cover about two-thirds of the site. Therefore, the proposed project would be very similar to Alternative 2, as analyzed in the 2002 FEIR, with about the same or reduced impacts because the proposed parking garage is slightly smaller.

From a visual quality standpoint, the proposed garage would be as compatible with its immediate surroundings as Alternative 2, and would also appear less prominent from the Civic Center Plaza than the larger, 2002 FEIR project. In terms of transportation, the proposed project would have the same number of PM peak hour trips as Alternative 2. Intersection LOS for the proposed project would also remain the same as under the existing, existing-plus-project, and cumulative scenarios of Alternative 2. Construction-related air emissions would likely be similar to the proposed project, as the same type and amount of construction equipment would be required to build a similar structure, albeit slightly smaller. Effects on parking supply, transit, and pedestrian circulation, and on-site circulation would remain the same. As no significant traffic impacts were identified with the either

the previously-proposed project or Alternative 2 to the proposed project, the currently proposed project would also have no significant traffic impacts.

Land use, plans, and zoning; historic architectural resources; shadow; air quality; and noise would all have similar impacts to Alternative 2, as described in Section IV of the 2002 FEIR. Therefore, no additional analysis is required.

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#### NOTES – Summary

- <sup>1</sup> Note that there is a 4-foot grade difference from Golden Gate Avenue to McAllister Street.
- <sup>2</sup> California Air Resources Board, Stationary Source Division & Mobile Source Control Division, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000.
- <sup>3</sup> California Air Resources Board, Fact Sheet: California's Plan to Reduce Diesel Particulate Matter Emissions, October 2000.



## I. INTRODUCTION

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The University of California, Hastings College of the Law (Hastings) proposes the development of a parking garage and construction of an adjacent development pad on the block bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Hyde Street in San Francisco. This Supplemental Environmental Impact Report (SEIR) evaluates the effects of the proposed project. It is meant to supplement the *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR) that was certified for a project originally proposed in 2002. The FEIR, composed of the Draft EIR published on January 16, 2002 and the Comments and Responses document published on April 12, 2002, was certified on June 7, 2002.

In accordance with CEQA Guidelines Section 15163, “the supplement to an EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.” Major aspects of the original project involved a substantially larger parking garage, proposed to use the entire project site, and an upgrade of the 100 McAllister Street residential building owned by Hastings. Differences between the original project and the proposed project as revised in this SEIR are discussed in the Project Description on p. II-1. In accordance with the CEQA requirements, this SEIR only includes environmental topics in Chapter III, Environmental Setting, Impacts, and Mitigation that are necessary to update and provide a supplemental analysis of potential effects of the proposed project and appropriate mitigation to the FEIR. The following sections have been updated to reflect potential impacts of the proposed, new garage project: land use, plans and zoning; transportation and circulation; historic architectural resources; visual quality; shadow; air quality; and noise. Appendix A of this document includes all of the Mitigation Measures from the 2002 Initial Study and FEIR, which would also be applicable to the proposed project.

This SEIR is organized similarly to the FEIR. Chapter III of this SEIR divides each topical section into two subsections: Setting, and Impacts and Mitigation. As part of the Impacts discussion, each topic includes significance criteria, the thresholds beyond which the effect would be considered significant, or a substantial, adverse change in the physical environment, as defined in CEQA Guidelines Sections 15002(g) and 15382. Under Impacts, the text describes individual effects, numbered in a boldface summary, and whether the effects would be “No Impact,” “Less than Significant,” “Potentially Significant,” or “Significant/Unavoidable” in relation to the criteria. “No Impact” includes project effects that would have no discernable effect. “Less than Significant”

includes project effects that would not exceed significance criteria defined for each topic. "Potentially Significant" effects are those that could occur if identified mitigation measures discussed were not included as part of the project. "Significant/Unavoidable" effects are those which would occur regardless of mitigation measures incorporated in the project. Those effects would be considered significant and unavoidable impacts of the project.

Under Mitigation, the EIR identifies mitigation measures for each potentially significant impact, keyed to the same numbering as for Impacts. For example, Mitigation Measure A.1 would reduce or eliminate adverse effects of Impact A.1. Where effects are found to be not significant, the SEIR either notes that no mitigation would be required, or may identify improvement measures to further reduce the less-than-significant effects. Where mitigation measures are identified for potentially significant effects, the measure includes a summary statement of remaining significance, assuming the mitigations were incorporated in the project: "Significance after Mitigation: Less than Significant." In some cases, the project would have adverse effects that would be less than significant. The SEIR also identifies improvement measures that would reduce or avoid that effect. Improvement measure would not be required to avoid an otherwise less than significant adverse impact.

Each resource section also has a cumulative impacts heading, which describes the impacts of both short-term cumulative and long-term cumulative scenarios.

A short-term cumulative scenario is included to evaluate vertical development on the development pad adjacent to the proposed parking garage. Although there is no formal proposal for this vertical development and it is not a part of the project analyzed in this SEIR, two potential options for future development on the pad are evaluated because such development is reasonably foreseeable. Any vertical development project proposed for the pad will be subject to a separate approval process and a separate determination of the appropriate environmental review required in accordance with CEQA. The short-term cumulative scenario evaluates the combined impact of the project with each of the two potential vertical development options. A long-term cumulative impact scenario is also included in each section of the EIR that evaluates the project plus the vertical development options plus cumulative development.

Potential Option A would be a community recreational facility and potential Option B would be a student housing/mixed-use facility. Either option could be constructed on the development pad in

the future as a separate project. Both options are discussed in greater detail below. The effects of development on the adjacent development pad combined with the proposed project are discussed in each Section III topic under Short-term Cumulative. The effects of the proposed parking garage, build-out of the development pad, plus other foreseeable development in the project area, are discussed in each Section III topic under Long-term Cumulative.

## POTENTIAL OPTIONS FOR THE PROPOSED DEVELOPMENT PAD

### A. COMMUNITY RECREATIONAL FACILITY (OPTION A)

If the community recreational facility option were ultimately adopted, Hastings would enter into an agreement with the YMCA of San Francisco, or other similar entity, for the development of a new community recreational facility to serve the Tenderloin and Civic Center communities. The new community recreational facility would be located on the proposed development pad, adjacent to the proposed parking garage and the Hastings Academic Building. The development pad would be ground leased to the YMCA, or other community recreational facility lessee, with a purchase option. The proposed community recreational facility would provide fitness and community space for use by neighborhood residents, office workers, and Hastings students. The community recreational facility would seek environmental and other entitlement approvals, separate from the proposed Hastings project, through the City and County of San Francisco's planning process. A community recreational facility developed by the YMCA is the preferred Hastings option for future build-out of the proposed development pad.

#### Community Recreational Facility—Project Objectives

The YMCA has operated a recreational and fitness facility, known as the Shih Yu Lang Central YMCA, including various community functions, and a hotel facility, on a site approximately one and one-half blocks east of the project site since 1909. The YMCA is considering relocating to the Hastings' development pad for a number of reasons including:

- To enhance the fitness and community programs it currently offers at the existing facility in a more appropriate and purposefully designed and built facility.
- To supplement its membership from the existing Shih Yu Lang Central branch with membership from Hastings students, faculty, and staff.
- To update its facility that would include space for: fitness/cardio/strength/exercise facilities, lockers/showers, aquatics center, gymnasium, community/youth/senior activity spaces,

public areas, laundry, roof deck and garden, lobby/reception, café and commercial kitchen, general building storage, and general administration offices.

### **Community Recreational Facility—Project Characteristics**

The proposed building pad would be approximately 11,745 sf (about 87 feet by 135 feet) fronting on Golden Gate Avenue. If built, the community recreational facility would cover approximately 10,527 sf (about 87 feet by 121 feet) of the building pad site.<sup>1</sup> The community recreational facility would contain a maximum of approximately 59,000 gsf on five levels (one level below grade, one level on grade (accessed from Golden Gate Avenue), and three levels above grade).

The community recreational facility would be built to the lot line on the Golden Gate Avenue north side. It would abut the proposed parking garage on the west and the pedestrian plaza at the second floor of the Hastings Academic Building fronting 200 McAllister on the east. The community recreational facility would be separated from the adjacent properties to the south by a setback of approximately 14 feet. A pedestrian walkway would connect the ground floor of the community recreational facility with the second floor of the Hastings Academic Building along this setback. The community recreational facility would be approximately 30 feet away from 246 McAllister Street (the Abigail Hotel) to the south.

The primary entrance to the community recreational facility would be from Golden Gate Avenue, with additional building access onto the south pedestrian walkway. A service loading dock would be on the southwest side of the building with access from Breen Place, a minor dead-end street, from McAllister Street. Stair, elevator, and mechanical space would be concentrated on the west side of the building (adjacent to the proposed parking garage), permitting extensive daylight and vision exposure on the north, Golden Gate Avenue, east, and south elevations. The roof levels would be approximately 80 feet, measured from the Golden Gate Avenue sidewalk at the midpoint to the street frontage. Mechanical equipment for the elevator would rise an additional approximately 16 feet above the roof of the building for a maximum building height of approximately 96 feet.

The community recreational facility structure would be steel frame over a concrete, spread-footing foundation and a concrete basement level. The exterior would be detailed as a metal frame building with extensive glass on the north, east, and south facades. The party walls on the east and west would be concrete or masonry infill shear walls.

**TABLE 1**  
**COMMUNITY RECREATIONAL FACILITY CHARACTERISTICS**

Gross Square Footage	59,000 gsf
Basement level	11,745 sf
Mechanical Mezzanine	2,500 sf
Street level	10,527 sf
Second level	10,527 sf
Third level	10,527 sf
Fourth level	10,527 sf
Mechanical Penthouse	2,500 sf
Approximate Height	80 ft + 16 ft to penthouse
Approximate Width	87 ft.
Approximate Length	121 ft.

*Source:* Hastings College of the Law.

### **Community Recreational Facility—Project Schedule**

The construction period for the community recreational facility's core and shell work would last approximately 16 to 18 months and its conception would depend on when the facility applies for and receives approval from Hastings and the City. Interior construction and furniture and equipment installation would take approximately 4 to 5 additional months.

### **B. STUDENT HOUSING/MIXED-USE FACILITY (OPTION B)**

An alternative option for Hastings would be to develop a new student housing/mixed-use facility consisting of student housing, student fitness and recreational amenities, neighborhood and student-oriented retail space, and academic/conference space on the development pad.

### **Student Housing/Mixed-Use Facility—Project Objectives**

Use of the proposed building pad as a student housing/mixed-use project, as described above, could be pursued for the following reasons:

- To enhance the existing urban campus;
- To create a development that provides an appropriate number of safe, affordable housing units for its students in proximity to the existing academic and other school facilities;

- To provide convenient access to fitness and recreational facilities than cannot be accommodated in the other existing Hastings' properties;
- To provide direct benefits to the campus and to provide additional services that would promote positive change in the neighborhood through student- and community-serving retail for student, faculty, and the neighborhood;
- To satisfy the increasing demand for more specialized space for instructional and conferencing facilities for Hastings educational programs.

### **Student Housing/Mixed-Use Facility—Project Characteristics**

As described above, the proposed building pad would be approximately 11,745 sf (about 87 feet by 135 feet) fronting on Golden Gate Avenue, of which the student housing/mixed-use facility would cover approximately 10,527 sf (about 87 feet by 121 feet). The student housing/mixed-use facility would contain approximately 72,858 gsf on seven levels (one below grade, one at grade (accessed from Golden Gate Avenue), and five levels above grade, plus an accessible roof deck level.

The student housing/mixed-use facility would be built to the lot line on the Golden Gate Avenue side (north side of the building). It would abut the proposed parking garage on the west and the pedestrian plaza at the second floor of the Hastings Academic Building on the east. The student housing/mixed-use building would be separated from the adjacent properties to the south by a setback of approximately 14 feet. A pedestrian walkway would connect the ground floor of the mixed-use building with the second floor of the Hastings Academic Building along this setback. The student housing/mixed-use facility would be approximately 30 feet away from 246 McAllister Street (the Abigail Hotel) to the south.

The primary student housing/mixed-use facility entrance would be off Golden Gate Avenue, with additional building egress onto the south pedestrian walkway and a direct connection to the Hastings Academic Building plaza to the east. Stair, elevator, and mechanical spaces would be concentrated on the west side of the building (adjacent to the proposed parking garage), permitting extensive daylight and vision exposure on the north (Golden Gate Avenue), east, and south elevations.

The student housing/mixed-use facility would place fitness facilities at basement level to be visible from the Golden Gate Avenue sidewalk by setting back the first floor slab (street level) from the property line. This set-back would enhance the visibility of activities in the facility by making fitness and retail functions visible from the street and sidewalk level. The entrance from Golden Gate Avenue would lead directly to a vertical circulation core that would permit visible and accessible

circulation either down to the basement level, or up approximately 5 feet to street level, which would be on-grade with the Hastings Academic Building plaza. The main level would contain the proposed retail space. The second level would contain academic and conference space for use by Hastings and could be made available to neighborhood, local business, and/or government groups. The student housing levels would step back from both the north (Golden Gate Avenue) side and from the east (Hastings Academic Building) side thereby maximizing sunlight to the buildings across Golden Gate Avenue and to the Hastings Academic Building plaza. These set-backs would permit outdoor terrace areas at each level that would serve as common outdoor space for use by residents on each respective residential level. The roof level would be approximately 76 feet, measured from the Golden Gate Avenue sidewalk at the midpoint of the street frontage to the highest roof deck parapet elevation. Mechanical equipment for the elevator would rise an additional, approximately 21 feet above the parapet height for a maximum building height of approximately 97 feet.

The structure would be steel frame over a concrete, spread-footing foundation and a concrete basement level. The exterior would be detailed as a metal frame building with extensive glass on the north, east, and south facades. The design would permit sidewalk visibility of the retail and recreational activities taking place within the building. Table 2 on p. I-8 shows the proposed student housing/mixed-use facility characteristics.

The proposed student housing/mixed-use facility option would contain:

- Student Housing – approximately 55 Studio Units
- Academic/Conference Space - 10,527 gross sf
- Fitness/Recreational Space – 11,745 gross sf
- Ground Floor Retail - 10,527 gross sf

#### **Student Housing/Mixed-Use Facility—Project Schedule**

The construction period for the student housing/mixed-use facility would last approximately 14 to 16 months for the core and shell work. An additional two to three months would be required for interior construction and furniture and equipment installation.

In addition to the 2002 FEIR, the documents cited in this SEIR are available for public review, by appointment only, at the Hastings College of the Law, Office of the Environmental Review Officer,

Ellen Crosson, 50 United Nations Plaza. The Draft SEIR is also available at the San Francisco Main Library.

**TABLE 2**  
**STUDENT HOUSING/MIXED-USE FACILITY CHARACTERISTICS**

Gross Square Footage	72,858 sf
Basement level	11,745 sf
Street level	10,527 sf
Second level	10,527 sf
Third level	9,102 sf
Terrace	1,425 sf
Fourth level	8,337 sf
Terrace	765 sf
Fifth level	6,807 sf
Terrace	1,530 sf
Sixth level	5,622 sf
Terrace	2,715 sf
Roof level	897 sf
Terrace	2,859 sf
Approximate Height	76 ft. + 21 ft. to penthouse
Approximate Width	87 ft.
Approximate Length	121 ft.

*Source:* Hastings College of the Law.

#### NOTES – Introduction

- <sup>1</sup> The community recreational facility basement level would cover the entire building pad site square footage of 11,745 sf, and the facility's upper levels would cover 10,527 sf. Thus, the upper levels would be narrower than the basement level.

## II. PROJECT DESCRIPTION

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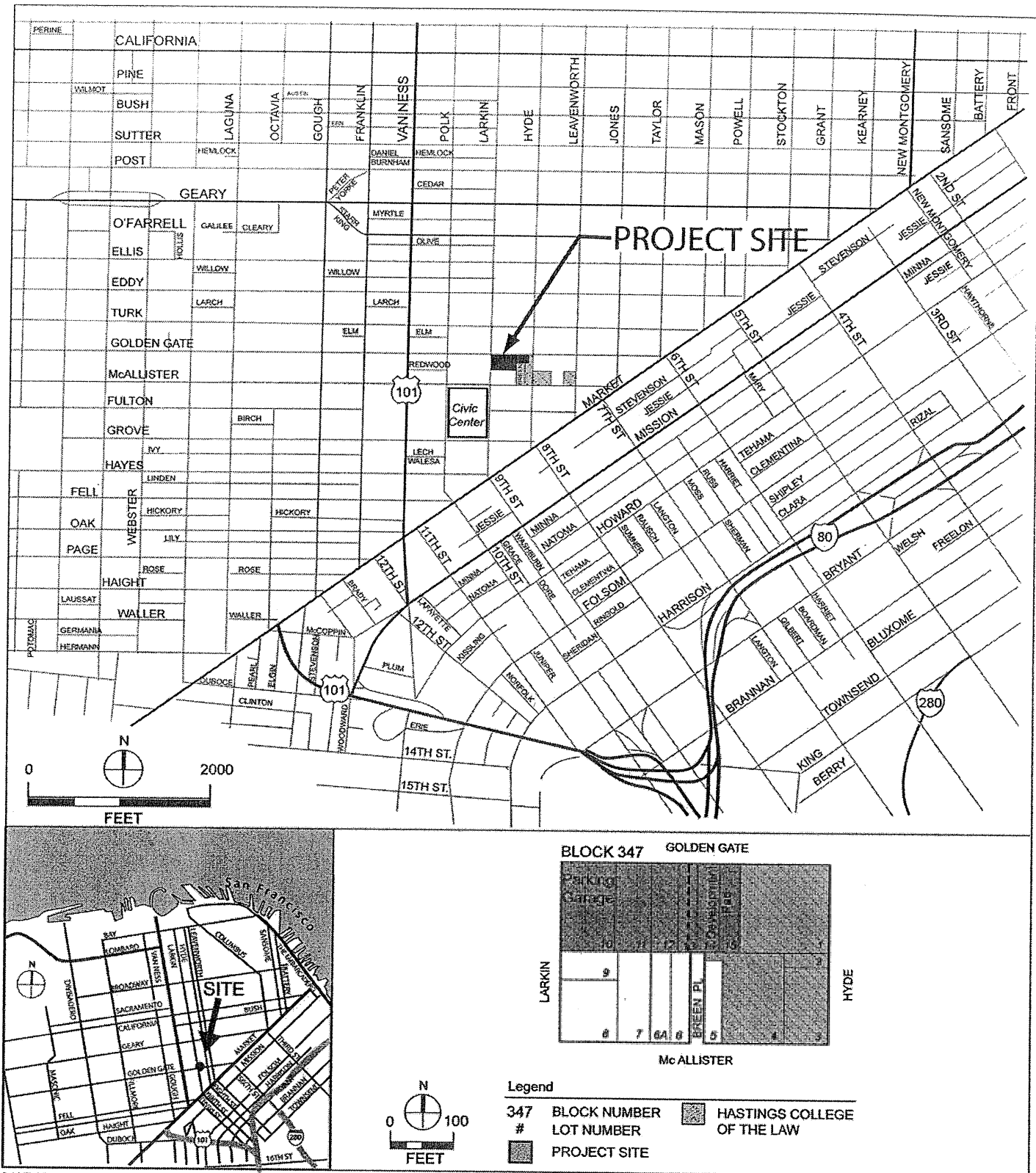
### A. PROJECT HISTORY

Hastings College of the Law (Hastings) is a public law school affiliated with the University of California, an instrumentality of the State of California. Hastings is programmed to accommodate approximately 1,200 full-time J.D. students, 20 LLM students, 55 full-time faculty members, 75 adjunct faculty members, and 155 support staff. In addition to academic programs, Hastings hosts symposia, conferences, and other events, and has a number of volunteer programs.

Hastings owns three buildings that support academic, residential, student-services, and support functions, and six contiguous vacant lots (Lots 10 through 15) on the two blocks bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Leavenworth Street in downtown San Francisco (see Figure 1 on p. II-2). The vacant lots are currently used as a surface parking lot.

Hastings proposes to construct a 430-stall, multi-level parking garage with ground-level retail and below-grade storage space on three of the vacant parcels (and a portion of an adjacent parcel) currently used as a surface parking lot, at the southeast corner of Golden Gate Avenue and Larkin Street. On the two remaining parcels (and the remaining portion of one) currently used as a 155-space surface parking lot, concurrent with construction of the proposed parking garage, Hastings proposes to excavate and construct a development pad with perimeter retaining walls on the south, east, and north sides in order to prepare the site for future development. Construction of the parking garage and the development pad make up the “proposed project.”

Although the Hastings Board of Directors has not made any final decisions, the future development of the development pad, though not a part of his project, is reasonably foreseeable. Two potential development options are analyzed in this EIR under the short-term cumulative impacts section of each section. One potential use of the development pad site would be for a new Shih Yu Lang Central YMCA to continue serving the Tenderloin and Civic Center neighborhoods of San Francisco as a community recreational facility. In the event that the YMCA potential development does not go forward, Hastings could alternatively elect to develop the development pad site as a mixed-use facility with student housing, academic and conference facilities, fitness and recreational



SOURCE: EIP Associates

**EIP**

**HASTINGS PARKING GARAGE PROJECT SEIR**

**FIGURE 1: PROJECT LOCATION**

activities, and retail space for use by Hastings students, faculty, and staff. These potential future projects are further described in the Introduction to this SEIR.

The project site includes Hastings-owned Lots 10 through 15. The proposed multi-level parking garage would be sited on Lots 10, 11, 12, and a portion of Lot 13. The proposed development pad would be sited on Lots 14, 15, and a portion of Lot 13. Prior to their acquisition by Hastings in the 1970s, Lots 10 and 11 served as the site of a two-level parking structure. Lot 12 was the site of the Eureka Hotel. In the 1970s, Hastings purchased Lot 12 as well as most of the residential and commercial buildings fronting Larkin, Golden Gate, and McAllister Streets (Lots 13, 14, and 15), to allow for planned campus growth.

The historical uses of all Hastings property fronting Golden Gate Avenue (the project site) is outlined in Table 3 below.

**TABLE 3**  
**HISTORICAL USES OF HASTINGS PROPERTY**

<b>Lot No.</b>	<b>Address</b>	<b>Primary Use</b>	<b>Comments</b>
Lot 10	399 Golden Gate Ave.	Parking	Used as a two-level parking structure from 1958 to 1997 when the garage was demolished.
Lot 11	367 Golden Gate Ave.	Parking	Used as a two-level parking structure from 1958 to 1997 when the garage was demolished.
Lot 12	361-365 Golden Gate Ave.	Residential	Eureka Hotel. Built in 1906; vacated by 1979; demolished in 1990. Contained 56 guest rooms and one apartment.
Lot 13	355 Golden Gate Ave.	Commercial	One-story retail facility last occupied by a discount retail enterprise (Merchandisers) until its demolition in 1990.
Lot 14	343-349 Golden Gate Ave.	Residential	Philadelphia Hotel. Built in 1907; vacated by 1979; demolished in 1990. Contained 19 guest rooms, five apartments, and four housekeeping units.
Lot 15	333 Golden Gate Ave.	Commercial	Two-story office structure used for educational purposes (i.e., UC Extension).

*Source:* Hastings College of the Law, 2006.

In the early 1970s, Hastings experienced severe conditions of overcrowding. More space was needed for the students, faculty, and the library. At that time Hastings purchased several buildings on the block bound by Hyde, Golden Gate, Larkin, and McAllister Streets. These buildings were either empty or used for residential or commercial purposes. In 1977, at the time of completion of a Draft EIR for a proposed Hastings Law Center that would have utilized all parcels acquired by the college, Hastings had developed a long range development plan. This plan envisioned the construction of the Hastings Academic Building at 200 McAllister Street (completed in 1980) as an Academic/Library Facility, a separate Legal Affairs Facility, and a plaza.

In 1979, Hastings abandoned its plan to build the Legal Affairs Facility due to financial constraints. However, prior to the abandonment of this plan Hastings sought to relocate residents living in the residential hotels situated on Lots 12 and 14 (The Eureka Hotel and The Philadelphia Hotel) because the hotels were considered unsafe and in a condition of disrepair. Additionally, it was thought at the time that the properties were unsuited for residential use because they were constructed with unreinforced brick masonry and were considered seismically unsound.

Hastings renovated structures it then owned at 260 and 270 McAllister Street and offered residential rental units to former tenants of the then-vacated Eureka and Philadelphia Hotels on Lots 12 and 14. Because the structure at 270 McAllister Street had been empty when Hastings purchased it, through the renovation of this structure Hastings provided an additional 80 housing units to the Tenderloin Neighborhood over prior conditions. Furthermore, Hastings provided ten additional housing units at 260 McAllister through renovations at that time.

The demolition of residential structures and subsequent displacement of residents at Lots 12 and 14 was later the subject of litigation, *McKeon, et. al. v. Hastings College of the Law*. A judgment was issued in that case against Hastings by the Superior Court in July 1982. The judgment was overturned on appeal.

In 1985, the City established the North of Market Residential Special Use District and Hastings' parcels along Golden Gate Avenue were included in the boundaries of the new district. The purpose of the rezoning of the North of Market District was to protect and enhance housing resources and to conserve and upgrade existing housing stock.

In the early 1980s, Hastings examined the feasibility of renovating the structures on Lots 12 and 14 to provide on-site student housing. The possibility was rejected because it was economically prohibitive and would not have carried out the objectives of a project that was then under consideration—an expansion of the Hastings Academic Building at Golden Gate.

The four Hastings-owned structures at 333 to 365 Golden Gate Avenue on Lots 12 through 15 were damaged during the 1989 Loma Prieta Earthquake. As a result of this damage, the buildings—including the two vacant residential structures—were demolished in 1990. Since then, use of the project site has been limited to surface parking, except for a brief period when it functioned as temporary classroom space with modular buildings.

In 1994 and 1995, Hastings sold 324 Larkin Street, 250 McAllister Street, 260 McAllister Street, and 270 McAllister Street. The Tenderloin Neighborhood Development Corporation (TNDC), a non-profit organization with a mission of providing affordable housing for low-income residents, purchased and renovated the 250 and 260 McAllister Street buildings. The current owners of 270 McAllister Street and 324 Larkin Street have maintained the use of their properties for residential purposes.

The most recent development plan at the project site for which an Environmental Impact Report (EIR) was prepared pertained to a proposal for the parking garage on the project site and a code-compliance upgrade for the student housing facility termed the 100 McAllister Residential Upgrade Project. The Draft EIR, published in 2002, was widely circulated and was the subject of public hearings. The 2002 plans called for an 885-stall parking structure occupying the entire project site, Lots 10 through 15 inclusive, and renovation of the Hastings building at 100 McAllister Street. The project Final EIR was certified on June 7, 2002 and an EIR Notice of Determination was filed in June 2002. The Parking Garage and 100 McAllister Residential Upgrade Project approval was subsequently rescinded by the Hastings Board of Directors due to community opposition and considerations not related to the project's environmental aspects. The renovation of Hastings' 252-unit residential facility at 100 McAllister Street has been completed at this time, but the addition of new residential units did not occur as originally proposed due to funding constraints.

Hastings is the Lead Agency under CEQA, and is also the Project Sponsor.

## B. PROJECT OBJECTIVES

Hastings has developed a set of objectives for the Hastings Parking Garage Project:

- Increase operational flexibility for Hastings by providing additional parking for students, faculty, staff, and patrons of Hastings-sponsored events.
- Increase on-campus amenities and services by programming space for ground-level retail services at the project site, as well as additional parking and improved access to Hastings by its students, faculty, and staff, particularly those with poor access to public transportation.
- Promote greater utilization of campus facilities and the surrounding community in the evening hours by providing safe, secure, and convenient parking.
- Increase storage availability to replace capacity loss due to space programming changes made to the Hastings Academic Building at 200 McAllister and to accommodate future library retrievable storage needs.

## C. PROJECT LOCATION

The project site is bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Hyde Street, one block north of the San Francisco Civic Center (see Figure 1 on p. II-2). The entire project site is approximately 36,855 square feet (sf). Current use of the project site is surface parking. Areas to the northeast and northwest of project site include residential, commercial, and office uses (often with ground floor retail). Areas to the south include numerous civic uses, primarily associated with the Civic Center; these include cultural, institutional, and educational uses owned by various local, state, and federal agencies. The *San Francisco Planning Code (Planning Code)* identifies the project site in the RC-4 Residential-Commercial Use District, which provides for residential and neighborhood-serving commercial uses.

The project site is also within the City-designated North of Market Special Use District. Areas north of the project site contain a mixture of residential and commercial uses in the RC-4 and C-3-G Uses Districts. Many of these uses are older four-to-six-story apartment buildings with ground floor commercial uses. The six-story California State Building at 350 McAllister Street is southwest of the project site, and is connected to the 14-story State Office Building at 455 Golden Gate Avenue immediately west of the project site.

The 20-story, 300-foot-tall Philip Burton Federal Building at 450 Golden Gate Avenue is northwest of the project site. The Hastings Academic Building at 200 McAllister Street is east of the project site. The old Federal Office Building at 50 United Nations Plaza is immediately south of the

Hastings buildings at 100 McAllister Street and 198 McAllister Street. The entire project vicinity is relatively condensed as most buildings cover the majority of their site and are built out to the sidewalk.

The Civic Center area includes the City-designated Civic Center Historic District, the federally-designated Civic Center National Register Historic District, and the National Historic Landmark District. As such, the Civic Center contains numerous buildings that are individual landmarks or are contributory to the historic districts. The project site is just to the north of these historic district boundaries. The Civic Center Powerhouse at 320 Larkin Street (corner of Larkin and McAllister Streets), south of the project site, is listed as noncontributory to the City-designated Civic Center Historic District.

City Park operates existing use of the project site as surface parking as a leases from Hastings. The parking lot currently has space for 155 vehicles, or up to 200 vehicles with valet operations, serving the public, Hastings students, faculty, and staff, and state employees on daily and monthly rate bases.

## **D. PROJECT CHARACTERISTICS**

### **PARKING GARAGE**

The parking garage site would be approximately 25,110 sf (about 186 feet long by 135 feet wide) on the northwest corner of the project block, fronting Golden Gate Avenue and Larkin Street. The proposed parking garage structure would cover approximately 22,506 sf (about 186 feet long by 121 feet wide) of the garage site. The parking garage would be on Assessor's Block 347, Lots 10, 11, 12, and on a portion of Lot 13. The parking structure would replace a portion of the existing 155-space surface parking lot (which has vehicular access from Larkin Street), and would retain vehicular access from Larkin Street. The parking garage would contain approximately 430 parking spaces (249 standard spaces, 172 compact spaces, and nine handicap spaces) and six motorcycle spaces. Pods for a car share program and bike storage space would also be programmed into the facility. The proposed parking garage building would be one level (20 feet) below grade, with seven and one-half levels above ground, totaling approximately 177,600 gross square feet (gsf). The parking structure would have a total height of approximately 68 feet measured from the Golden Gate Avenue/Larkin Street corner to the top of the parapet.

In addition to the parking, the building's basement level would accommodate space for records and other storage needs intended for joint use by Hastings, and to the extent there is available extra

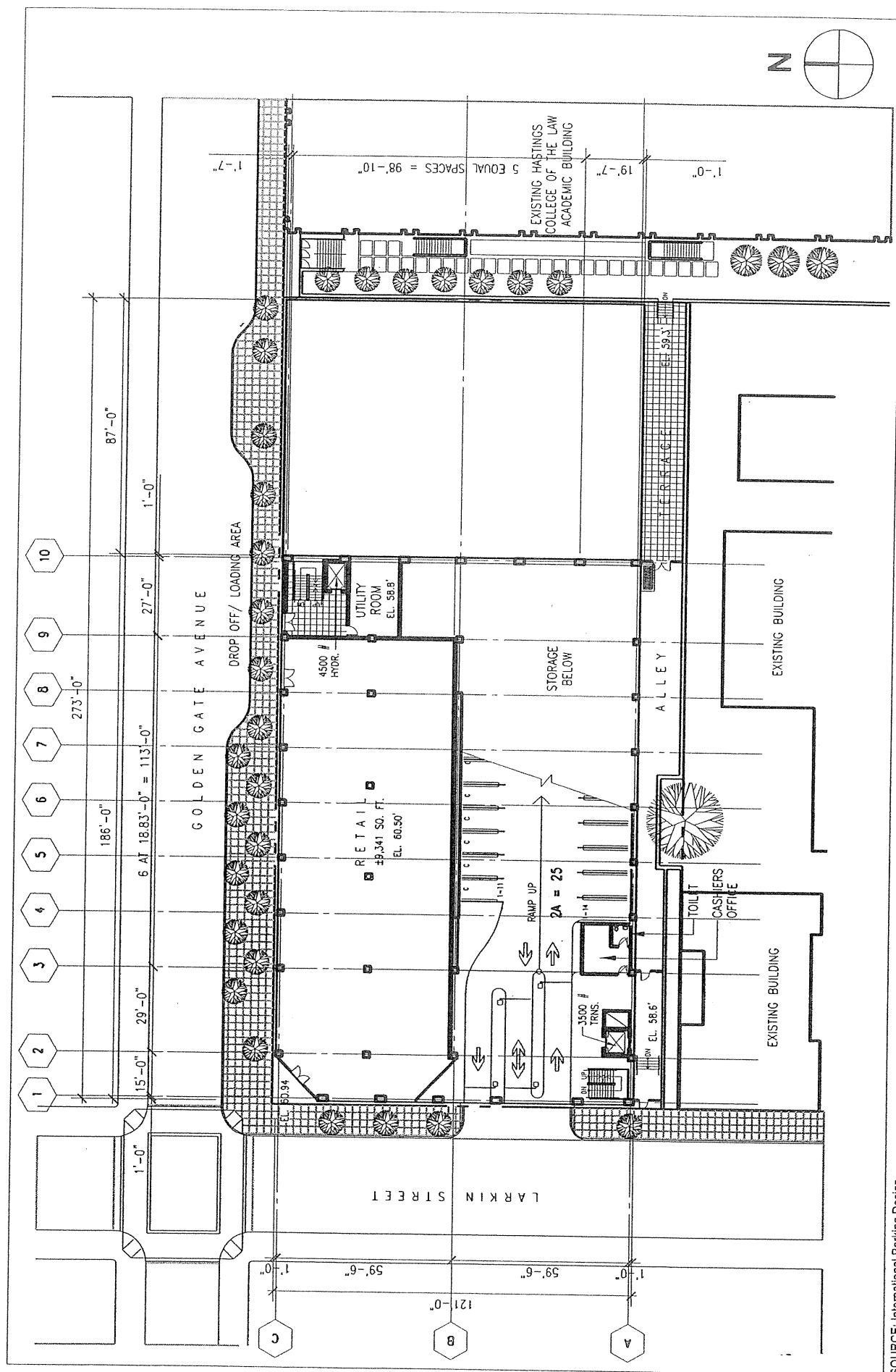
space, would be available to outside storage renters.. The street level would contain approximately 9,400 sf of retail space fronting Golden Gate Avenue and Larkin Street, intended for use as campus and community-serving amenities such as a restaurant, coffee shop, and/or other Hastings and community-serving retail uses (see Figure 2–Ground Level Site Plan on p. II-9). The remainder of the street level would be used for parking, circulation, and garage and storage access. The street level would also contain 35 bicycle lockers. Additional exterior bicycle storage would be programmed along the south setback. Table 4 presents a summary of the proposed parking garage characteristics.

**TABLE 4**  
**PARKING GARAGE CHARACTERISTICS**

Gross Square Footage	177,600 gsf
Typical parking level	22,506 sf
Retail, Total (street level)	9,400 sf
<i>Coffee Shop (street level)</i>	<i>6,800 sf</i>
Storage (basement level)	22,506 sf
Number of parking spaces (total)	430
Number of handicap parking spaces	9
Number of motorcycle parking spaces	6
Number of bicycle lockers	35
Approximate Height	68 ft. to parapet <sup>/a/</sup>
Approximate Width	121 ft.
Approximate Length	186 ft.

*Note:*  
/a/ Height measured from the Golden Gate Avenue/Larkin Street Corner.

The parking garage would be built to the lot lines along Golden Gate Avenue and Larkin Street. The east side of the parking garage would abut the proposed development pad that would be reserved for future development (see discussion of Options A and B, in the Introduction). The parking garage would be separated from the adjacent properties to the south by a setback of approximately 14 feet. A pedestrian walkway – with exterior bike racks for increased bike parking capacity – would connect the ground floor of the parking garage with the second floor of the Hastings Academic Building along this setback. The parking structure would be approximately 28 feet away from residential buildings at 250 and 260 McAllister Street; 57 feet away from 270 McAllister Street; and 16 feet away from 324 Larkin Street.



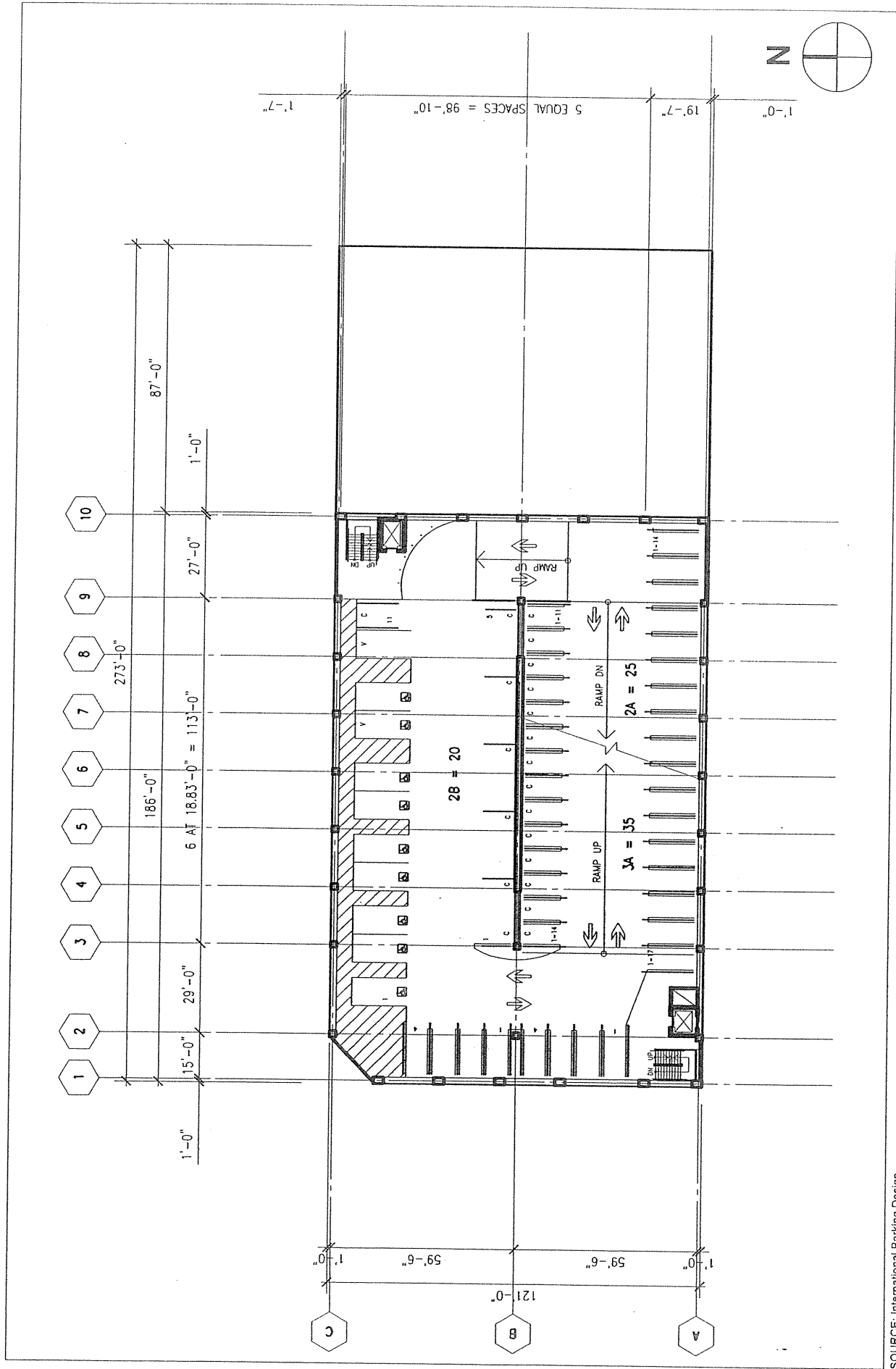
**SOURCE:** International Parking Design.


 HASTINGS PARKING GARAGE PROJECT SEIR  
**FIGURE 2: GROUND LEVEL SITE PLAN**

**FIGURE 2: GROUND LEVEL SITE PLAN**

The parking garage would have three driveway lanes on Larkin Street, one entrance lane, one exit lane, and one reversible lane. Ventilation intake vents would be at the ground level toward the south side of the parking garage, with exhaust vents on the roof of the structure at the northeastern and southwestern corners. Stairways and elevator towers would be located at the southwestern and northeastern corners of the parking garage. The second level of the garage floor plan represents a typical floor plan in the proposed parking garage and is shown in Figure 3 on p. II-11. The parking structure would be approximately 68 feet tall, measured from the Golden Gate Avenue/Larkin Street corner to the top of the parapet (see elevation Figures 4, 5, and 6 on pp. II-12 through II-14). Mechanical equipment for the elevators would rise up to an additional approximately 24 feet above the top floor level, for a total height of approximately 92 feet at the top of the elevator towers.

The parking structure would be reinforced concrete with a spread footing foundation. Exterior cladding would be a combination of plaster, glass, concrete, metal louvers, and metal window mullions. Glazing would occur along the ground floor retail spaces fronting Golden Gate Avenue and Larkin Street. Entrance "towers" and parapets would be expressed architecturally, and would be compatible with the design of other buildings in the Civic Center neighborhood. Safety and security lighting would be placed throughout the parking garage building, with motion-sensor security lighting on the south side setback, adjacent to the existing residential buildings. The parking garage would be equipped with emergency telephones on all floors and monitored by closed circuit television. The parking garage driveways would have signage and audible warning devices to alert pedestrians of on-coming vehicles. The majority (approximately 84 percent) of the south-facing walls would be enclosed to screen the proposed project from adjacent residential uses. Wall openings on the south side would contain light-resistant metal louvers and mesh type screens to reduce noise and light intrusion to adjacent properties. An existing walnut tree just south of the property line in the rear yard of 270 McAllister Street would be retained. Additional trees would be planted on the south side of the building to further screen the parking structure from adjacent residential uses. Street trees would be planted along Golden Gate Avenue and Larkin Street, and landscape trees would be planted along the walkway between the parking garage and the Hastings Academic Building. Approximately 300 parking spaces would be allocated for Hastings students, faculty, and staff. If these spaces were not in use, they would be available for Hastings incidental use (e.g., adjunct faculty, visitors, etc.) or for the public. The remainder of the spaces would be open to Hastings users or to the public. The public would be charged parking rates intended to discourage long-term, commuter parking.



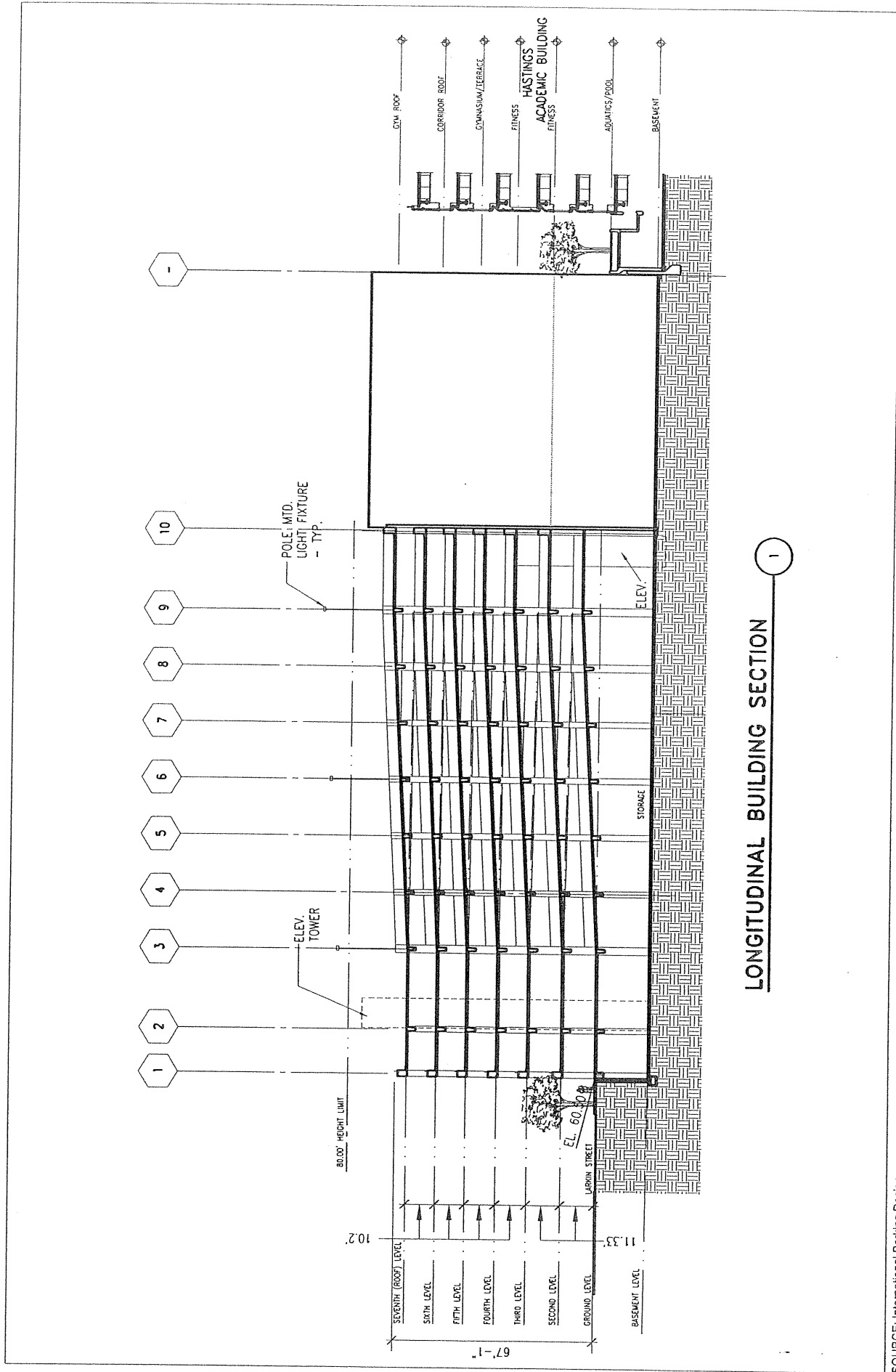
SOURCE: International Parking Design.

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HASTINGS PARKING GARAGE PROJECT SEIR

FIGURE 3: TYPICAL GARAGE FLOOR SITE PLAN (SECOND LEVEL)



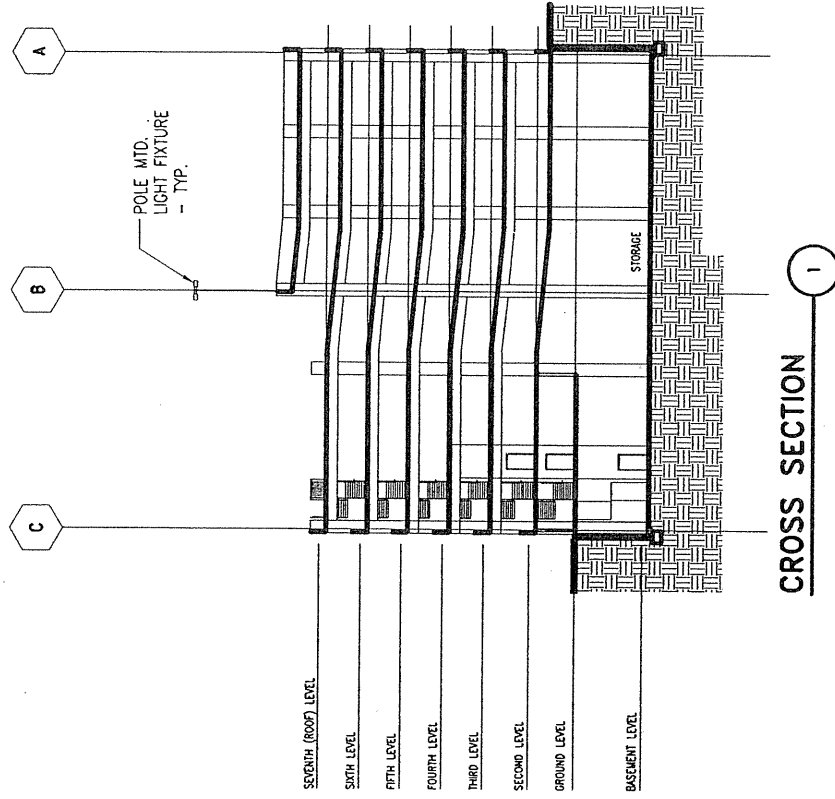


SOURCE: International Parking Design.

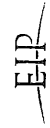
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HASTINGS PARKING GARAGE PROJECT SEIR

FIGURE 5: GOLDEN GATE AVENUE ELEVATION



SOURCE: International Parking Design.



HASTINGS PARKING GARAGE PROJECT SEIR  
**FIGURE 6: LARKIN STREET ELEVATION**

It is likely that many of the unreserved spaces would also be used by Hastings students, faculty, staff, and visitors. The parking garage would operate from 6:00 a.m. to 12:00 a.m. (midnight), seven days a week. Steel roll-down garage doors would restrict entry between 12:00 a.m. and 6:00 a.m. The structure would initially be staffed with security personnel for a three to six month period to assess whether on-going security presence is needed after hours. Parking fees would be based on market conditions with a discount for Hastings students.

The Larkin Street driveway would have a reversible center lane, allowing two inbound lanes and one outbound lane on Larkin Street to accommodate peak use periods, and to prevent queuing on adjacent streets and sidewalks. Automated Vehicle Identification (AVI) equipment would be placed on fare gates, allowing frequent parkers to pass through the gates without ticket/fare collection, and to speed ingress/egress.

### **DEVELOPMENT PAD**

The proposed project would also include construction of a development pad on Lots 14, 15, and part of Lot 13 to accommodate potential future development at the project site (see Option A - a community recreational facility, and Option B - a student housing/mixed-use facility, in the Introduction). The development pad would be approximately 12,000 sf (about 90 feet by 135 feet) with approximately 16-foot tall perimeter retaining walls on the south, east, and north sides that would abut the proposed parking garage on the west. Development pad construction would include excavation, grading, leveling, and construction of the retaining walls so that the site would be prepared for future development.

## **E. PROJECT SCHEDULE**

The construction period for the proposed project would last approximately 16 to 18 months and would commence in late 2007 or early 2008. International Parking Design, Inc. (IPD) is the parking garage architect. The proposed development pad would be designed and built concurrently with the parking garage, as part of the proposed project.



### III. ENVIRONMENTAL SETTING AND IMPACTS

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#### A. LAND USE, PLANS, AND ZONING

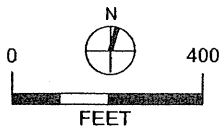
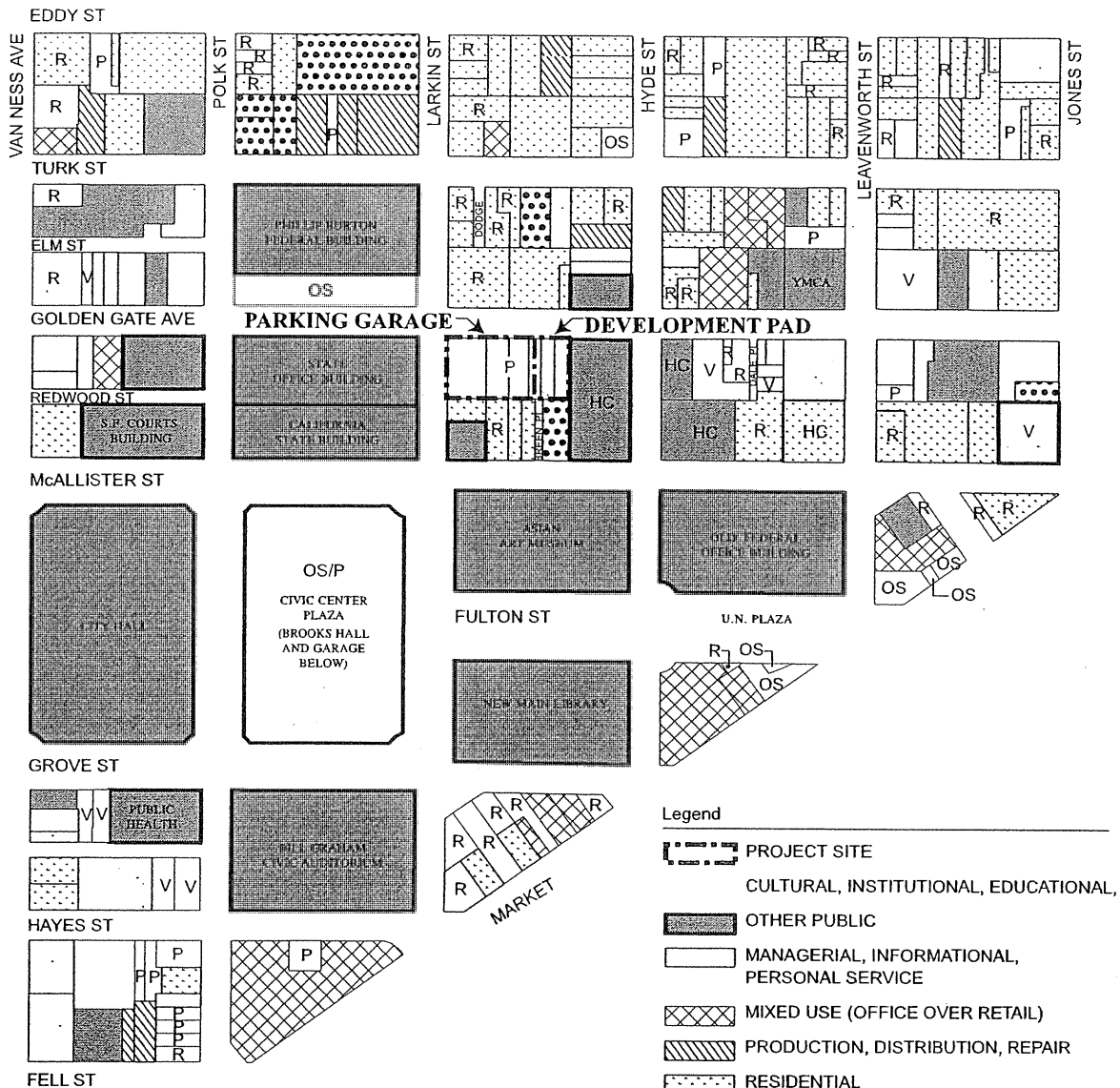
This section identifies the land use setting and applicable plans and policies that relate to the proposed project. This section also identifies potential land use impacts, and proposes mitigation measures to reduce those impacts, if necessary. As a project undertaken by a state entity, the proposed Hastings parking garage is not subject to local codes or regulations, but this section discusses local plans and zoning for informational purposes and to provide context.

As discussed in the 2002 Final EIR for the University of California Hastings College of the Law Parking Garage and Residential Upgrade Project, the proposed parking garage would not pose significant adverse effects on surrounding land uses. Primary sources for this section include the State of California *San Francisco Civic Center Complex Draft EIR*,<sup>1</sup> the San Francisco Planning Code,<sup>2</sup> the *San Francisco General Plan*,<sup>3</sup> the *Civic Center Area Plan*,<sup>4</sup> the *Tenderloin 2002 Survey and Plan*,<sup>5</sup> and the 2002 *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final EIR* (FEIR).<sup>6</sup> Site visits were conducted to confirm existing land use information.

#### SETTING

##### LAND USE

The proposed parking garage and development pad site cover six parcels totaling 0.77 acres (33,541 sf) that are currently used as a surface parking lot for about 155 cars on the southeastern corner of Golden Gate Avenue and Larkin Street. The remainder of the block is occupied by a six-story building used for various Hastings academic uses (200 McAllister Street to the east), and five-story residential and hotel uses, some with ground-floor retail, directly to the south. The Civic Center Power House occupies the parcel on the southwest corner of the block at McAllister and Larkin Streets, approximately 50 feet south of the project site. Residential uses, including senior housing, are located immediately north of the project site across Golden Gate Avenue. Existing land uses on the project site and in the immediate vicinity are shown in Figure 7 on p. III.A-2, which has been updated from Figure 7 on p. III-2 in the FEIR.



11-16.01

SOURCE: EIP Associates, October 2005; City and County of San Francisco.

**EIP**  
 HASTINGS PARKING GARAGE PROJECT SEIR  
**FIGURE 7: EXISTING LAND USES IN THE PROJECT VICINITY**

### III. Environmental Setting and Impacts

#### A. Land Use, Plans, and Zoning

The project site is just north of San Francisco's Civic Center. Due to this proximity, Hastings is as often referred to as being a part of the Civic Center as it is as part of the Tenderloin neighborhood, discussed below. The Civic Center functions as a central area for institutional and governmental uses where numerous federal, state, and local government buildings are located. Private offices, storefront retail uses, restaurants, performing arts venues, and residential uses are located in the immediate area. A large public open space, Civic Center Plaza, is approximately 150 feet to the southwest of the project site, and is bounded by McAllister Street, Larkin Street, Grove Street, and Polk Street.

San Francisco's City Hall, the Department of Public Health, the Bill Graham Civic Auditorium, the Main Library, the Asian Art Museum, the California State Building, and other civic buildings surround Civic Center Plaza.

Surrounding this core is a second ring of public buildings, including the old Federal Building on United Nations Plaza, the San Francisco Unified School District headquarters on Van Ness Avenue and Hayes Street, the Louise M. Davies Symphony Hall on Van Ness Avenue at Grove Street, the Opera House and Veterans Building on Van Ness Avenue between McAllister and Grove Streets, and the Edmund G. Brown State Office Building on Van Ness Avenue at McAllister Street. The Philip Burton Federal Building is at 450 Golden Gate Avenue, immediately to the northwest of the project site, and the State Office Building at 455 Golden Gate Avenue is immediately west of the site. The Civic Center Garage is the major parking facility in the area. Various off-street surface parking lots in the area are identified on Figure 7, including the Hastings lot.

Beyond the immediate vicinity of the project site to the north, the principal land uses change from public and governmental activities to housing, retail, and community services. These blocks are considered part of the Tenderloin neighborhood, which is generally defined as the area bounded by Post Street, Powell Street, Market Street, and Van Ness Avenue. The blocks northeast of the project site are characteristic of much of the Tenderloin. The principal land use is residential, including apartments, residential hotels, and senior housing. Retail uses, service businesses, and social service offices are found on the ground floors of many residential buildings. Religious, health, educational, employment, and various other community services are also found throughout the neighborhood with a cluster located on Golden Gate Avenue, between Hyde and Jones Streets. Some automotive-

oriented uses, including car washes and repair shops, are also located here. The Tenderloin Elementary School, on the northeast corner of Van Ness Avenue and Elm Street, is approximately 600 feet to the northwest of the proposed parking garage and development pad site.

## PLANS AND POLICIES

### State Plans

No state-level plans have immediate influence over the project site. However, the *Bay Area Regional Facilities Plan Update*, prepared in August 2004 by the California Department of General Services, provides a guide for the management and development of state-owned and state-leased office facilities in the San Francisco Bay Area. The Plan was prepared in response to damage of three major state-owned office buildings in the Bay Area that occurred during the 1989 Loma Prieta earthquake and encompasses certain facilities in the vicinity of the project site.

The primary goal of the Plan is to provide consolidated office space in San Francisco that would satisfy the 10-year growth needs of statewide-serving agencies in the Bay Area. San Francisco, and particularly the Civic Center area, is identified as the most likely location for such a consolidation of office space in the Bay Area region because many leases for consolidatable office spaces will have expired by 2010. However, the future real estate market in San Francisco is uncertain at this time and the market conditions are significantly different than those when the previous 2000 Plan was prepared. The state is looking at several office-development parcels in the Civic Center vicinity.

### San Francisco Plans and Zoning

The proposed project, developed by a state entity to be constructed on Hastings land, would not be subject to City and County of San Francisco plans and codes. The discussion herein of *San Francisco General Plan* policies and *Planning Code* requirements is presented for informational purposes and to provide context.

### San Francisco General Plan

Some key objectives and policies of the *San Francisco General Plan*,<sup>7</sup> as they relate to the Civic Center area, are as follows:

Commerce and Industry Element

- “Promote San Francisco, particularly the civic center, as a location for local, regional, state and federal governmental functions.”

Transportation Element

- “Provide incentives for the use of transit, carpools, vanpools, walking, and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.”
- “Establish public transit as the primary mode of transportation in San Francisco and as a means through which to guide future development and improve regional mobility and air quality.”
- “Assure that new or enlarged parking facilities meet need, locational, and design criteria.”
- “Maximize the efficient use of land devoted to parking by consolidating adjacent surface lots and garages into a parking structure, possibly containing residential, commercial or other uses.”
- “In any large development, allocate a portion of the provided off-street parking spaces for compact automobiles, van pools, bicycles and motorcycles commensurate with standards that are, at a minimum, representative of their proportion of the city’s vehicle population.”
- “Set rates to encourage short-term over long-term automobile parking.”
- “Protect residential neighborhoods from the parking impacts of nearby traffic generators.”

Urban Design Element

- “Respect the character of older development nearby in the design of new buildings.”
- “Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.”
- “Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.”
- “Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.”
- “Design walkways and parking facilities to minimize danger to pedestrians.”

Environmental Protection Element

- “Assure that all new development meets strict environmental quality standards and recognizes human needs.”

Community Facilities Element

- “Assure that institutional uses are located in a manner that will enhance their efficient and effective use.”

### The Civic Center Area Plan

The *Civic Center Area Plan*,<sup>8</sup> an element of the *San Francisco General Plan*, was adopted in 1974 and reviewed in 1994. The 1994 review document, published as the *Civic Center Study*, reviews policy and development goals for the Civic Center proper as well as “ring” neighborhoods, including North of Market, Mid-Market, South Van Ness, and Hayes Valley. The study proposes strategies to revitalize those areas using existing public resources focused on specific geographic areas to create safe and attractive destinations that will stimulate long-term private sector investments in these areas. The study proposes a goal to achieve a safe, dynamic, and pleasant 24-hour “campus” of the Civic Center and its environs. Objectives and policies in the *Civic Center Area Plan* include:

- “Maintain and reinforce the Civic Center as the symbolic and ceremonial focus of community government and culture.”
- “Maintain the formal architectural character of the Civic Center.”
- “Develop the Civic Center as a cohesive area for the administrative functions of City, State, and Federal Government, and as a focal point for cultural, ceremonial and community activities.”
- “Locate civic cultural facilities in the Civic Center.”
- “Provide convenient access to and circulation within the Civic Center, and support facilities and services.”
- “Locate buildings employing large numbers of employees and/or attracting large numbers of visitors in convenient pedestrian proximity to public transit and off-street parking facilities.”
- “Locate parking facilities beyond the western periphery of the Civic Center core, with direct vehicular access to major thoroughfares.”
- “Provide and price parking for short-term visitor use, and discourage long-term parking. Encourage transit use as the primary means of access to the Civic Center.”
- “Encourage privately-operated support and personal service establishments to locate within the Civic Center area.”

### Tenderloin 2000 Survey and Plan

The *Tenderloin 2000 Survey and Plan*<sup>9</sup> (the Tenderloin Plan) is a 10-year community plan, adopted by the Planning Commission in 1995, which updates the *Tenderloin Tomorrow Plan*, a community document developed in 1979. The Tenderloin Plan is the most comprehensive planning effort for the sustainability and future vitality of the Tenderloin neighborhood. The Tenderloin Plan

recommends policies and strategies in the areas of housing, human services, economic development, safety, physical environment, and community facilities. Objectives in the Tenderloin Plan include:

- Public Safety Objective D5: “Require exterior lighting on all public facilities, buildings where agencies receive public funds, and all new building developments as a condition for permit approval.”
- Housing Objective C2: “Replace the 85 housing units previously demolished at the Eureka and Philadelphia hotels with construction of comparably affordable housing units.” [Those buildings were formerly on a portion of the project site.]
- Economic Development Objective B: “Target and attract new business that can help bring customers into the area and that residents and businesses desire.”
- Physical Environment Objective B: “Preserve and increase parking for neighborhood residents, merchants, and visitors.”
- Physical Environment Objective D4: “Increase planting of trees along Tenderloin streets to soften the environment.”

## ZONING

In 1985, the City adopted the North of Market Residential Special Use District (Planning Code Section 249.5) with controls intended to protect and enhance important housing resources in the areas near downtown, to conserve and upgrade existing low- and moderate- income housing stock, to preserve buildings of architectural and historic importance, to preserve the existing scale and development, to maintain sunlight in public places, to encourage new in-fill housing at compatible density, to limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and to limit the number of commercial establishments, which are not intended primarily for customers who are residents of the area. The special use district has irregular boundaries that are generally contiguous with the RC-4 (Residential Commercial High Density) district, and is encompassed by Post and O’Farrell Streets to the north; Polk Street to the west; Golden Gate Avenue to the south; and Jones Street to the east (refer to Figure 8 on p. III-9 of the FEIR). The District includes the project site and the blocks immediately to the north, along Turk Street.

The project site is zoned RC-4 in the *Planning Code*, which allows for a variety of uses including ground floor, street-fronting retail uses (refer to Figure 8 on p. III-9 in the 2002 FEIR). This RC-4 district is also part of the North of Market Residential Special Use District (Section 249.5 of the *Planning Code*), described above, an overlay zone that implements policies intended to protect and

enhance low- and moderate-cost housing resources, to limit commercial and hotel development that could adversely affect residential uses, and to preserve architectural resources and existing scale of development. The project site is located in an 80-T Height and Bulk District, which implements an 80-foot height limit with an additional height allowed of 16 feet for mechanical projections (*Planning Code* Section 260(B)). This zoning designation also applies to the areas immediately north of the project site. In general, the areas to the southwest of the project site are zoned P (Public Use) and contain many of the public uses associated with the Civic Center area.

For projects under City jurisdiction, the *Planning Code*, which incorporates by reference the City Zoning maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings or to alter or demolish existing ones may not be issued unless the proposed project conforms to the Code or an exception is granted pursuant to the provisions of the Code. State projects are not subject to local planning and zoning regulations.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

Based on criteria in Appendix G of the CEQA Guidelines, a project would have a significant effect on land use if:

- the project would physically divide an established community.
- the project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, zoning, or any specific plan), adopted for the purpose of avoiding or mitigating an environmental effect.

### IMPACTS

As discussed in the 2002 FEIR, the proposed project would not have significant adverse land use effects.

**Impact A.1: The proposed project would not divide an established community or be incompatible with existing land use. (No Impact)**

The proposed project would retain the existing parking uses on the project site. Although there would be an increased intensity of use at the project site, this use would not substantially disrupt or

divide existing land uses. The existing pattern of ground-floor retail uses in the immediate vicinity of the project site would be maintained and enhanced by the new ground-floor retail space. Other public uses in the Civic Center area would not be affected. The parking garage and adjacent development pad would be located on a site currently used for surface parking; the project would be urban in-fill that would not disrupt or divide the neighborhood.

**Impact A.2: The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect. (No Impact)**

There are no applicable land use plans or regulations of any agency having jurisdiction over the project. Thus, there would be no impact.

#### **Informational Discussion of Local Plans and Regulations**

The proposed parking garage and development pad would be initiated by a state entity, constructed on Hastings-owned land, and therefore would not be subject to local regulations. The following discussion of local plans and regulations is provided for informational purposes.

The proposed project would generally promote *San Francisco General Plan* policies and objectives, including those related to Commerce and Industry, Transportation, Urban Design, Environmental Protection, Community Facilities, the *Civic Center Area Plan*, and the *Tenderloin 2000 Survey and Plan*.

- In relation to the Commerce and Industry Element, the proposed project would provide additional public parking for visitors to Hastings.
- In relation to the Transportation Element, the proposed project would provide additional on-site parking, carpool, and vanpool opportunities in the Civic Center area for Hastings; would provide a parking facility that reduces the need for Hastings students, staff, faculty, and visitors to use on-street parking in the neighborhood, thereby protecting the neighborhood from these parking impacts; would create additional parking resources with which to manage parking demand for Hastings; would create a parking facility that meets locational and design criteria; and would discourage surface parking through a consolidated parking structure that includes commercial use. The garage would operate to provide both long-term and short-term parking. The garage would provide secure bike parking.
- The proposed project would not respond to some of the objectives and policies in the Transportation Element that relate to the preference of public transit as the preferred mode of transportation. The garage would accommodate the use of private automobiles over other forms of transit. As a result, the project would respond to parking-related policies discussed in the General Plan but would not directly respond to transit-related policies.

- In relation to the Urban Design Element, the proposed project would be compatible with existing heights and bulks in the neighborhood. Ground-floor retail uses in the proposed parking structure would relate to the existing character of nearby land uses. The project would provide landscaping, lighting, and pedestrian scale elements, including street trees along Golden Gate Avenue and Larkin Street. The majority (approximately 84 percent) of the south-facing walls would be enclosed to screen the proposed project from adjacent residential uses. Wall openings on the south side would contain light-resistant metal louvers and mesh type screens to reduce noise and light intrusions to adjacent properties. An existing walnut tree just south of the property line in the rear yard of 270 McAllister Street would be retained. Additional trees would be planted on the south side of the building to further screen the parking structure from adjacent residential uses.
- In relation to the Environmental Protection Element, the proposed project would meet all appropriate environmental quality standards and would meet human needs including parking and safety needs.
- In relation to the Community Facilities Element, the proposed project would provide additional public parking for visitors to Hastings, thereby enhancing their efficient and effective use.
- The proposed project would respond to the *Civic Center Area Plan* in that it would not disrupt core public uses in the Civic Center area and would maintain the existing character of the neighborhoods in the project area.
- The proposed project would generally respond to the *Tenderloin 2000 Plan* objectives, including those related to public safety and sidewalk lighting; economic development in attracting new business to the area through provision of retail space; and the physical environment by increasing parking in the area and increasing trees along Tenderloin streets. The proposed project would not respond to the Tenderloin Plan objective to build affordable housing units on the project site.

As discussed above, the proposed garage would promote a range of plan policies and objectives and may not promote others. Policy conflicts in and of themselves are not considered significant physical environmental effects. The policies are intended to provide guidance to public bodies in their review of proposed projects. The project's physical effects on visual quality, shadows, and transportation are discussed in their respective sections in this SEIR.

The proposed project would be generally compatible with the *Planning Code*. The parking structure with ground-floor retail uses would be in a use district zoned for high-density residential/commercial, at the edge of the residential district in a transitional zone between public uses to the west and south, and mixed residential/commercial areas to the north. The site is directly adjacent to non-residential zoning classifications (P - Public) on the east and west sides, and a portion of the south side. Parking facilities are permitted as a conditional use in RC-4 Use Districts. The proposed ground-floor, street-level uses would be consistent with allowable uses in RC-4 Districts. As a

result, the proposed project would be generally compatible with allowable uses in this zoning district.

The North of Market Special Use District is intended to protect and enhance low- and moderate-income housing, among other goals. The proposed parking garage project would not include new infill housing, nor would it eliminate existing low- or moderate-income housing. The project would not adversely affect buildings of architectural or historic importance and would generally maintain the existing scale of development. The project would maintain sunlight in public places (see Sections III.D, Visual Quality, and III.E, Shadows for further discussion), and would not include tourist hotels or other commercial development that could adversely affect the neighborhood. The street level retail uses proposed as part of the garage project would serve the Hastings community and the neighborhood.

The 68-foot-tall parking garage would be consistent with the 80-T Height and Bulk Limit for the site. Mechanical rooms associated with the elevator towers would rise an additional 24 feet above the floor slab, which would be inconsistent with the *Planning Code* height limits that allow for mechanical or architectural projections up to 16 feet [Section 261 (B)]. The elevator mechanical rooms would exceed that limit by about 8 feet.

The potential physical environmental effects of these mechanical rooms would include minor shadow and visual impacts. As discussed in Section III.E, Shadows, the proposed project would have no impact on open spaces regulated by the *Planning Code* Section 295, which limits new shadow from projects under City jurisdiction on Recreation and Parks Department properties. As described in Section III.D, Visual Quality, the proposed project would not block views of the Civic Center Plaza or substantially degrade the existing visual character of the neighborhood, nor would it remove scenic resources, as none are present on the project site. The mechanical rooms would be visible from the Civic Center but would not substantially detract from the visual prominence of the core buildings surrounding the Civic Center Plaza. As a result, project inconsistencies with the City's *Planning Code* Height and Bulk Limits would not create substantial adverse environmental impacts.

## MITIGATION MEASURES

Because the project would not have a significant adverse land use effects, no mitigation measures are required.

## CUMULATIVE IMPACTS

As noted in the Introduction, the cumulative analysis for the proposed project examines both a short-term cumulative condition that considers two potential options for build-out of the development pad combined with the proposed project; and a long-term cumulative condition that considers the potential combined impacts of the parking garage project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

### SHORT-TERM CUMULATIVE

The development pad that is included as part of the project is expected to be developed in the short-term, and is thus considered a foreseeable future project subject to cumulative impact analysis under CEQA. Two potential development options (a community recreational facility or a student housing/mixed-use facility), described in the Introduction, are assessed for the proposed development pad that would be built on Lots 14, 15, and part of Lot 13. Option A is a community recreational facility, and Option B is a Hastings-initiated student housing/mixed-use project.

#### **Community Recreational Facility (Option A)**

Short-term cumulative development under Option A would involve the proposed project plus construction of a community recreational facility on the proposed development pad, which would not fall under state jurisdiction. Development of a community recreational facility would thus be subject to City plans, policies, and regulations, and would be subject to environmental review through the City and County of San Francisco prior to project approval. The discussion of Option A in relation to San Francisco plans and policies is provided here for informational purposes.

**Short-term Cumulative Impact A.1: The proposed project combined with the community recreational facility would not divide an established community or be incompatible with existing land use. (No Impact)**

Development of Option A on the proposed development pad would change the existing land use on these lots from surface parking to a community recreational facility. The existing Shih Yu-Lang Central YMCA at Golden Gate Avenue and Leavenworth Street would be relocated approximately 600 feet west (about one and one-half blocks) of its current location, to the project site. This community recreational facility would continue to serve the Tenderloin and Civic Center

communities and to provide fitness and community space for use by neighborhood residents, office workers, and Hastings students. Although construction of a community recreational facility would increase development and intensity of use at the project site, this use would not substantially disrupt or divide existing land uses. The existing pattern of community-serving uses in the immediate vicinity of the project site would be maintained and enhanced by the new community recreational facility. Other public uses in the Civic Center area would not be affected. The community recreational facility would be urban in-fill that would not disrupt or divide the neighborhood. Thus, the proposed project in combination with a community recreational facility would not divide an established community or be incompatible with existing land uses in the area.

**Short-term Cumulative Impact A.2:** The proposed project combined with the community recreational facility would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect. (No Impact)

Build-out of the proposed development pad as a community recreational facility would promote *San Francisco General Plan* policies and objectives, including those related to Commerce and Industry, Urban Design, Environmental Protection, Community Facilities, the *Civic Center Area Plan*, and the *Tenderloin 2000 Survey and Plan*.

- In relation to the Commerce and Industry Element, the community recreational facility would provide community space and recreational opportunities for visitors and employees in the Civic Center area.
- In relation to the Urban Design Element, the community recreational facility would be compatible with the existing height and bulk in the neighborhood. Community-serving uses in the community recreational facility would relate to the existing character of nearby land uses. The community recreational facility would provide landscaping, lighting, and pedestrian scale elements, including street trees along Golden Gate Avenue and along the walkway between the building and the Hastings Academic Building.
- In relation to the Environmental Protection Element, the community recreational facility would meet all appropriate environmental quality standards and would meet human needs including community, recreational, and safety needs.
- In relation to the Community Facilities Element, the community recreational facility would continue to provide community and recreational opportunities for visitors to the Civic Center area and at Hastings, thereby enhancing their efficient and effective use.
- The community recreational facility would respond to the *Civic Center Area Plan* in that it would not disrupt core public uses in the Civic Center area and would maintain the existing character of the neighborhoods in the project area.

- The community recreational facility would generally respond to the *Tenderloin 2000 Survey and Plan* objectives, including those related to public safety and sidewalk lighting; and to the physical environment by increasing trees along Tenderloin streets. The community recreational facility would not respond to the Tenderloin Plan objective to rebuild affordable housing units on the project site.

A community recreational facility would be consistent with allowable uses in RC-4 Districts.

The community recreational facility would be compatible with the North of Market Special Use District. It would not involve housing, nor would it adversely affect buildings of architectural or historic importance. The community recreational facility would maintain the existing scale of development in the area and would maintain sunlight in public places (see Sections III.D, Visual Quality, and III.E, Shadows). The facility would serve the Hastings community and the neighborhood. The approximately 80-foot-tall community recreational facility would be consistent with the 80-T Height and Bulk Limit for the site. Mechanical rooms associated with the elevator towers would rise an additional 16 feet above the floor slab, which would be consistent with the *Planning Code* height limits [Section 261(B)]. Thus, the proposed project in combination with a community recreational facility would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

#### **Student Housing/Mixed-use Project (Option B)**

Short-term cumulative development under Option B would involve the proposed project plus construction of a Hastings-initiated student housing/mixed-use facility on the proposed development pad, which would fall under state jurisdiction. Development of a student housing/mixed-use facility would therefore, not be bound by City plans, policies, and regulations, a discussion of which is included herein for informational purposes.

**Short-term Cumulative Impact A.3: The proposed project combined with the student housing/ mixed-use facility would not divide an established community or be incompatible with existing land use. (No Impact)**

Development of a student housing/mixed-use facility on the proposed development pad would change the existing land use of part of the project site from surface parking to that of a new facility consisting of about 55 student housing units; 11,745 gross sf of student fitness and recreational amenities; 10,527 gross sf of neighborhood- and student-oriented retail space; and 10,527 gross sf of academic/conference space. The student housing/mixed-use facility would enhance the adjacent

Hastings campus, and provide retail services to the Hastings community and the Civic Center and Tenderloin neighborhoods. Although construction of a student housing/mixed-use facility would increase development and intensity of use at the project site, this use would not substantially disrupt or divide existing land uses. The existing pattern of ground-floor retail and the Hastings campus in the immediate vicinity of the project site would be maintained and enhanced by the new student housing/mixed-use facility. Other public uses in the Civic Center area would not be affected. The development of Option B would be urban in-fill that would not disrupt or divide the neighborhood. Thus, the proposed project in combination with a student housing/mixed-use facility would not divide an established community or be incompatible with existing land uses in the area.

**Short-term Cumulative Impact A.4:** The proposed project combined with the student housing/mixed-use facility would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect. (No Impact)

As a Hastings project, there would be no applicable land use plans or regulations of any agency having jurisdiction over a potential student housing/mixed-use facility; thus there would be no impact.

#### **Informational Discussion of Local Plans and Regulations**

If Option B were initiated, it would be initiated by Hastings, a state entity, constructed on Hastings-owned land, and therefore would not be subject to local regulations. The following discussion of local plans and regulations is provided for informational purposes.

The student housing/mixed-use facility option would promote *San Francisco General Plan* policies and objectives, including those related to Urban Design, Environmental Protection, Community Facilities, the *Civic Center Area Plan*, and the *Tenderloin 2000 Plan*:

- In relation to the Urban Design Element, the student housing/mixed-use facility would generally respond to existing heights and bulks in the neighborhood. Ground-floor retail uses would relate to the existing character of nearby land uses and to the adjacent Hastings campus. Trees would be planted on McAllister Street to screen the building from adjacent residential uses.
- In relation to the Environmental Protection Element, the student housing/mixed-use facility would meet all appropriate environmental quality standards and would meet human needs including retail, student housing, and safety needs.

- In relation to the Community Facilities Element, the student housing/mixed-use facility would provide additional student housing and academic space at Hastings, thereby enhancing their efficient and effective use.
- The student housing/mixed-use facility would respond to the *Civic Center Area Plan* in that it would not disrupt core public uses in the Civic Center area and would maintain the existing character of the neighborhoods in the project area.
- The student housing/mixed-use facility would generally respond to the *Tenderloin 2000 Plan* objectives, including those related to public safety and sidewalk lighting; economic development in attracting new business to the area through provision of retail space; and to the physical environment by increasing trees along Tenderloin streets. The student housing/mixed-use facility would respond to the Tenderloin Plan objective to rebuild housing units on the project site, however, the housing would only be available to Hastings students.

A student housing/mixed-use facility would be consistent with allowable uses in RC-4 Districts.

Option B would be compatible with the North of Market Special Use District. A student housing/mixed-use facility would increase the overall housing supply in the area by approximately 55 units and it would not disrupt existing low- and moderate-income housing in the area. This option would not adversely affect buildings of architectural or historic importance. The student housing/mixed-use facility would maintain the existing scale of development in the area and would maintain sunlight in public places (see Sections III.D, Visual Quality, and III.E, Shadows). The facility would serve the Hastings community and the neighborhood.

The approximately 76-foot-tall student housing/mixed-use facility would be consistent with the 80-T Height and Bulk Limit for the site. Mechanical rooms associated with the elevator towers would rise an additional 21 feet above the floor slab, which would not be consistent with the *Planning Code* height limits for roof top equipment [Section 261 (B)] of 16 feet. Thus the proposed project in combination with a student housing/mixed-use facility would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

## LONG-TERM CUMULATIVE

No significant impacts related to land use were identified regarding the proposed project. As a result, the proposed project would not contribute to any long-term cumulative impacts.

NOTES – Land Use, Plans, and Zoning

- <sup>1</sup> State Department of General Services, *State of California San Francisco Civic Center Complex Draft EIR*, Sacramento, California, November 4, 1994.
- <sup>2</sup> City and County of San Francisco, *San Francisco Planning Code*, Volumes I and II, San Francisco, California.
- <sup>3</sup> City and County of San Francisco, *San Francisco General Plan*, San Francisco, California, 1995.
- <sup>4</sup> City and County of San Francisco, *Civic Center Area Plan*, an element of the *San Francisco General Plan*, 1994.
- <sup>5</sup> North of Market Planning Coalition, *Tenderloin 2000 Survey and Plan Final Report*, July 1992.
- <sup>6</sup> *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final EIR*, San Francisco, California, 2002.
- <sup>7</sup> City and County of San Francisco, *San Francisco General Plan*, 1995, p. I.2.40.
- <sup>8</sup> City and County of San Francisco, *Civic Center Area Plan*, 1994, p. II.4.2.
- <sup>9</sup> North of Market Planning Coalition, *Tenderloin 2000 Survey and Plan Final Report*, July 1992, pp. 10- 22.



## B. TRANSPORTATION AND CIRCULATION

This section identifies the existing traffic and circulation setting for the proposed project. This section also identifies potential impacts to transportation and circulation resulting from the proposed project, and provides mitigation measures to reduce or eliminate those impacts, if applicable. This section is based on the *Hastings College of the Law Parking Garage – YMCA Transportation Study* completed by Fehr & Peers, Inc.<sup>1</sup>

### SETTING

#### TRAFFIC

Regional access to and from the proposed garage site is available via Interstates 280 (I-280) and 80 (I-80), and via US 101. The I-280 freeway provides access to and from areas in southwestern San Francisco, the South Bay, and the Peninsula. Access to the project site is provided via the connection of I-280 with US 101 south of downtown San Francisco to the on- and off-ramps located on Howard Street at Eric Street and Van Ness Avenue. Access to the Peninsula via US 101 southbound is provided via the on-ramp at 13<sup>th</sup> Street and South Van Ness Avenue. The I-80 freeway facility includes the San Francisco Bay Bridge and provides regional access to the project site from the East Bay. Access to the East Bay is provided via the on-ramp to I-80 at Eighth and Bryant Streets. Access from the East Bay is provided via the I-80 off-ramps at Fifth and Ninth Streets. From the South Bay, access to the project site is via the eastbound I-80 off-ramp at Seventh Street and access from the project site is via the westbound on-ramp at the intersection of Harrison and Seventh Streets. US 101 provides regional access from the north via the Golden Gate Bridge, Lombard Street, and Van Ness Avenue, and to the East Bay and the Bay Bridge via I-80.

**Van Ness Avenue (US 101)** serves as an extension of US 101 from the Van Ness Avenue at Thirteenth Street exit to the Golden Gate Bridge. In the project vicinity, this two-way roadway has three lanes in each direction and serves as the primary route to and from the South Bay and the North Bay. The *San Francisco General Plan* identifies Van Ness Avenue as a Major Arterial, a Transit Preferential Street, a Primary Vehicular Street, a Neighborhood Pedestrian Street, and a Citywide Pedestrian Network Street. The San Francisco County Transportation Authority (SFCTA) proposes

to construct either median or curbside dedicated bus lanes on Van Ness Avenue in the timeframe between 2010 and 2012 as part of the Van Ness Bus Rapid Transit (BRT) Project.

**Market Street** generally provides two lanes of travel in each direction, accommodates surface-running Muni Light Rail Transit (LRT) vehicles, and runs from The Embarcadero to Portola Drive in Twin Peaks, providing access to the downtown and the southeast areas of San Francisco. According to the *San Francisco General Plan*, this roadway is designated as a Transit Preferential Street between Castro and Steuart Streets. Transit stops are at the curbside and at raised islands along Market Street. Market Street is designated as a Neighborhood Pedestrian Street, is a part of the Citywide Pedestrian Network, and is part of the Citywide Bicycle Route (with intermittent bicycle lanes) Network. There have been recent proposals to limit through traffic by private motor vehicles on Market Street east of Van Ness Avenue.

**McAllister Street** runs from Market and Jones Streets to Masonic Avenue. It is one way with three lanes from Market Street to Hyde Street and two way with two lanes in each direction west of Hyde Street. This is identified as a Secondary Transit Street and a Neighborhood Pedestrian Street between Market Street and Van Ness Avenue.

**Golden Gate Avenue** is a three-lane, one-way roadway eastbound from Arguello Boulevard and terminates at the intersection of Taylor Street and Market Street, providing access from the Sunset District and areas west of downtown San Francisco. Golden Gate Avenue is designated a Major Arterial between Market Street and Masonic Avenue, a Neighborhood Pedestrian Street between Market Street and Van Ness Avenue, a Citywide Bicycle Route between Market and Lyon Streets, and a Freight Traffic Route from Masonic Avenue to Market Street.

**Larkin Street** is one way with three northbound lanes from Market Street to California Street except between McAllister and Grove Streets, where it is a two-way street with the addition of one southbound lane. Larkin Street provides access from the East Bay, the South Bay, and the Peninsula and serves the project driveway. The *San Francisco General Plan* identifies Larkin Street as a Secondary Arterial Street between Market and Pine Streets, a Citywide Bicycle Route from Market to Turk Streets, and a Neighborhood Network Connection Street between Grove and Post Streets.

**Leavenworth Street** runs from McAllister to Jefferson Streets. It is one way with three northbound lanes from McAllister to Post Streets and two northbound lanes from Post to California Streets.

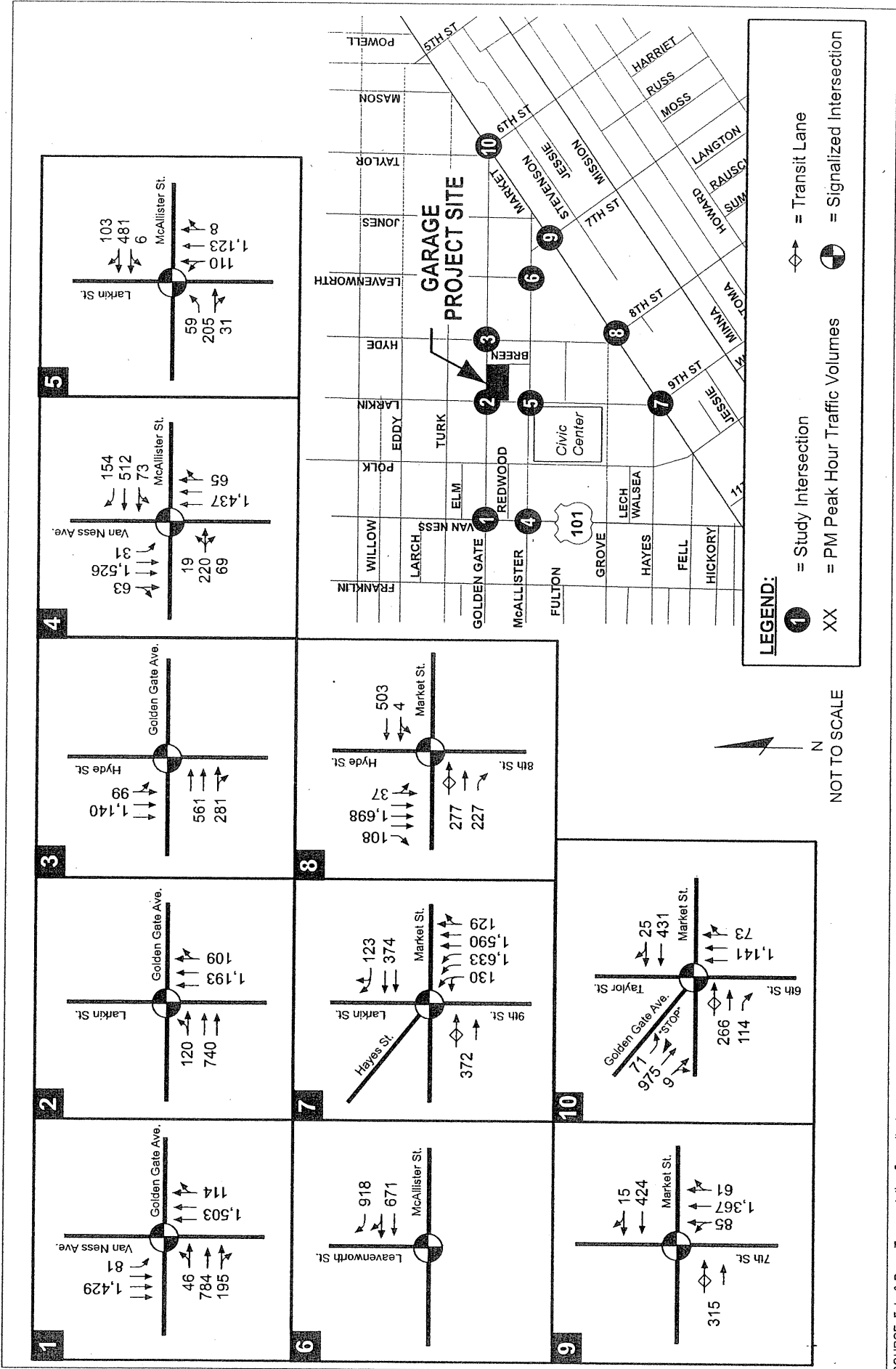
North of California Street, Leavenworth Street runs two-way with one lane in each direction. The *San Francisco General Plan* identifies Leavenworth Street as a Secondary Arterial between McAllister and Pine Streets.

**Ninth Street** begins at Market Street and operates one way with four northbound lanes, between Market and Division Streets. It provides direct access to the Civic Center area from US 101 and I-80. It is part of a couplet with southbound Tenth Street. The *San Francisco General Plan* identifies Ninth Street as a Major Arterial, a Neighborhood Connection Street, and a Freight Traffic Route between Market and Brannan Streets.

### **Intersection Conditions**

Intersection operations are typically described by Level of Service (LOS), which rates the average delay experienced by motorists passing through an intersection from A to F. LOS A indicates free flow conditions with little or no delay, while LOS F indicates heavily congested conditions with extended delays. LOS A through D are considered acceptable conditions, and LOS E and F are considered unacceptable.

Ten intersections in the project vicinity were selected for analysis for weekday PM peak-hour conditions, between 4:00 p.m. and 6:00 p.m., representing the time with the highest level of congestion. Figure 8 on p. III.B-4 shows the local street network and the study intersections. Under existing conditions, 9 of 10 study intersections operate at LOS A or B (acceptable) (see Table 6 on p. III.B-10). All study intersections operate acceptably at LOS C or better. However, field observations also show that peak-period congestion occurs on Hyde Street at the southbound approach to Market Street and throughout northbound Van Ness Avenue causing vehicle queues to upstream intersections. Traffic counts taken in these congested areas do not likely account for the actual demand volumes. This can be attributed to traffic congestion upstream, geometric constraints (e.g., short block length), and signal timing parameters. It is likely in these conditions that the vehicles tallied through the specific intersection would not account for all the vehicles that are queuing to get through the intersection. The lower volumes could result in calculated intersection conditions that are better than observed conditions.



SOURCE: Fehr & Peers Transportation Consultants.

EIR

HASTINGS PARKING GARAGE PROJECT SEIR

**FIGURE 8: EXISTING CONDITIONS  
LANE CONFIGURATIONS, TRAFFIC CONTROL, AND VOLUMES**

## TRANSIT

The project vicinity is served by the San Francisco Municipal Railway (Muni). Approximately 20 Muni stops are within walking distance of the project site, with routes that provide radial service to and from the downtown area, as well as north-south cross-town routes. Muni bus lines operate on Larkin, Hyde, Turk, McAllister, Market, Hayes, Seventh, and Eighth Streets. Additional Muni bus lines also operate on Van Ness Avenue and Golden Gate Avenue. The closest Muni stops to the project site are on Larkin Street at Golden Gate Avenue serving the 19-Polk bus line, on Hyde Street at McAllister Street serving the 5-Fulton electric trolley bus line, and on McAllister Street at Larkin Street serving the 19-Polk line. Seven stops (Muni lines 6, 7, 8, 9, 21, 66, and 71) along Market Street between Seventh and Tenth Streets serve Muni lines, including the Muni Historic Streetcar (F-line). Overhead lines serving Muni transit in the project area are on Golden Gate Avenue and Larkin Street, and are supported by poles in the sidewalk. Muni Metro lines are also accessible at the Civic Center Station at Eighth Street / Hyde Street / Market Street, about three blocks from the garage site, and at the Van Ness Station at Van Ness Avenue / Market Street, about five blocks from the project.

Several regional transit operators provide service to the project site. Regional transit service to and from the East Bay and the Peninsula is provided by the Bay Area Rapid Transit District (BART), which stops at the Civic Center Station.

Other regional service is provided by SamTrans which stops within one block of the project site, the CalTrain Depot at Fourth and Townsend Streets, about 2 miles from the project site, and Golden Gate Transit which has an inbound stop about one-half block from the project site at Golden Gate Avenue and Hyde Street.

RIDES carpool program provides services to establish local carpools and vanpools in the Civic Center area.

## PARKING

There are currently 155 parking spaces at the project site for use by Hastings faculty, staff, and the general public. Up to 200 vehicles can be accommodated with valet operations. Vehicles enter and exit from a driveway on Larkin Street.

An inventory of on- and off-street parking facilities in the project vicinity was conducted on Monday, November 26, 2001 during the weekday midday hours between 1:00 p.m. to 3:00 p.m.,

which represents the peak period for parking accumulation, and was verified on March 2, 2006 during a foot survey. Parking data was collected in the area bounded by Eddy Street to the north, Jones Street to the east, Grove Street to the south, and Van Ness Avenue to the west (see Figure 9 on p. III.B-7). The study area includes one major garage, at the Civic Center Plaza, with a capacity of about 840 spaces. The 2001 inventory included off-street parking south of Market Street, at Seventh and Mission Streets, which has since been removed for development of the new Federal Office Building and 1160 Mission Street project which has been approved for a development project building housing. Off-street parking within the study area consists of 10 publicly accessible off-street lots and garages, including the lot at the project site. Table 5 on p. III.B-8 summarizes the supply, demand, and occupancy rates of the existing off-street parking facilities in the peak-hour.

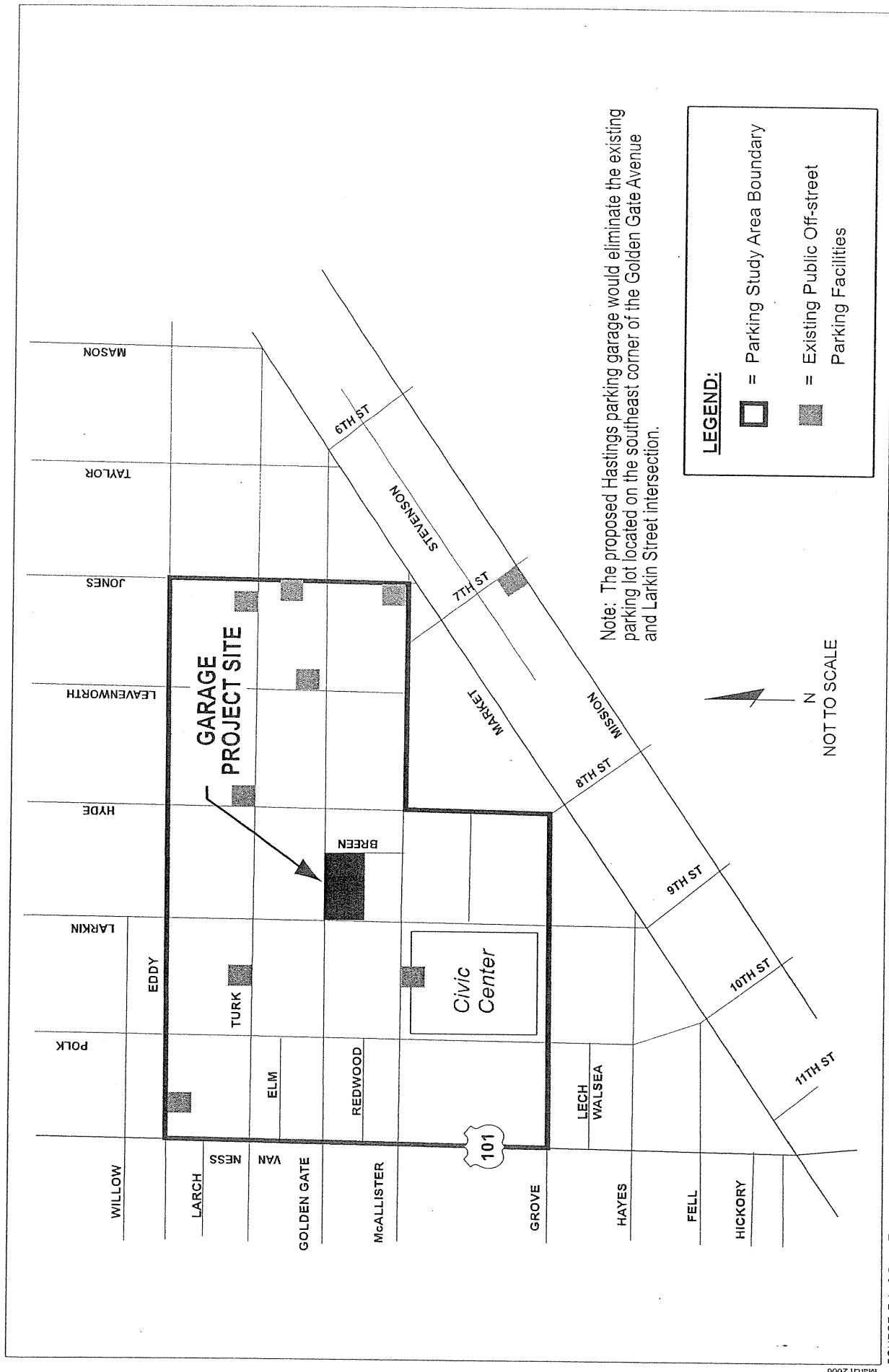
Although some of the parking supply numbers have changed since 2001, the conclusion is that parking in the area is essentially fully occupied.<sup>2</sup> As shown in Table 5, approximately 2,213 off-street parking spaces are currently available to the general public within the study area and on a typical weekday the average occupancy rate is approximately 95 percent. This indicates that off-street parking is essentially full.

The inventory of on-street parking was based on field observations and parking data for metered and un-metered parking spaces. There are about 667 on-street parking spaces in the study area. Approximately 78 percent of the curbside parking (including handicap and commercial/truck spaces) is occupied during an average weekday midday period between 1:00 p.m. to 3:00 p.m.. On-street parking data showed a higher occupancy rate (84 percent) closer to Van Ness Avenue and the Civic Center area during a special event at the Bill Graham Civic Center Auditorium.

Total existing on- and off-street parking supply is about 2,880 spaces. Total peak (midday) parking demand is approximately 2,520 spaces, to an average occupancy rate of about 87 percent in the study area.

#### **PEDESTRIAN/BICYCLE CONDITIONS**

Pedestrian volume counts were conducted at the Golden Gate Avenue/Larkin Street and McAllister/Larkin Street crosswalks on October 17, 2001 in the PM peak period and increased by 5 percent to estimate 2006 existing conditions. The study uses the methodologies contained in the 1994 *Highway Capacity Manual*, which analyzes the peak 15-minute pedestrian volume of the peak-hour.



SOURCE: Fehr & Peers Transportation Consultants.

SEIR

HASTINGS PARKING GARAGE PROJECT SEIR

**FIGURE 9: EXISTING OFF-STREET PARKING FACILITIES**

**TABLE 5**  
**OFF-STREET PARKING INVENTORY AND OCCUPANCY RATE<sup>/a/</sup> (MIDDAY)**

Type	Name or Location	Supply	Occupancy	Percent Occupied
Lot	Larkin St. between Golden Gate Ave. & McAllister Ave. (Project Site)	155	148	96%
Garage	Civic Center Garage	843	894	106%/b/
Lot	Jones St. / McAllister St.	160	126	79%
Lot	Mission St. between Seventh St. & Eighth St. /c/	841	774	92%
Lot	Turk St. between Polk St. & Larkin St.	60	60	100%
Lot	Eddy St. b/w Van Ness Ave. & Polk St.	12	10	83%
Lot	Jones St. b/w Turk St. & Golden Gate St.	56	26	46%
Lot	Turk St. b/w Leavenworth St. & Jones St.	33	25	76%
Lot	Turk St. b/w Hyde St. & Leavenworth St.	40	35	88%
Lot	Leavenworth St. b/w Golden Gate Ave. & McAllister St.	13	8	62%
<b>Total</b>		<b>2,213</b>	<b>2,106</b>	
<b>Average Occupancy Rate</b>				<b>95%</b>

*Notes:*

/a/ This table summarizes off-street parking facilities available to the public within the project vicinity in 2001. Various private residential and commercial lots and garages are also located throughout the project vicinity; however, they are inaccessible without authorization.

/b/ Valet parking used at time of survey.

/c/ Off-street parking on these parcels had subsequently been eliminated due to the development of these sites at the Federal Building and AGI Residential Project.

*Source:* Fehr & Peers, 2001.

The main pedestrian entrances to the proposed project's retail area would be on Golden Gate Avenue and on the corner of Golden Gate Avenue and Larkin Street. A garage stairwell entrance would front Larkin Street. Under existing conditions, pedestrian volumes at these locations were LOS A, indicating that free-flow conditions were observed. Land uses in the project vicinity do not result in congestion at the crosswalks of Larkin Street at Golden Gate Avenue and McAllister Avenue in the PM peak-hour.

The *San Francisco General Plan, Bicycle and Walking Map, 2006*, designates Larkin Street (between Market and McAllister Streets), McAllister Street, and Market Street as Bike Routes (Class 3 facilities) in the vicinity of the study area. An eastbound segment of Grove Street near City Hall and Polk Street, between Post and Market Streets, have striped, bicycle lanes (Class 2 facilities). There are no Class 1 facilities (bike paths or trails) in the vicinity of the project site.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

Consistent with the City of San Francisco's *Transportation Guidelines for Environmental Review*, January 2000 and the methodologies contained in the *Highway Capacity Manual*, 1994, the following thresholds were used for determining the significance of project-related transportation and circulation impacts:

- *Traffic* – Project impacts would be considered significant if the project would cause the level of service to change from LOS A through D to LOS E or F, or from LOS E to LOS F.
- *Driveway and On-site Circulation* – Project impacts would be considered significant if the project would cause entering vehicles to queue back onto the adjacent sidewalk or street and substantially interfere with existing traffic, or cause substantial on-site circulation blockages due to insufficient stacking distance for exiting vehicles.
- *Transit* – Project impacts would be considered significant if the project driveways would substantially disrupt the flow and/or transit stop locations and if site-related activities (such as auto traffic) would result in substantial transit-auto conflicts and delays.
- *Pedestrian* – Project impacts would be considered significant if the project would cause pedestrian level-of-service at crosswalks to reach congested (LOS D or worse) conditions.
- *Loading* – Project impacts would be considered significant if the project would have inadequate loading facilities that could cause substantial street blockages from delivery trucks.
- *Construction* – Project impacts would be considered significant if construction-related traffic would substantially interfere with peak-hour traffic flows.

## IMPACTS

### Trip Generation

#### Traffic Impacts

The proposed parking garage would be expected to have peak movements of vehicles arriving and departing the site during morning and evening peak periods. Other than some of the proposed retail uses included in the proposed project, the transportation analysis would normally assume that no new trips would be generated by the additional parking spaces, but rather that the proposed parking garage would result in vehicle trips shifting from existing parking facilities in the vicinity to the project site.<sup>3</sup> These shifted trips would be used to analyze project effects on nearby intersections. However, to provide more conservative analysis and to account for the short-term impacts of an increase in the parking supply, this SEIR assumes that the parking garage would generate net new vehicular trips at the same rate as other spaces in the area (about 3.5 auto trips per parking space per day and with 10 percent of those trips occurring in the PM peak hour). Table 6, below, contains trip generation forecasts for existing plus project conditions, using these assumptions.

**TABLE 6**  
**TRIP GENERATION BY MODE: EXISTING PLUS PROJECT CONDITIONS**

Project Component	Daily Person-Trips by Mode				PM Peak-Hour Person-Trips by Mode				Vehicle Trips	
	Auto/a/	Transit	Walk	Other	Auto/a/	Transit	Walk	Other	Daily	PM
Parking Garage	1,290	0	0	0	129	0	0	0	970	97
Retail	403	239	605	163	36	22	54	15	235	22
<b>Total (Project)</b>	<b>1,693</b>	<b>239</b>	<b>605</b>	<b>163</b>	<b>165</b>	<b>22</b>	<b>54</b>	<b>15</b>	<b>1,205</b>	<b>119</b>

*Notes:*

/a/ Includes persons that use carpool (rideshare).

Forecasts completed using the SF Guidelines for Environmental Review, October 2002.

Net new trips after counting existing parking spaces.

*Source:* Fehr & Peers, 2006.

The transportation analysis also assumes that no new vehicle trips would be generated by the proposed coffee shop or restaurant and storage uses within the parking garage, as these uses would primarily be internal to the project and accessed on-foot by Hastings students, faculty, staff, passers-by (in the case of the coffee shop or restaurant), or employees of the State Office Building. Other proposed retail uses would, however, generate some net new vehicle trips.

As shown in Table 6 on p. III.B-10 existing traffic plus that generated by the proposed project would generate a total of approximately 1,693 daily auto trips, of which about 1,290 would be attributable to the parking garage and about 403 would be attributable to the retail component. The 275 net new parking spaces would generate 14 inbound and 83 outbound PM peak hour trips, for a total of 97 PM peak hour trips. This total would be net new trips, beyond existing trips to and from the existing parking lot. Total PM net new peak-hour trips to the site, including trips generated from the proposed retail uses, would be 119 PM peak hour trips, or 24 inbound and 95 outbound trips. (The existing vehicle trips to and from the parking lot are accounted for in the existing traffic counts.)

#### Transit/Pedestrian Impacts

It is assumed that the proposed garage would not generate additional transit trips as most users would arrive and depart by automobile. The proposed project would generate approximately 256 total pedestrian trips from/to the garage and from/to the retail elements during the PM peak hour. This number reflects pedestrians arriving by automobile, transit, by foot, and by other means because it is assumed that all arrival modes would generate a pedestrian trip to the parking garage or the retail elements. New pedestrian trips to and from the project site would be generated by occupants of vehicles using the garage, as well as customers and employees of the proposed retail uses. Parking garage pedestrian trips are based on an average vehicle occupancy rate of 1.33 persons per vehicle, while other project pedestrian trips are based on the typical generation rates per land use from the *SF Transportation Guidelines for Environmental Review*.<sup>4</sup>

## EXISTING PLUS PROJECT CONDITIONS

### Traffic

**Impact B.1: Traffic generated by the proposed project would contribute trips to local intersections, but would not decrease the overall level of service operations at these intersections. (Less than Significant)**

As shown in Table 7, below, all study intersections would continue to operate acceptably (LOS C or better) with the addition of project traffic. Therefore, the project would have a less-than-significant impact on intersection level-of-service.

**TABLE 7**  
**INTERSECTION LEVELS OF SERVICE WITH HASTINGS PARKING GARAGE**

Intersection	Control	Existing		Existing Plus Project	
		Average Delay /a/	LOS	Average Delay	LOS
Golden Gate Avenue / Van Ness Avenue <sup>b/</sup>	Signal	11.4	B	11.4	B
Golden Gate Avenue / Larkin Street	Signal	6.6	A	6.9	A
Golden Gate Avenue / Hyde Street	Signal	7.2	A	8.3	A
McAllister Street / Van Ness Avenue <sup>b/</sup>	Signal	21.5	C	21.9	C
McAllister Street / Larkin Street	Signal	16.2	B	16.3	B
McAllister Street / Leavenworth Street	Signal	8.1	A	8.1	A
Market Street / Ninth Street / Larkin Street	Signal	18.4	B	18.4	B
Market Street / Eighth Street / Hyde Street <sup>c/</sup>	Signal	17.8	B	18.9	B
Market Street / Seventh Street	Signal	14.4	B	14.5	B
Market Street / Sixth Street / Taylor Street	Signal	17.6	B	32.5	C

*Notes:*

- /a/ Represents the average control delay in seconds/vehicle for signalized intersections.
- /b/ Due to congestion along the entire Van Ness Avenue corridor during peak periods, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F.
- /c/ Due to congestion along southbound Hyde Street, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F.

*Source:* Fehr & Peers, 2006.

### Driveways and On-site Circulation

**Impact B.2: Project traffic entering or exiting the garage would cross the adjacent Larkin Street sidewalk, but would not be expected to queue across the sidewalk or onto Larkin Street. (Less than Significant)**

The average number of inbound trips to the parking garage during a peak minute would be five vehicles at the Larkin Street driveway. According to entry and exit rates provided by International Parking Design, the project gates would be capable of accommodating 15 cars per minute, and would therefore, have sufficient capacity to accommodate demand over the course of the peak periods. However, in reality, cars would not arrive at a uniform rate and other factors, such as waiting for pedestrians to cross the driveway, can cause vehicular queues. The Larkin Street driveway would provide a throat depth (distance between the gates and the street) of approximately 48 feet. There would be one entry and exit gate, and one reversible gate operating as inbound in the morning and as outbound in the evening. A maximum of two vehicles would be stacked at the entrance and exit driveways at any time during the AM and PM peak hours. The Larkin Street entrance driveway would provide adequate throat depth to accommodate two large passenger vehicles, such as SUVs, simultaneously. During the peak hour, vehicles awaiting entrance to the garage would not likely back onto the sidewalk and Larkin Street. This would be a less-than-significant impact.

**Impact B.3: Potential pedestrian and vehicular conflicts could occur because of vehicles exiting and entering the garage. (Less than Significant)**

A sight-line study was conducted at the proposed project driveway to assess potential pedestrian and vehicular conflicts that may occur when vehicles exit the garage. Sufficient sight distance of 25 feet to the south of each garage driveway is provided for exiting vehicles to observe on-coming pedestrians to the south. The building wall to the north of the garage driveway would provide a 10 foot by 10 foot sight triangle for exiting vehicles to observe on-coming pedestrians from the north. Both of these dimensions would be adequate. To further address the visibility issue, an electronic or audible device would be installed at the project driveway to warn pedestrians of vehicles exiting the garage. Therefore, this would be a less-than-significant impact.

**Impact B.4: Potential vehicular sight distance conflicts could occur due to vehicles parked on the street. (Less than Significant)**

A stopping sight distance analysis was conducted at the project driveways using the guidelines outlined in *AASHTO – Geometric Design of Highways and Street*, 2000. The analysis revealed that a minimum of 200 feet of stopping sight distance is required at the driveway, which would allow sufficient length to enable a vehicle traveling at or near design speed to stop before reaching a vehicle exiting the garage. While the minimum 200 feet of stopping sight distance would be available at the project driveway, parked vehicles on Larkin Street and Golden Gate Avenue near the driveways could obstruct exiting vehicles from view. While this would not be considered a significant impact, implementation of Improvement Measure B.4 on p. III.B-17 could be implemented to improve sight distances in these locations.

**Transit**

**Impact B.5: The proposed project would generate peak-hour transit trips, but would not substantially affect transit load factors and would not add enough traffic to disrupt transit operations on Larkin Street. (Less than Significant)**

The retail elements would generate about 22 PM peak-hour transit trips. These trips would be distributed along the Muni lines, as well as on BART service, in the vicinity. This would not substantially affect transit peak load factors on any transit providers.

During PM peak hours, potential queuing and delay could occur when vehicles exit and enter the project driveway on Larkin Street during transit pick-up and loading times, however, the project would not generate a substantial number of trips and would not add enough traffic to disrupt transit operations on Larkin Street. Muni Route 19-Polk travels along Larkin Street during the PM peak hour (six buses per hour).

The one-way flow on Larkin Street would generally allow buses and other vehicles to move around occasional driveway queues. In addition, the use of reversible driveway lanes during peak periods and electronic transponder equipment at all fare gates would speed ingress/egress movements, reducing potential for queuing at the project driveway, and potential conflicts with transit movement. As a result, project-related impacts to transit operations would be less than significant.

### **Pedestrian**

**Impact B.6: The project would increase pedestrian trips in the project area, but would not adversely impact the pedestrian level of service at crosswalks. (Less than Significant)**

The project would generate approximately 256 new pedestrian trips (82 inbound and 174 outbound in the PM peak hour). These new trips would not cause the crosswalk levels of service at the primary intersections adjacent to the proposed project to reach congested conditions and they would continue to operate acceptably at LOS A. Therefore, the project's impact on pedestrian level of service at crosswalks would be less than significant. Improvement Measure B.6 on p. III.B-18, which involves implementing pedestrian-scale lighting around the Hastings campus and adopting appropriate recommendations from the Tenderloin Transportation Study, would improve pedestrian conditions in the area.

### **Loading**

**Impact B.7: The project would increase demand for commercial loading spaces in the project area, by about one space or less. (Less than Significant)**

The retail and storage components of the proposed project would generate demand for loading spaces. However, the peak demand for loading spaces, based on a standard demand factor, would be less than one space and would likely be accommodated by surrounding on-street commercial parking spaces. Improvement Measure B.8 would further reduce potential loading impacts.

### **Construction**

**Impact B.8: Project construction could cause temporary traffic and transit interruptions and increase parking demand in the vicinity. (Less than Significant)**

#### Construction Traffic

Construction-related trips would result from truck activity to and from the site, and from workers' vehicles arriving and departing from the project vicinity. The construction period is anticipated to take approximately 16 to 18 months, and construction would be completed in late 2007 or early 2008. Soil excavation would take approximately two and one-half months (54 weekdays) to remove approximately 8,200 cubic yards of soil, or approximately 150 cubic yards removed from the site per day. Assuming a capacity of 15 cubic yards per truck, up to 10 truck trips per day are estimated to travel to and from the site during the excavation stages, or approximately four to five truck trips

during the PM peak-hour. Fewer truck trips would occur during the remainder of the construction stages. Up to 50 construction workers would be at the construction site at any one time, generating approximately 12 trips during the PM peak-hour.

During project construction, construction-related traffic would affect the capacities of local streets due to the slower movement of and larger turning radii of trucks compared to passenger vehicles. Potential lane blockage and transit interruptions could occur on Golden Gate Avenue, McAllister Street, Larkin Street, and Hyde Street during the PM peak hour. While traffic and transit interruptions could occur, the estimated two to three truck trips in the PM peak hour would not substantially disrupt peak hour traffic or transit patterns in the project vicinity. Moreover, these effects would be temporary, lasting the duration of the construction period.

#### Parking during Construction

Parking demand in the vicinity could increase temporarily when current parking users would be displaced, and as a result of construction workers' vehicles. The removal of the existing parking facility, which can accommodate up to 200 vehicles with valet parking, would temporarily create additional parking demand at other nearby facilities. As stated above, other facilities are essentially fully occupied. Therefore, the temporary closure of the existing parking facility could cause drivers to experience increased difficulty finding parking and/or a shift in travel mode whereby some drivers would switch to other modes to avoid difficulty finding parking.

In addition to potential increased demand at other facilities due to displaced existing parking users, construction workers would likely park in available on-street spaces, on the project site when possible, or in local garages. Parking shortfalls are not regarded a significant impact because it does not constitute a physical environmental effect as defined by the California Public Resources Code Section 21060.5.

Parking deficits may be associated with secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality, or noise effects caused by congestion. However, in San Francisco and other major urban centers, 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 may induce drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits.

Thus, a parking shortage is not considered to be a permanent condition and is also not considered to be a physical environmental impact even though it is understood to be a short-term inconvenience to drivers. Therefore, an increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not itself be considered a significant environmental effect under CEQA. In the absence of such physical environmental impacts, CEQA does not require environmental documents to propose mitigation measures solely because a project is expected to generate parking shortfalls. Therefore, any effect of the increased parking demand in the area due to construction activity for the proposed project would be less than significant.

#### Pedestrian Impacts

Pedestrian travel would be accommodated on both sides of all streets surrounding the project site during the construction period through the use of sidewalk canopies, barriers, or other methods to allow unrestricted pedestrian flow around the construction site.

Because the construction period impacts would be minimal, temporary, and short-term, these impacts are considered less than significant.

#### **IMPROVEMENT MEASURES**

No potentially-significant or significant impacts were identified; consequently, no mitigation measures are required. However, the following Improving Measures are suggested:

**B.4: Potential vehicular sight distance conflicts could occur due to vehicles parked on the street. This is not a significant impact and no mitigation measures are required. However, the following Improvement Measures would improve site access and sight distances at the project driveway:**

- Eliminate two to three on-street parking spaces south of the Larkin Street driveway.
- Coordinate with the San Francisco Department of Parking and Traffic to repaint the curb red (No Parking Zone).

## **Pedestrian**

**B.6: The addition of pedestrian traffic generated by the proposed project would not result in a significant impact to the adjacent sidewalks or crosswalks. As a result, no mitigation measures are required. However, the following Improvement Measures would lessen potential pedestrian-related impacts:**

- Implementation of pedestrian-scale lighting around the Hastings campus resulting from a lighting study currently underway by Hastings would be a benefit to all pedestrians in the area, including the Hastings campus and the community.
- There is a community-based transportation plan currently underway in the Tenderloin/Little Saigon neighborhood. Although specific recommendations from this study have not yet been developed, the overall goals of the plan are to improve pedestrian, transit, bicycle, and streetscape conditions in the area. Construction of pedestrian and streetscape improvements around the Hastings campus, with amenities such as bulbouts and widened sidewalks that are consistent with these goals would also benefit the Hastings campus and the entire community. The specific improvements recommended should be subject to the recommendations of the neighborhood transportation plan and approval by the City.

## **Loading**

**B.7: The relatively low peak loading space demand associated with the proposed project would have a less than significant impact. As a result, no mitigation measures are required. However, the following Improvement Measure would lessen potential loading-related impacts:**

- Coordinate with San Francisco Department of Parking and Traffic (DPT) to provide a commercial loading space on Golden Gate Avenue, adjacent to the entrance to the project storage access.

## **Construction**

**B.8: The proposed project would not have a significant adverse construction-related impact. As a result, no mitigation measures are required. However, the following Improvement Measures would lessen potential construction-related impacts:**

- To the extent feasible, limit truck movements to the hours of 9:00 a.m. to 4:00 p.m. to avoid conflicts with peak-hour traffic flow. To avoid a decrease in street capacity, avoid lane closures during peak periods between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
- Coordinate with Muni and other transit operators to ensure that construction activities do not impact transit routes in the project area.
- Provide pedestrian barricades or place signs to direct pedestrians to safe walkway areas within the project area.

## CUMULATIVE IMPACTS

As noted in the Introduction, the cumulative analysis in this SEIR examines both a short-term cumulative condition that considers two potential options for build-out of the development pad and a long-term cumulative condition that considers the potential combined impacts of the project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

### SHORT-TERM CUMULATIVE

The proposed development pad included as part of the proposed project is expected to be developed in the short term, and potential build-out of the development pad is thus considered a foreseeable future project subject to cumulative impact analysis under CEQA. Two potential options have been developed for analysis: Option A would include construction of a community recreational facility, and Option B would include a Hastings-initiated student housing/mixed-use facility. For the purposes of this study, the community recreational facility is analyzed because it would generate the higher number of trips during the PM peak hour, compared to a student housing/mixed-use facility. Table 8 on p. III.B-20 summarizes the trip generation for the cumulative year traffic conditions with the project and the development of Option A or Option B. Thus any impacts associated with Option B are covered by the analysis for Option A.

Table 9 on p. III.B-21 illustrates that through 2009, the project area is expected to experience a net decrease in parking supply, even with the proposed project. By 2010, with the expected implementation of the *Mid-Market Redevelopment Plan* and other plans, parking supply would increase in proportion with the expected increases in parking demand associated with new development. Thus future conditions would not create a net increase in parking supply in the vicinity beyond projected increases in demand. This suggests that the proposed project would not likely increase traffic volumes in the area in the long term, but would rather move those trips from existing garages that are likely to be removed. However, to ensure that a worst-case scenario was evaluated, this analysis assumes that under long-term cumulative conditions parking would be scarcer than today, and the proposed project would still contribute to traffic volume increases.

**TABLE 8**  
**TRIP GENERATION BY MODE: SHORT-TERM CUMULATIVE PLUS PROJECT**

Project Component	Daily Person Trips by Mode				PM Peak Hour Person Trips by Mode				Vehicle Trips	
	Auto/ <sup>a/</sup>	Transit	Walk	Other	Auto/ <sup>a/</sup>	Transit	Walk	Other	Daily	PM
Parking Garage	1,290	0	0	0	129	0	0	0	970	97
Retail	403	239	605	163	36	22	54	15	235	22
<b>Total (Project)</b>	<b>1,693</b>	<b>239</b>	<b>605</b>	<b>163</b>	<b>165</b>	<b>22</b>	<b>54</b>	<b>15</b>	<b>1,205</b>	<b>119</b>
Community Recreational Facility	1,106	901	914	157	116	95	96	17	602	64
<b>Total (Option A)</b>	<b>2,799</b>	<b>1,140</b>	<b>1,519</b>	<b>320</b>	<b>281</b>	<b>116</b>	<b>150</b>	<b>31</b>	<b>1,807</b>	<b>183</b>
Mixed-Use/ <sup>b/</sup>	829	627	980	225	91	73	100	22	497	56
<b>Total (Option B)</b>	<b>2,522</b>	<b>866</b>	<b>1,585</b>	<b>388</b>	<b>256</b>	<b>95</b>	<b>154</b>	<b>37</b>	<b>1,702</b>	<b>175</b>

*Notes:*

/a/ Includes persons that use carpool (rideshare).

/b/ Does not include 10 gs. conference/meeting room component.

*Source:* Fehr & Peers, 2006.

## Traffic

**Short-term Cumulative Impact B.1:** The proposed project plus Option A would contribute to short-term cumulative traffic conditions in the project area; all study intersections would continue to operate acceptably at LOS D or better. (Less than Significant)

As shown in Table 10 on p. III.B-22, under short-term cumulative plus project conditions all study intersections would continue to operate acceptably at LOS D or better. A comparison to existing plus project conditions (see Table 7 on p. III.B-12) shows that the levels of service at the intersections of Golden Gate Avenue / Larkin Street would deteriorate from LOS A to B. All other intersections would operate at the same LOS as existing plus project conditions.

Therefore, under the short-term cumulative plus project conditions scenario, the impact on traffic in the project area would be less than significant.

TABLE 9  
PARKING SUPPLY AND DEMAND

Year	Project	Supply	Net Change	Demand	Net Change
	Existing Conditions	3773		3312	
2002	Federal Office Bldg./a/	3373	-400	3617	305
	Lines Ballet Studio/Dance	3373	0	3887	25
2003	Hastings Parking Garage	3648	275	3913	26
	Asian Art Museum/b/	3648	0	4148	235
2004		3648	0	4189	1 % increase
2005		3648	0	4231	1 % increase
2006	Central Fwy. R/W Parcels/c/ /d/	3111	-537	4274	1 % increase
	Octavia Blvd Residential	3111	0	4316	1 % increase
2007		3111	0	4360	1 % increase
2008		3111	0	4403	1 % increase
2009		3111	0	4447	1 % increase
2010	Mid-Market Redevelopment/e/	3859	748	4927	480
	Percent Occupancy	121%			

Notes:

- /a/ United States General Services Administration, San Francisco Federal Building, City and County of San Francisco, Draft EIR/EIS, April 11, 1996.
- /b/ Asian Art Museum Draft Supplemental EIR, July 18, 1998 (SF Planning Dept).
- /c/ Better Neighborhoods 2002 Civic Center Parking Analysis Recommendations, July 2001 (Nelson/Nygaard).
- /d/ An additional 543 spaces may be removed as a result of other future developments (Market & Octavia Neighborhood Plan EIR, June 2005).
- /e/ Mid-Market and South of Market Redevelopment Area Transportation Study, December 13, 2001 (CHS).

Source: Fehr & Peers, 2006.

### Driveway and On-Site Circulation

Build-out of the development pad anticipated under short-term cumulative conditions is not expected to have additional driveways or on-site vehicular circulation. Therefore, no additional impacts to driveways and on-site circulation would be expected under short-term cumulative conditions.

**TABLE 10**  
**INTERSECTION LEVELS OF SERVICE**  
**SHORT-TERM CUMULATIVE PLUS PROJECT**  
**(WITH OPTION A) CONDITIONS**

Intersection	Control	Existing Plus Project		Short-Term Cumulative Plus Project <sup>d/</sup>	
		Average Delay <sup>a/</sup>	LOS	Average Delay	LOS
Golden Gate Avenue / Van Ness Avenue <sup>b/</sup>	Signal	11.4	B	11.4	B
Golden Gate Avenue / Larkin Street	Signal	6.6	A	7.2	B
Golden Gate Avenue / Hyde Street	Signal	7.2	A	8.7	A
McAllister Street / Van Ness Avenue <sup>b/</sup>	Signal	21.5	C	22.1	C
McAllister Street / Larkin Street	Signal	16.2	B	16.4	B
McAllister Street / Leavenworth Street	Signal	8.1	A	8.1	A
Market Street / 9 <sup>th</sup> Street / Larkin Street	Signal	18.4	B	18.4	B
Market Street / 8 <sup>th</sup> Street / Hyde Street <sup>c/</sup>	Signal	17.8	B	19.5	B
Market Street / 7 <sup>th</sup> Street	Signal	14.4	B	14.7	B
Market Street / 6 <sup>th</sup> Street / Taylor Street	Signal	17.6	B	17.5	B

*Notes:*

- <sup>a/</sup> Represents the average control delay in seconds/vehicle for signalized intersections.
- <sup>b/</sup> Due to congestion along the entire Van Ness Avenue corridor during peak periods, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F
- <sup>c/</sup> Due to congestion along southbound Hyde Street, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F
- <sup>d/</sup> Short-term cumulative plus project includes existing traffic, traffic from the proposed project, and traffic associated with Option A.

*Source:* Fehr & Peers, 2006.

### Transit

**Short-term Cumulative Impact B.2:** The proposed project plus Option A would not substantially affect transit load factors and would not add enough traffic to disrupt transit operations on Larkin Street. (Less than Significant)

As with existing-plus-project conditions, the proposed project (retail component) plus short-term cumulative conditions would not generate a significant amount of additional transit riders.

During PM peak hours, the project plus the community recreational facility would not generate a substantial number of trips to add enough traffic to disrupt transit operations on Larkin Street. Therefore, short-term cumulative impacts to transit would be less than significant.

### Pedestrian

**Short-term Cumulative Impact B.3:** The addition of project-related pedestrian traffic and pedestrian traffic associated with Option A would increase pedestrian volumes in the area. However, pedestrian facilities would still be expected to operate at acceptable levels and no mitigation measures would be required. (Less than Significant)

Pedestrian volumes under the short-term cumulative scenario during the PM peak hour are expected to be approximately 324 trips higher than existing plus project conditions. Since project area crosswalks would be expected to operate at LOS A under existing plus project conditions, this 324 trip increase is not expected to deteriorate pedestrian conditions substantially. Therefore, the short-term cumulative conditions would be expected to have a less-than-significant impact to pedestrian circulation.

### Loading

**Short-term Cumulative Impact B.4:** The potential development on the proposed development pad would have separate loading areas from the proposed project and the use of one would not be expected to interfere with the use of the other. (Less than Significant)

Under short-term cumulative conditions, assuming construction of the community recreational facility, it is likely that the majority of deliveries to the community recreational facility would occur at service access and loading docks which would be reached from Breen Place, a one-way alley accessed from McAllister Street to the south of the project site. The alley is currently 17 feet wide and surrounded on its east and west sides by existing multi-family residential buildings. There are currently vehicles that use this alley to access the adjacent multi-family residential buildings; however

the addition of the community recreational facility could increase the amount of vehicles that use the alley. Heavy vehicles such as trash trucks would have to stop in the middle of McAllister Street, reverse into the alley, and block traffic for a short period of time. The potential impacts associated with build-out of the development pad would be evaluated at such time that a specific project were proposed.

However, because build-out of the development pad would likely have its loading dock at a different location than the proposed project, the short-term cumulative effects of both the proposed project and the community recreational facility are less than significant.

### **Construction**

Build-out of the proposed building pad and construction of the proposed project would be expected to occur at different times. Therefore, the short-term cumulative impacts associated with construction activity are expected to be less than significant.

### **MITIGATION AND IMPROVEMENT MEASURES**

There are no significant short-term cumulative impacts identified and no additional mitigation measures are required.

### **LONG-TERM CUMULATIVE**

In addition to development of the proposed project and build-out of the proposed development pad, as examined in the short-term cumulative conditions analysis described above, a long-term cumulative conditions analysis was performed to assess the potential transportation-related impacts associated with development for the horizon year 2025. Year 2025 traffic volumes were forecasted by applying a one percent annual growth factor in addition to project-related traffic and traffic associated with potential build-out on the development pad.

## Traffic

**Long-term Cumulative Impact B.1: The proposed project plus build-out of the development pad would contribute to long-term cumulative traffic conditions in the project area; all study intersections would continue to operate acceptably at LOS D or better. (Less than Significant)**

As shown in Table 11 on p. III.B-26, under long-term cumulative plus project conditions all study intersections would continue to operate acceptably at LOS D or better. A comparison to existing plus project conditions (see Table 7 on p. III.B-12) shows that the levels of service at the intersections of Golden Gate Avenue/Hyde Street would deteriorate from LOS A to B. Market Street/9<sup>th</sup> Street/Larkin Street would deteriorate from LOS B to LOS C. Market Street/8<sup>th</sup> Street/Hyde Street and Market Street/6<sup>th</sup> Street/Taylor Street would deteriorate from LOS B to LOS D. All other intersections would operate at the same LOS as existing plus project conditions.

Therefore, under the long-term cumulative plus project conditions scenario, the impact on traffic in the project area would be less than significant.

## Driveway and On-site Circulation

The proposed project driveways and on-site circulation system would not be expected to contribute to long-term cumulative impacts.

## Transit

**Long-term Cumulative Impact B.2: The proposed project would not substantially affect transit load factors and would not add enough traffic to disrupt transit operations on Larkin Street. (Less than Significant)**

As with existing-plus-project conditions, the proposed project (retail component) would not contribute a significant amount of additional transit riders. Although transit demand would likely increase by year 2025 such that additional capacity is required, the relatively small amount of usage expected as a result of the proposed project is considered less than significant.

**TABLE 11**  
**INTERSECTION LEVELS OF SERVICE**  
**LONG-TERM (YEAR 2025) CUMULATIVE PLUS PROJECT**  
**(WITH OPTION A) CONDITIONS**

Intersection	Control	Existing Plus Project		Long-Term Cumulative Plus Project <sup>d/</sup>	
		Average Delay <sup>a/</sup>	LOS	Average Delay	LOS
Golden Gate Avenue / Van Ness Avenue <sup>b/</sup>	Signal	11.4	B	12.9	B
Golden Gate Avenue / Larkin Street	Signal	6.6	A	8.7	A
Golden Gate Avenue / Hyde Street	Signal	7.2	A	12.4	B
McAllister Street / Van Ness Avenue <sup>b/</sup>	Signal	21.5	C	23.6	C
McAllister Street / Larkin Street	Signal	16.2	B	17.2	B
McAllister Street / Leavenworth Street	Signal	8.1	A	7.8	A
Market Street / 9 <sup>th</sup> Street / Larkin Street	Signal	18.4	B	21.3	C
Market Street / 8 <sup>th</sup> Street / Hyde Street <sup>c/</sup>	Signal	17.8	B	40.3	D
Market Street / 7 <sup>th</sup> Street	Signal	14.4	B	15.7	B
Market Street / 6 <sup>th</sup> Street / Taylor Street	Signal	17.6	B	38.8	D

*Notes:*

- <sup>a/</sup> Represents the average control delay in seconds/vehicle for signalized intersections.
- <sup>b/</sup> Due to congestion along the entire Van Ness Avenue corridor during peak periods, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F
- <sup>c/</sup> Due to congestion along southbound Hyde Street, traffic volumes collected at this location only reflect the number of cars that could travel through the intersection, and may not be indicative of the true demand. Therefore, the LOS at this intersection may be worse than reported. However, observations and engineering judgment suggest that the LOS at these intersections is not LOS E or F and that the project would not cause them to deteriorate to LOS E or F
- <sup>d/</sup> Cumulative plus project includes existing traffic, traffic from the proposed project, traffic from Option A, and a one percent annual increase in traffic to account for background traffic growth.

*Source:* Fehr & Peers, 2006.

### **Pedestrian**

Long-term Cumulative Impact B.3: The addition of project-related pedestrian traffic and pedestrian traffic associated with long-term cumulative development would increase pedestrian volumes in the area. However, study pedestrian facilities would still be expected to operate at acceptable levels and no mitigation measures are required.

### **Loading**

The proposed project loading areas would not be expected to contribute to long-term cumulative impacts.

### **Construction**

The proposed project's construction schedule would expect completion by early 2008. Therefore, project-related construction activities would not be expected to contribute to long-term cumulative construction impacts.

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### **NOTES – Transportation and Circulation**

- <sup>1</sup> Fehr & Peers, Inc. *Hastings College of the Law Parking Garage – YMCA Transportation Study*, prepared for EIP Associates, March, 2006.
- <sup>2</sup> Of the approximately 841 off-street spaces currently available on the entire block bounded by Mission and Market Streets and 7<sup>th</sup> and 8<sup>th</sup> Streets, development of the under-construction Federal Office Building removed approximately 400 of spaces, and the under-construction 1160 Mission Street residential building removed about 168 spaces.
- <sup>3</sup> This assumption is reasonable for existing-plus-project conditions, and is based on the fact that downtown San Francisco is a densely built-out area where parking supply is constrained. Other transportation conditions, such as peak-hour capacity on arterials and freeways, constrain potential mode shift from transit to automobiles. Therefore, vehicles using the project garage would primarily be those already using other parking in the vicinity, rather than attracting new vehicles to downtown San Francisco or to the Civic Center Area.
- <sup>4</sup> Fehr & Peers, Inc., Op. Cit.

Page 1 of 1  
Date: 10/10/2019  
Time: 10:10:10  
User: admin  
IP: 192.168.1.1  
Version: 1.0.0  
Status: Success  
Message: Operation completed successfully.

## C. HISTORIC ARCHITECTURAL RESOURCES

This section discusses the historic architectural setting of downtown San Francisco, the San Francisco Civic Center, and the project site. This section also discusses local surveys and ratings, and historic registers and districts as they apply to the proposed project. Finally, this section identifies significant historic/architectural impacts associated with the proposed project, and provides mitigation measures to eliminate or reduce these impacts, if necessary. This section is based on a cultural resources report by Carey & Company completed in November, 2001.<sup>1</sup>

As discussed in the 2002 *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final EIR* (FEIR), development on the project site would not pose significant adverse effects on archeological resources; therefore, impacts on archaeological resources are not evaluated in this SEIR.

### SETTING

#### DOWNTOWN SAN FRANCISCO

San Francisco experienced a series of construction booms during the 19<sup>th</sup> century, one during the Gold Rush of 1849 and another at the completion of the transcontinental railroad 20 years later. At the time of the 1906 earthquake and fire, the City was among the largest in the country. The post-1906 reconstruction effort, like the two periods of 19<sup>th</sup> century development, occurred very rapidly. Land and business owners, afraid that San Francisco would fall behind other California cities, disregarded a grand plan that had been created a few years earlier and rebuilt along the same street grid and with the same usage pattern as before the earthquake and fire.<sup>2</sup> This continued until the beginning of the Depression, resulting in an entire downtown of visually and conceptually similar buildings. This period also corresponded with the influential early Modern movement developing in Europe and focusing on the urban condition. The construction of skyscrapers and large governmental buildings since the end of World War II has required the demolition of a number of early 20<sup>th</sup> century structures. Despite these changes, however, much of downtown San Francisco continues to display its early 20<sup>th</sup> century character.

## SAN FRANCISCO CIVIC CENTER

As early as 1870, the land on which the San Francisco Civic Center now stands was designated as a City Hall Reservation. The buildings of that era are no longer extant but the effort to make a cohesive civic center has remained constant. The San Francisco Civic Center as it stands today exemplifies the “City Beautiful” movement. The City Beautiful movement emphasized “formal plan and composition of monumental scale, neo-classical style buildings fronting plazas, boulevards and grand public gathering spaces.”<sup>3</sup> This movement is associated with the 1893 World Columbian Exposition in Chicago. Many cities throughout the United States were inspired by the City Beautiful movement, but only Cleveland and San Francisco implemented permanent City Beautiful plans for civic campuses. San Francisco was able to complete most of its intended design. The original proposal is still the guideline for the Civic Center today.

The Civic Center is characterized by individual monumental buildings organized around a central green plaza. The cohesiveness of the area stems from the color palette, scale, and decorative details that are repeated throughout. The circulation paths create large-scale view corridors between the monumental cultural and governmental landmarks. As a whole, the Civic Center is a direct link to a larger civic vision and is an important part of the identity of the City of San Francisco.

## PROJECT SITE

The block bounded by Golden Gate Avenue, Larkin Street, McAllister Street, and Hyde Street was primarily undeveloped until the early 1890s, after which the block contained small residences and a few larger business establishments.<sup>4</sup> During this period, the project site contained a large saloon on the corner of Golden Gate Avenue and Larkin Street, surrounded by a carpet cleaner, a French laundry, a horse stable, and a carriage manufacturer. The entire block was destroyed in the earthquake and fire of 1906. Post-earthquake reconstruction on the block was predominately industrial mixed with drinking establishments. A 1913 Sanborn Insurance Company map indicates that a large saloon was rebuilt at the corner of Golden Gate Avenue and Larkin Street, surrounded by a painting business, an auto repair shop, a carpenter shop, and other smaller saloons. This is consistent with buildings in the surrounding area, which were rebuilt after the earthquake and fire of 1906. Between 1913 and 1948, the site contained four one- to three-story structures along Golden Gate Avenue, as well as vacant lots at the corner of Golden Gate Avenue and Larkin Street where

the saloon had once stood. These four buildings were not considered historically significant.<sup>5</sup> They have since been demolished and the entire area is currently used as surface parking.

## SURVEYS AND RATINGS

The project site has been included in two major architectural surveys. The San Francisco Department of City Planning (DCP) conducted a citywide visual inventory of architecturally significant buildings in 1976. Approximately 10 percent of the City's entire stock of buildings was awarded a rating for architectural merit ranging from "5" (highest overall significance) to "0" (contextually significant). The second major architectural survey was conducted by the Foundation for San Francisco's Architectural Heritage (Heritage) in the mid-1980s. Patterned after Heritage's 1979 survey of downtown San Francisco (published as *Splendid Survivors*), the organization systematically awarded buildings letter codes ranging from "A" (highest) to "D" (minor to no significance). Because the project site contains no buildings or other structures, neither of these ratings systems apply to the site itself; however, several buildings nearby, including City Hall and other Civic Center buildings, were noted as buildings with high architectural merit.

## HISTORIC PRESERVATION POLICIES

### HISTORIC REGISTERS

#### National Register of Historic Places

The National Register of Historic Places (NRHP) is the official federal list of historic resources that have architectural, historic, or cultural significance at the national, state, or local level. The NRHP is administered by the National Park Service, an Agency of the Department of the Interior. Listing of a property on the NRHP does not prohibit demolition or alteration of that property, but does denote that the property is a resource worthy of recognition and protection. According to the California Office of Historic Preservation Resources Database, the individual project site is not eligible for the NRHP. However, the project site is 50 feet from buildings that are eligible for the NRHP.

### **California Register of Historic Resources**

The California Office of Historic Preservation administers and maintains the California Register of Historic Resources (CRHR).<sup>6</sup> The project site is not listed on the CRHR, although the project site is within 50 feet of CRHR-registered historic resources.

### **HISTORIC DISTRICTS**

San Francisco's Civic Center area contains three overlapping designated historic districts: the San Francisco Civic Center National Historic Landmark District; the San Francisco Civic Center National Register Historic District; and the City-designated Civic Center Historic District (see Figure 11 in the FEIR, p. III-45). While the Hastings project site is not a direct contributor to any historic district, but is immediately north of the three Civic Center historic districts which encompass the area's monumental City Beautiful buildings. The boundary lines of these districts are almost identical, with the south side of the first three blocks of McAllister Street (starting at the intersection of McAllister and Leavenworth Streets heading west, and immediately across from the project site) and the west side of the third block of Larkin Street (immediately across from the project site) included in all three districts. The project site is approximately 50 feet north of the various historic district boundaries.

#### **San Francisco Civic Center National Historic Landmark District**

Properties achieve National Historic Landmark or Landmark District status only if they are exceptionally significant to the history of the United States. Landmark and Landmark District nomination criteria require a much higher degree of relevance and integrity than the NRHP, with only approximately three percent of NRHP properties qualifying for this elevated status. The boundaries of this district are the most limited of the three.

#### **San Francisco Civic Center National Register Historic District**

A group of significant resources located within coherent geographic boundaries and displaying a set of common features may be listed together on the NRHP as contributors to a historic district. Similar buildings which are individually listed and contributors to a historic district are also considered listed on the CRHR.

### **Civic Center Historic District**

Appendix J to Article 10 of the *San Francisco Planning Code* designates “a number of structures having a special character and special historical, architectural and aesthetic interest and value” in the Civic Center area as the Civic Center Historic District (Art. 10, App. J, Sec. 1). The boundaries of this district are the most inclusive of the three.

### **SAN FRANCISCO PLANNING CODE**

Article 11 of the *San Francisco Planning Code* identifies buildings in the C-3 Districts (generally, Downtown) that have “special architectural, historical, and aesthetic value” and “contribute substantially to San Francisco’s reputation throughout the United States as a City of outstanding beauty and physical harmony.” (Sec. 1101 (a)) Each building on the Article 11 list is given a rating corresponding to the Category I through V system established in the Downtown Plan, an area plan of the *San Francisco General Plan*. Category I and II buildings are identified as Significant Buildings and, in general, may not be demolished unless it can be demonstrated that they have no substantial market value or reasonable use, after taking into account costs of rehabilitation and any development rights transferred to another site. Category III and IV buildings are identified as Contributory Buildings, and their retention is encouraged, but not required. Category V buildings are Unrated and are not included on the Article 11 list. The Category I through V ratings are based in part on the surveys conducted by Heritage discussed above. As previously noted, the ratings do not pertain to the project site as no structures or buildings with potentially historic value are on-site.

In addition to protecting buildings and structures, Article 11 also protects historic districts. The project site is adjacent to the Civic Center Historic District; however, as it is outside the boundaries of the district, the design guidelines for the Civic Center Historic District would not pertain to the proposed project even if it were not a state project.

### **DEED RESTRICTIONS**

There are no deed restrictions operating within the project site, and therefore no consultation with the State Historic Preservation officer is required of Hastings.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

Based on the CEQA Guidelines, a project would have a significant effect on historic resources if it would substantially disrupt or adversely affect a property of historic significance such that:

- it would materially impair the resource or its immediate surroundings as a result of physical demolition, destruction, relocation, or alteration (CEQA Guidelines, Section 15064.5(b)(1); or
- it would demolish or materially alter in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources [CEQA Guidelines, Section 15064.5(b)(2)(A)].

### IMPACTS

**Impact C.1: The proposed project would have no direct impact on historic architectural resources. (No Impact)**

The proposed project would have no direct impact on historic architectural resources because no historic buildings are located on the existing parking lot site.

**Impact C.2: The proposed project's scale, height, and mass would not adversely affect the character of the immediate surroundings of the adjacent Civic Center historic districts. (Less than Significant)**

The proposed parking garage structure would be approximately 50 feet north from the boundaries of the three Civic Center historic districts. The proposed project would be visible from the historic districts, discussed in Section III.D, Visual Resources, and as a result, could alter the immediate surroundings of the historic districts. However, the proposed project would be bordered by structures of similar or greater height, scale, and mass, which are both within and outside of historic districts. To the north, across Golden Gate Avenue, is a five-story apartment building; to the northwest is the Phillip Burton Federal Building, a 300-foot-tall structure; and to the south are five- and six-story apartment buildings. None of those structures are within historic districts. To the immediate west is the State Office Building, completed in 1998, which is connected to the six-story California State Building to the southwest of the project site. Both of these buildings are within the City-designated Civic Center Historic District. The height, scale, and mass of the buildings within

and adjacent to the Civic Center Historic District combine to establish a setting in which the character would not be adversely impacted by the proposed project.

**Impact C.3: Construction of the proposed project would have the potential to damage the historic Civic Center Power House (320 Larkin Street), a contributory building to all three Civic Center historic districts. (Potentially Significant)**

Historic buildings on the same block as the proposed parking garage include the Civic Center Power House at 320 Larkin Street, approximately 50 feet south of the project site (see Figure 11 in the FEIR, p. III-45). Construction activities associated with the project have the potential for adverse impacts to this historic building, which is listed as contributory to all three Civic Center historic districts. Construction-related effects include vibrations that could disturb the foundation or the 50-foot-tall steel chimney. Although pile driving activities would not be used for the proposed garage construction, other excavation, truck traffic, and construction staging activities would all contribute to vibration levels. Mitigation Measure C.3 would reduce this potentially-significant impact to less than significant.

**MITIGATION MEASURES**

**Mitigation Measure C.3: A qualified structural engineer shall determine threshold levels of vibration and cracking of the Civic Center Power House prior to construction, and if these are met or exceeded during construction monitoring, then construction techniques would be re-evaluated and altered prior to continuation to ensure that vibration levels would not disturb the chimney of the historic Civic Center Power House.**

The Civic Center Power House and other neighboring properties would be monitored during construction of the proposed project. Instrumentation would be installed to measure vibration, monitor cracks, and determine effects to the steel chimney. This mitigation measure would be completed by a qualified structural engineer with a minimum of five years prior experience with historic structures listed in the National Register of Historic Places. Employing this mitigation measure would avoid significant impacts caused by vibration. While some cracking to finish materials could still occur, this should be limited to superficial, easily repairable damage.

Significance after Mitigation C.3: Less than Significant.

## CUMULATIVE IMPACTS

As noted in the Introduction, the cumulative analysis in this SEIR examines both a short-term cumulative condition that considers the combined impacts of the proposed project with two potential options for build-out of the development pad and a long-term cumulative condition that considers the potential combined impacts of the parking garage project, build out of the development pad, and other cumulative development anticipated to occur in the project area. Construction impacts, which are often discussed as short-term impacts, are discussed as long-term cumulative impacts in terms of historic resources because construction has the potential to result in permanent alteration or damage to historic resources. The proposed development pad that is included as part of the proposed project is expected to be developed in the short-term, and is thus considered a foreseeable future project subject to cumulative impact analysis under CEQA. Two potential development options (Option A and Option B) have been developed for possible construction on the proposed development pad that would be built on Lots 14, 15, and part of Lot 13. Option A would include construction of a community recreational facility, and Option B would include a Hastings-initiated student housing/mixed-use facility.

### SHORT-TERM CUMULATIVE

#### **Community Recreational Facility (Option A)**

Option A would allow for development of a community recreational facility on the proposed development pad. The community recreational facility building would not substantially exceed the height of the parking garage and would be set back from the sidewalk at a comparable distance. The development pad on the easterly end of the project site would generally not be visible from locations within the Civic Center historic districts. It would be expected that the façade would be designed to blend into the existing setting to the greatest extent possible and would not substantially alter the character of the nearby historic district. In addition, the community recreational facility would be subject to a separate approval process through the City whereby design specifics would be assessed in relation to nearby historic resources. Due to these factors, the short-term cumulative impacts of Option A, in combination with the proposed project, would be less than significant.

### **Student Housing/Mixed-use Facility (Option B)**

The student housing/mixed-use facility would result in a building of similar appearance, height, and bulk to the community recreational facility. Construction methods would not be significantly different. Short-term cumulative impacts to historic resources from the proposed project combined with Option B would therefore be comparable to impacts that would be expected under Option A. The short-term cumulative impacts of Option B plus the proposed project in terms of historic resources would be less than significant.

### **LONG-TERM CUMULATIVE**

The geographic context for cumulative impacts to historic architectural resources is one block beyond the boundary of the most inclusive of the Civic Center historic districts, the City-designated Civic Center Historic District. The Civic Center area is mostly built-out, with no vacant and developable parcels remaining within the district, and few on the edge of the district. As noted above, the proposed project, in conjunction with either build-out option for the development pad, would have no direct impact on historic architectural resources because no historic buildings are located on the existing parking lot site. The only potential long-term impact to historic resources in the nearby Civic Center Historic District would be from vibration caused by pile driving used in renovation or expansion projects. However, no pile driving would be necessary for the proposed parking garage or development pad and vibration is unlikely to occur simultaneously for other future projects. Additionally, these projects would comply with existing historic preservation legislation, requiring consultation with the State Historic Preservation Office (SHPO) and the City, both of which would require mitigation measures to reduce construction-related effects to less-than-significant levels.

As a result, the proposed project, and the proposed project in combination with future build-out of the development pad (with mitigation for potential vibration), would have no significant impacts to historic resources and thus would not contribute to any long-term cumulative impacts.

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### **NOTES – Historic Architectural Resources**

<sup>1</sup> Carey & Co. Cultural Resources Report for Hastings College of the Law Proposed Parking Garage and Residential Upgrade Projects. San Francisco, CA. November, 2001.

III. Environmental Setting and Impacts  
C. Historic Architectural Resources

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- <sup>2</sup> Michael Corbett, *Splendid Survivors* (San Francisco: The Foundation for San Francisco's Architectural Heritage, 1979) 23.
- <sup>3</sup> "Preservation of Historical Architectural and Aesthetic Landmarks," *City and County of San Francisco Municipal Code*, Planning Code, Volume II, Article 10, Appendix J. Section 5, p. 670.
- <sup>4</sup> Archeo-Tec, Archival Cultural Resources Evaluation of the Proposed Hastings College of the Law Parking Garage, City and County of San Francisco, California. November, 2001.
- <sup>5</sup> Archeo-Tec, Archival Cultural Resources Evaluation of the Proposed Hastings College of the Law Parking Garage, City and County of San Francisco, California. November, 2001.
- <sup>6</sup> The CRHR includes resources listed in, or formally determined eligible for, the NRHP and California Historic Landmarks from No. 770 onward. The CRHR can also include properties designated under local ordinances or identified through local historic resource surveys.

## D. VISUAL QUALITY

This section reviews the existing visual quality and character of the project site, identifies potentially significant project-related impacts to visual quality, and identifies any measures to reduce or avoid such impacts. The primary sources used to complete this section are the 2002 *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR), site photography, and site visits. The dimensions of the currently proposed project<sup>1</sup> plus future build-out of the development pad would be similar to those of the garage project proposed for the site in 2002.<sup>2</sup> Therefore, this section relies on the FEIR visual simulations (see Appendix B). Those simulations depict a project similar in height and massing to development now proposed for the project site combined with build-out of the proposed development pad. Therefore, the conclusions of visual quality impacts in the 2002 FEIR are the basis of the analysis and conclusions for the currently-proposed project.

### SETTING

#### PROJECT SITE AND VICINITY

The project site is currently occupied by a 155-space surface parking lot owned by Hastings. Buildings adjacent to the project site to the north and east include residential buildings up to five stories (approximately 60 feet) as well as the Hastings Academic Building up to six stories. Residential buildings to the south of the project site range from five to six stories. Views of the project site are shown in Appendix B of this SEIR. Figure 12 on p. III-59 of Appendix B identifies the locations of those views. (Note that page references to the figures use the FEIR page numbers as reproduced in Appendix B.)

The project site is adjacent to the San Francisco Civic Center, which includes a collection of monumental buildings reflecting the Beaux Arts-inspired City Beautiful movement. A number of newer office structures, up to 29 stories, are located in the Civic Center.

A visual resource in the area is the Civic Center Plaza, which occupies a double block about 150 feet south and west of the project site. The plaza, bounded by McAllister, Larkin, Grove, and Polk Streets, includes rows of flagpoles and pollarded sycamore trees, and grass panels on the north and

south sides. Groups of olive trees flank the lawns to the east and west. Two playgrounds occupy the northeast and southeast corners, respectively, of the plaza.

Civic Center Plaza is visually bounded by major public buildings, including City Hall on the west; Bill Graham Civic Auditorium on the south; the Main Library and the Asian Art Museum on the east; and the California State Office Building on the north. Although it does not front the plaza itself, the 20-story Philip Burton Federal Building at 450 Golden Gate Avenue is prominently visible in views of the Civic Center. All of these buildings are visible from the plaza and from the streets and sidewalks immediately surrounding the plaza itself.

Views from the northeastern edge of the Civic Center Plaza looking north on Larkin Street towards the project site include public buildings in the foreground (the California State Office Building to the north and the Asian Art Museum to the east) and residential buildings beyond that (see viewpoints 4 and 5 on Figure 12 on p. III-59, and Figures 16A and 17A on pp. III-63 and III-64 in Appendix B). The project site currently appears as a gap in the continuous building frontage along the east side of Larkin Street.

Another visual resource in the vicinity is the Phillip Burton Federal Building Plaza on Golden Gate Avenue between Polk and Larkin Streets. The garage site is visible from this plaza (see viewpoint 1 on Figure 12 on p. III-59 and Figure 14A on p. III-61 in Appendix B). The view beyond the project site is of the Hastings Academic Building (on Hyde Street between Golden Gate Avenue and McAllister Street). The upper stories of the Hastings residential tower, at 100 McAllister Street, can be seen beyond the Academic Building. The upper stories of the under-construction, new Federal Office Building at Seventh and Mission Streets are visible to the south. The Phillip Burton Federal Building and the 14-story State Office Building at 455 Golden Gate Avenue are located in the foreground, to the north and south.

The project site is visible looking south on Larkin Street towards the Civic Center. From this vantage point, the Phillip Burton Federal Building and the State Office Building are in the foreground on the west side of the street. The Larkin Street façade of the Asian Art Museum is visible on the east side of Larkin Street beyond a continuous frontage of residential apartment buildings, some with ground-floor retail. A gap in this continuous frontage occurs at the project

site. The north façades of the residential structures to the south of the project site, on McAllister and Larkin Streets, are also visible.

Lighting in the area includes streetlights, interior illumination levels typical of urbanized areas, lighting at the Civic Center Plaza, as well as prominent architectural up-lighting of many public buildings in the Civic Center.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

Because the City and County of San Francisco has its own significance criteria for evaluating visual quality impacts, Hastings has decided to adopt the City's standards. Consistent with the City and County of San Francisco significance criteria, the proposed project would result in significant adverse visual quality impacts if it would:

- Substantially degrade or obstruct scenic views from public areas. For the purpose of this analysis, public views are scenic views from existing parks, plazas, major roadways, or other public areas;
- Substantially degrade the existing visual character or quality of the site and its surroundings and have a substantial negative aesthetic effect; or
- Create a new source of substantial light or glare that would adversely affect daytime or nighttime views or use of the area.

It should be noted that judgments of compatibility in scale, massing, and other design factors are, to some extent, subjective. The impacts discussed below are therefore presented in a descriptive manner, with conclusions of significance based on these criteria.

As discussed above, the dimensions of the currently proposed project combined with future build-out of the development pad would be similar to those of the parking garage in the 2002 FEIR. Therefore, the conclusions of visual quality impacts in the FEIR are the basis of the analysis and the conclusions presented below for the currently proposed project. However, note that the FEIR figures and text depicted and described a parking garage that would have encompassed the entire project site. However, the currently proposed parking garage would only cover about two-thirds of the project site (see Figure 1 in Chapter II on p. II-2). Future build-out of the proposed development pad would cover the remaining one-third of the project site, and the FEIR visual

simulations would be comparable in height and mass to the future conditions at the project site. The project visual analysis and impacts discussed below do not, however, include build-out of the development pad. Visual analysis with build-out of the development pad is discussed under Cumulative Impacts.

## IMPACTS

### **Impact D.1: The proposed project would not substantially degrade or obstruct scenic views from public areas. (Less than Significant)**

For the purpose of this analysis, public views are scenic views from existing parks, plazas, major roadways, or other public areas. The parking structure would be approximately 68 feet tall, measured from the Golden Gate Avenue/Larkin Street corner to the top of the parapet (see elevation Figures 4 and 5 on pp. II-12 and II-13). Mechanical equipment for the elevators would rise up to an additional approximately 24 feet above the top floor level, for a total height of approximately 92 feet at the top of the elevator towers. The garage would be built to the lot lines along Golden Gate Avenue and Larkin Street, with a setback of 14 feet on the southern boundary. A pedestrian walkway would connect the ground floor of the parking garage with the second floor of the Hastings Academic Building along this setback. The eastern side of the parking garage would abut the proposed development pad that would be reserved for future development.

From the northern edge of the Civic Center Plaza at McAllister Street (viewpoint 4 on Figure 12 on p. III-59 and Figure 16B on p. III-63 in Appendix B), the parking garage structure would be visible along the east side of Larkin Street. The new structure would fill a gap in the building frontage along Larkin Street. The horizontal elements of the new structure would be built to the existing streetwall, consistent with adjacent structures on the block and in the vicinity. Views of public buildings and facilities, including Civic Center Plaza, the historic Civic Center Powerhouse, the California State Building, and the State Office Building would be maintained from this vantage point.

From the Civic Center Plaza at Larkin Street near Fulton Street (viewpoint 5 on Figure 12 on p. III-59 and Figure 17B on p. III-64 of Appendix B), the west elevation of the parking structure and the upper level would be visible above the roofline of the existing residential buildings located directly south of the project site, along Larkin and McAllister Streets. The top floor of the parking

structure would be visible above these buildings, as would the mechanical spaces atop the westernmost elevator shaft, extending another approximately 24 feet above the top floor level. Although portions of the project would be visible from the Civic Center Plaza, primary views from this area would be maintained, and project components would not substantially detract from the visual prominence of the larger Beaux Arts style public buildings in the vicinity. The proposed project would be compatible with surrounding development, and it would not block views of, or from, the Civic Center Plaza.

The proposed parking structure would be visible from the Phillip Burton Federal Building Plaza directly across the street (viewpoints 1 and 2 on Figure 12 on p. III-59, and Figures 13B and 14B on pp. III-60 and III-61 of Appendix B). Views would change from a surface parking lot to that of a seven-story development. The horizontal elements of the new structure would be built to the streetwall, and would therefore be consistent with existing adjacent structures to the north and west of the project site. The proposed project would be taller than the surrounding development, but not to a substantial degree. Ground-floor retail uses, visible along the east side of Larkin Street, would be continued with the parking structure, creating visual consistency at the ground-floor, sidewalk level.

Overall, the proposed project would not substantially degrade or obstruct scenic views from public areas.

**Impact D.2: The proposed project would not substantially degrade the existing visual character or quality of the project site and its surroundings and would not have a substantial negative aesthetic effect. (Less than Significant)**

Exterior cladding of the garage would be a combination of plaster, glass, ceramic tile, concrete, metal louvers, and metal window mullions. The design would be compatible with the architectural character of neighboring buildings. The ground floor and second floor would have a base element that would continue the horizontal beltcourses found on adjacent buildings. Extensive glazing would occur along the ground-floor retail uses fronting Golden Gate Avenue and Larkin Street, similar to nearby retail uses. The garage would have architectural elements such as entrance towers and parapets, referring to the design of adjacent buildings. An existing walnut tree just south of the property line in the rear yard of 270 McAllister Street would be retained for visual screening. Additional trees would be planted on the south side of the building to further screen the parking

structure from adjacent residential uses. Street trees would be planted along Golden Gate Avenue and Larkin Street, and landscape trees would be planted along the walkway between the parking garage and the Hastings Academic Building.

Some views of the Federal Building Plaza would be lost with the construction of the proposed project. West-facing views of the plaza from the Hastings Academic Building would be obstructed.

From the intersection of Turk and Larkin Streets (viewpoint 3 on Figure 12 on p. III-59 and Figure 15B on p. III-62 of Appendix B), the parking structure would be visible along the east side of Larkin Street. The new structure would fill a gap in the building frontage along Larkin Street. The horizontal elements of the new structure would be consistent with adjacent structures, to the north and south of the project site. The new structure would be taller, but not to a substantial degree, and would be compatible with adjacent buildings to the north and south.

The existing, north-facing views from the north elevations of the residential buildings immediately south of the project site would be obstructed by the parking garage. The parking garage would be separated from the adjacent properties to the south by a setback of approximately 14 feet. The parking garage would be approximately 57 feet away from 270 McAllister Street, approximately 28 feet away from residential buildings at 250 to 260 McAllister Street, and approximately 16 feet away from 324 Larkin Street. Views of the project site from these buildings would change from a surface parking lot to include the south façade of the parking structure comprised of painted concrete, metal trellises, opaque glass, and louvered window openings at levels two through six. Partial north-facing views of this plaza would also be obstructed by the project from the side elevation of the residential building at 324 Larkin Street. The majority (approximately 84 percent) of the south-facing walls would be enclosed to screen the proposed project from adjacent properties. Additional landscape plantings would be visible in the 14-foot setback on the south side of the garage. Portions of the structure would be visually screened through these landscape plantings. While north-facing views from these residences would be blocked, this change in views from private residences would be typical of conditions that occur in dense urban areas in San Francisco. Therefore, the proposed project would have a less-than-significant impact on the existing visual character and quality of the site.

Views of major public buildings and open spaces from the surrounding uses would be maintained. Some existing views of the Civic Center from the upper floors of the public building at the northwest corner of McAllister Street and Golden Gate Avenue, as well as from the residential building adjacent to this public building, would be obstructed by the proposed structure. Ground-floor retail uses, visible along the east side of Larkin Street, would continue with the parking structure, creating a consistency in visual activity at the sidewalk level. As a result, the proposed project would not have a substantial adverse impact on the visual quality of the surrounding development, nor would it block significant views from these vantage points.

The proposed project would be a noticeable visual change from the existing chain-link fenced surface parking lot. It would fill in a gap in the urban fabric and complete the streetscape in a manner consistent in pattern and scale with the surrounding area. The project's height and bulk would be consistent with applicable City zoning controls for the area (excluding the elevator shaft which would exceed the City height limit by about eight feet). The continuous frontage would be similar to patterns of other public buildings in the Civic Center area occupying block fronts. The proposed garage would contrast with other existing patterns of older buildings on 50- to 75-foot-wide lots, such as nearby residential uses on Larkin Street and Golden Gate Avenue. Overall, the proposed project would be infill in an existing dense, urban area and would not change major views of open space or public buildings from public areas.

Given these circumstances, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial negative aesthetic effect.

**Impact D.3: The proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views or use of the area. (Less than Significant)**

The proposed project would create a new source of light, in the form of internal illumination and safety lighting on all levels, motion-sensor security lighting on the south side setback, light poles on the roof, and headlights from vehicles using the garage. The project would increase the overall lighting levels on the project site, and would be visible from adjacent areas.

The proposed project would use lighting fixtures and elements to limit "spill over" effects on adjacent properties. All lighting would be in the form of down-lighting, directed away from adjacent

uses to eliminate off-site glare. Light-resistant metal louvers and mesh-type screens would be placed within wall openings on the south façade to reduce potential light effects on adjacent residential uses. Headlight glare from vehicles in the garage would be blocked by solid walls that would be higher than the typical level of vehicular headlights. Only minimal lighting necessary for safety purposes would be maintained within the garage between 12:00 p.m. to 6:00 a.m. when the garage would be closed to non-monthly users. Overall, lighting levels would be consistent with lighting found in the immediate area, and typical for lighting levels found in urban areas.

The ground-floor retail uses would use non-reflective glass, thereby avoiding reflected sunlight and reducing potential to create a traffic hazard to motorists or an annoyance to pedestrians on Golden Gate Avenue or Larkin Street. As a result, the proposed project would have a less-than-significant impact related to light and glare.

#### **MITIGATION MEASURES**

No significant adverse effects related to visual quality were identified. Therefore, no mitigation measures are required.

#### **CUMULATIVE IMPACTS**

As noted in the Introduction, the cumulative analysis in this SEIR examines both a short-term cumulative condition that considers the combined impact of the proposed project with two potential options for build-out of the development pad and a long-term cumulative condition that considers the potential combined impacts of the proposed project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

#### **SHORT-TERM CUMULATIVE**

The development pad would be developed as part of the proposed project; therefore, the options for build-out of the development pad are considered foreseeable future projects subject to cumulative impact analysis under CEQA. Two potential development options (Option A and Option B) have been developed for possible construction on the proposed development pad that would be built on Lots 14, 15, and part of Lot 13. Option A would involve construction of a

community recreational facility, and Option B would involve construction of a Hastings-initiated student housing/mixed-use facility.

#### **Community Recreational Facility (Option A)**

The community recreational facility would provide fitness and community space for use by neighborhood residents, office workers, and Hastings students. The community recreational facility building would cover approximately 10,527 sf of the 12,000-sf development pad on four above-ground floors. The top floor would be approximately 80 feet tall, and mechanical equipment for the elevator would rise an additional approximately 16 feet above the roof of the building for a maximum building height of approximately 96 feet. Adjacent uses would be the same as those described above for the proposed project.

#### **IMPACTS**

**Short-term Cumulative Impact D.1: The community recreational facility in combination with the proposed project would not substantially degrade or obstruct scenic views from public areas. (Less than Significant)**

For the purpose of this analysis, public views are scenic views from existing parks, plazas, major roadways, or other public areas. The community recreational facility would be built to the lot line on the Golden Gate Avenue side (north side of the building). It would abut the proposed parking garage on the west and the pedestrian plaza at the second floor of the Hastings Academic Building on the east. The community recreational facility would be separated from the adjacent properties to the south by a setback of approximately 20 feet. A pedestrian walkway would connect the ground floor of the community recreational facility with the second floor of the Hastings Academic Building along this setback.

From the northern edge of the Civic Center Plaza at McAllister Street (viewpoint 4 on Figure 12 on p. III-59 and Figure 16B on p. III-63 of Appendix B), a portion of the top floors of the community recreational facility would be visible to the northeast of the residential structures in the middle of the 200 block of McAllister Street. Views of public buildings and facilities, including Civic Center Plaza, the historic Civic Center Powerhouse, the California State Building, and the State Office Building, would be maintained from this vantage point.

From the Civic Center Plaza at Larkin Street near Fulton Street (viewpoint 5 on Figure 12 on p. III-59 and Figure 17B on p. III-64 in Appendix B) a portion of the top floors of the community recreational facility would be visible above the roofline of the existing residential buildings directly south of the project site, along Larkin and McAllister Streets, as would the mechanical spaces atop the westernmost elevator shaft, extending another 16 feet above the parapet. Although portions of the community recreational facility would be visible from the Civic Center Plaza, primary views from this area would be maintained, and project components would not substantially detract from the visual prominence of the larger Beaux Arts-style public buildings in the vicinity. The community recreational facility would be compatible with surrounding development and would not block views of, or from, the Civic Center Plaza.

The top floor of the community recreational facility would be visible above the proposed parking garage from the Phillip Burton Federal Building Plaza approximately 250 to 300 feet to the west. Views would change from a surface parking lot to a five-story development. The horizontal elements of the new structure would be built to the streetwall, and therefore, would be consistent with adjacent structures to the north and west of the project site. The community recreational facility would be taller than the surrounding development, but not to a substantial degree. Together with the proposed project, it would replace a chain-link fenced, surface parking lot and fill in this visual gap in the urban street environment in a manner consistent with the pattern and scale of the surrounding area.

Therefore, the community recreational facility in combination with the proposed project would not substantially degrade or obstruct scenic views from public areas, and would therefore have a less-than-significant short-term cumulative impact.

**Short-term Cumulative Impact D.2: The community recreational facility in combination with the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial negative aesthetic effect. (Less than Significant)**

The community recreational facility structure would be steel frame over a concrete, spread footing foundation and a concrete basement level. The exterior would be detailed as a metal frame building with extensive glass on the north, east, and south façades. The party walls on the east and west would be concrete or masonry infill shear walls. Curtain wall construction would be used on the

north and south façades. The roof deck would include an extensive green roof and roof garden. The design would be compatible with the architectural character of neighboring buildings.

Some views of the Federal Building Plaza would be lost with the construction of the community recreational facility. West-facing views of the plaza from the Hastings Academic Building would be obstructed.

The viewpoint from the intersection of Turk and Larkin Streets was analyzed in the FEIR. From this intersection (viewpoint 3 on Figure 12 on p. III-59 and Figure 15B on p. III-62 in Appendix B), the community recreational facility structure would not be visible.

The existing, north-facing views from the north elevation of the hotel building immediately south of the project site and the north-east facing view from the residential buildings immediately south-west of the project site would be obstructed by the community recreational facility. The community recreational facility would be separated from the adjacent properties to the south by a setback of approximately 14 feet. Views of the project site from these buildings would change from a surface parking lot to include the south façade of the community recreational facility structure comprised of a metal frame façade with extensive glass. While north-facing views from these properties would be blocked, this change in views from private residences would be typical of conditions that occur in dense urban areas in San Francisco. This would not be considered a significant visual impact.

Views of major public buildings and open spaces from the surrounding uses would be maintained. Ground-floor community service uses, visible along streets in the vicinity, would continue with the community recreational facility, creating a consistency in visual activity at the sidewalk level. As a result, the community recreational facility would not have a substantial adverse impact on the visual quality of the surrounding development, nor would it block significant views from these vantage points.

Short-term cumulative development would maintain views of and from public buildings and open spaces and would not create significant visual impacts. The existing streetscape pattern and scale would be maintained. Therefore, the proposed community recreational facility in combination with the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial negative aesthetic effect in the short-term cumulative context.

**Short-term Cumulative Impact D.3: The community recreational facility in combination with the proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views or use of the area. (Less than Significant)**

The community recreational facility would create a new source of light, in the form of internal illumination and safety lighting on all levels, motion-sensor security lighting on the south side setback, and lighting on the roof in the form of light poles. The community recreational facility would increase the overall lighting levels on the site, and would be visible from adjacent areas.

The community recreational facility would use lighting fixtures and elements to limit “spill over” effects on adjacent properties. All lighting would be in the form of down-lighting, directed away from adjacent uses to eliminate off-site glare. Light-resistant metal louvers and mesh-like screens would be placed within wall openings on the south façade to reduce potential light effects on adjacent residential uses. Only minimal lighting necessary for safety purposes would be maintained within the community recreational facility from 9:30 p.m. to 5:30 a.m. Monday through Friday and 9:00 p.m. to 8:00 a.m. Saturday and Sunday, when the community recreational facility would be closed. Overall, lighting levels would be consistent with lighting in the immediate area, and typical of lighting levels in urban areas.

The community recreational facility would comply with City Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Therefore, mirrored glass would not be used on the building at street level and would not cause glare to affect other properties or motorists or cause annoyance to pedestrians on Golden Gate Avenue or Larkin Street, from reflected sunlight. As a result, development of the community recreational facility in combination with the proposed project would have a less-than-significant short-term cumulative impact on light and glare.

#### **MITIGATION MEASURES**

No significant adverse short-term cumulative effects to visual quality from development of the community recreational facility in combination with the proposed project were identified. Therefore, no mitigation measures are required.

#### **Student Housing/Mixed-use Facility (Option B)**

The Hastings-initiated student housing/mixed-use facility would consist of student housing, student fitness and recreational amenities, neighborhood and student oriented retail space, and

academic/conference space. As described above, the proposed development pad would be approximately 11,745 sf (about 87 feet by 135 feet) fronting on Golden Gate Avenue, of which the student housing/mixed-use facility would cover approximately 10,527 sf (about 87 feet by 121 feet). The roof level would be approximately 76 feet tall, measured from the Golden Gate Avenue sidewalk at the midpoint of the street frontage to the highest roof deck parapet elevation. Mechanical equipment for the elevator would rise an additional approximately 21 feet above the parapet height for a maximum building height of approximately 97 feet.

## IMPACTS

**Short-term Cumulative Impact D.4: The student housing/mixed-use facility in combination with the proposed project would not substantially degrade or obstruct scenic views from public areas. (Less than Significant)**

As stated above, for the purpose of this analysis, public views are scenic views from existing parks, plazas, major roadways, or other public areas. The student housing/mixed-use facility would contain approximately 72,858 gsf on seven levels (one below grade, one at grade (accessed from Golden Gate Avenue), and five levels above grade, plus an accessible roof deck level). The student housing/mixed-use facility would be built to the lot line on the Golden Gate Avenue side (north side of the building). It would abut the proposed parking garage on the west and the pedestrian plaza at the second floor of the Hastings Academic Building on the east. The student housing/mixed-use building would be separated from the adjacent properties to the south by a setback of approximately 14 feet. A pedestrian walkway would connect the ground floor of the student housing/mixed-use building with the second floor of the Hastings Academic Building along this setback.

From the northern edge of the Civic Center Plaza at McAllister Street (viewpoint 4 on Figure 12 on p. III-59 and Figure 16B on p. III-63 of Appendix B) a portion of the top floors of the student housing/mixed-use facility would be visible to the northeast of the residential structures in the middle of the 200 block of McAllister Street. Views of public buildings and facilities, including Civic Center Plaza, the historic Civic Center Powerhouse, the California State Building, and the State Office Building, would be maintained from this vantage point.

From the Civic Center Plaza at Larkin Street near Fulton Street (viewpoint 5 on Figure 12 on p. III-59 and Figure 17B on p. III-64 of Appendix B), a portion of the top floors of the student

housing/mixed-use facility would be visible above the roofline of the existing residential buildings located directly south of the project site, along Larkin and McAllister Streets, as would the mechanical spaces atop the westernmost elevator shaft, extending another 21 feet above the parapet. Although portions of the structure would be visible from the Civic Center Plaza, primary views from this area would be maintained, and project components would not substantially detract from the visual prominence of the larger Beaux Arts-style public buildings in the vicinity. The student housing/mixed-use facility would be compatible with surrounding development and would not block views from the Civic Center Plaza.

The top floor of the student housing/mixed-use facility would be visible above the proposed parking garage from the Phillip Burton Federal Building Plaza approximately 250 to 300 feet to the west. Views would change from a surface parking lot to a five-story development. The horizontal elements of the new structure would be built to the streetwall, and therefore, would be consistent with adjacent structures to the north and west of the project site. The student housing/mixed-use facility would be taller than the surrounding development, but not to a substantial degree. The proposed project and the student housing/mixed-use facility would replace a chain-link fenced surface parking lot and fill in the visual gap in the urban street environment with a development that is consistent with surrounding area.

Short-term cumulative development would maintain views of and from public buildings and open spaces. Therefore, the student housing/mixed-use facility in combination with the proposed project would not substantially degrade or obstruct scenic views from public areas.

**Short-term Cumulative Impact D.5: The student housing/mixed-use facility in combination with the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial negative aesthetic effect. (Less than Significant)**

The student housing/mixed-use facility would be steel frame over a concrete, spread footing foundation and a concrete basement level, and the exterior would be detailed as a metal frame building with extensive glass on the north, east, and south facades.

Fitness facilities would be located at basement level, which would be visible from the Golden Gate Avenue sidewalk by setting back the first floor slab (street level) from the property line. This setback would enhance the visibility of activities in the facility by making fitness and retail functions

visible from the street and sidewalk level. This main level would contain the proposed retail space. The second level would contain academic and conference space for use by Hastings and could be made available to other neighborhood, local business, and/or government groups. The student housing levels would step back from both the north (Golden Gate Avenue) side and from the east (Hastings Academic Building) side thereby maximizing sunlight to the buildings across Golden Gate Avenue and to the Hastings Academic Building plaza. These step backs would permit outdoor terrace areas at each level that would serve as common outdoor space for use by residents on each respective residential level. The step backs would serve to break up the building's façade and add visual interest to street frontage views. The roof level would be approximately 76 feet tall, measured from the Golden Gate Avenue sidewalk at the midpoint of the street frontage to the highest roof deck parapet elevation. Mechanical equipment for the elevator would rise an additional approximately 21 feet above the parapet height for a maximum building height of approximately 97 feet.

Some views of the Federal Building Plaza would be lost with the construction of the student housing/mixed-use structure. West-facing views of the plaza from the Hastings Academic Building would be obstructed.

The viewpoint from the intersection of Turk and Larkin Streets was analyzed in the FEIR. From this intersection (viewpoint 3 on Figure 12 on p. III-59 and Figure 15B on p. III-62 of Appendix B), the student housing/mixed-use facility would not be visible.

The existing, north-facing views from the north elevation of the hotel building immediately south of the project site and the northeast-facing view from the residential buildings immediately southwest of the project site would be obstructed by the student housing/mixed-use facility. The student housing/mixed-use facility would be separated from the adjacent properties to the south by a setback of approximately 14 feet. Views of the project site from these buildings would change from a surface parking lot to include the south façade of the student housing/mixed-use facility structure comprised of a metal frame façade with extensive glass. While north-facing views from these properties would be blocked, this change in views from private residences would be typical of conditions that occur in dense urban areas in San Francisco. This would not be considered a significant visual impact.

Views of major public buildings and open spaces from the surrounding uses would be maintained. Ground-floor retail uses, visible along streets in the vicinity, would continue with the student housing/mixed-use facility, creating a consistency in visual activity at the sidewalk level. As a result, the student housing/mixed-use facility would not have a substantial adverse impact on the visual quality of the surrounding development, nor would it block significant views from these vantage points.

Overall, the proposed student housing/mixed-use facility in combination with the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and would not have a substantial negative aesthetic effect in the short-term cumulative context.

**Short-term Cumulative Impact D.6: The student housing/mixed-use facility in combination with the proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views or use of the area. (Less than Significant)**

The student housing/mixed-use facility would create a new source of light, in the form of internal illumination and safety lighting on all levels, motion-sensor security lighting on the south side setback, and lighting on the roof in the form of light poles. The student housing/mixed-use facility would increase the overall lighting levels on the site, and would be visible from adjacent areas. Overall, lighting levels would be consistent with lighting in the immediate area, and typical of lighting levels in urban areas.

The student housing/mixed-use facility would be expected to comply with City Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Therefore, mirrored glass would not be used at street-level, and the student housing/mixed-use facility would not cause glare to affect other properties or motorists or annoyance to pedestrians on Golden Gate Avenue or Larkin Street, from reflected sunlight. As a result, development of the student housing/mixed-use facility in combination with the proposed project would not cumulatively create a new source of substantial light or glare that would adversely affect day- or nighttime views or use of the area.

## MITIGATION MEASURES

No significant adverse short-term cumulative effects to visual quality from development of the student housing/mixed-use facility in combination with the proposed project were identified. Therefore, no mitigation measures are required.

## LONG-TERM CUMULATIVE

The geographic context for long-term cumulative impacts to visual quality is the Civic Center Plaza and two block radius around the plaza, as well as one block radius around the proposed project block. New development or modifications to existing buildings would continue to occur in the future. These projects could collectively contribute to effects on visual resources within the area.

In addition to the proposed project, five other projects are under review or have been approved within the cumulative geographic area. These include: the four-story addition to the SF Mart building, at 215 feet, at 1355 Market Street, between Ninth and Tenth Streets; the 55 Ninth Street Project, a 159-foot-tall (plus a 39-foot-tall mechanical penthouse) building, which would be adjacent to the State Compensation Insurance Fund building at Ninth Street near Market Street; and the 1177 Market Street Project, a residential, retail, and parking development on the east side of Eighth Street between Market and Mission Streets, up to 28 stories and 240 feet. Approved projects include: 1 Polk Street, a 17-story, 200-foot-tall mixed-use residential development with ground-floor retail; and 77 Van Ness Avenue, an eight-story, 100-foot-tall mixed-use development providing residential, office, and retail space. These projects would alter the visual character of the area by increasing the density of the skyline; however, they would be shorter than the nearby Fox Plaza building, and would be consistent with the trend toward increased building height and density in the Mid-Market area. The proposed project and planned and approved development would be within the existing range of scale and massing in the project area. Furthermore, planned and approved projects under City jurisdiction are subject to City environmental review, zoning controls, and design guidelines. Review and approval of those projects under those controls would be expected to reduce any potential visual quality impacts from those projects to less than significant. The proposed project plus future build-out of the development pad, with either Option A or Option B, was found to have less-than-significant visual quality impacts. Therefore, long-term cumulative impacts to visual quality would be less than significant.

Cumulatively, the proposed project and other proposed and approved projects in the vicinity would not obstruct significant views from surrounding public areas, including the Civic Center Plaza and United Nations Plaza. The proposed project plus future build-out of the development pad was found to have less-than-significant affects on public views and planned and approved projects under City jurisdiction would address project impacts to public views, reducing them to less than significance. Night lighting associated with cumulative development in the project area may increase nighttime ambient lighting levels at individual project sites; however, new light introduction would be similar to lighting on existing buildings and that of urban areas and would not cause cumulatively substantial light or glow that would adversely affect day- or nighttime views of the area.

For these reasons, implementation of the proposed project and build out of the development pad, in combination with other reasonably foreseeable cumulative development in the project vicinity would result in less-than-significant long-term cumulative visual quality impacts.

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NOTES – Visual Quality

- <sup>1</sup> The parking garage component of the now proposed project is actually about one-third smaller than the garage that was proposed in the 2002 FEIR.
- <sup>2</sup> *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report, 2002.*

## E. SHADOW

This section identifies the existing open spaces near the proposed project and discusses potential shadow impacts on any nearby open spaces and other street-level areas. The primary sources used to complete this section are the State of California *San Francisco Civic Center Complex FEIR*, and the 2002 University of California *Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR). The proposed parking garage would be about 12 feet lower in overall height than the project analyzed in the 2002 FEIR and would therefore be within the shadow envelope of the 2002 project (see Figure 22 in the FEIR). While the proposed parking garage would occupy only two-thirds of the project site and would be lower in height than the previously-approved project, the shadow analysis presented in the 2002 FEIR is referred to in this document because it provides “worst-case” effects for the potential shadow impacts of the proposed project.<sup>1</sup> Therefore, this section relies on the FEIR analysis of the larger parking garage project approved in 2002, including its shadow graphics (Figures 18 through 22 on pp. III-73 through III-77 in the FEIR). The conclusions of shadow impacts in the 2002 FEIR are also the basis of the analysis and conclusions for the currently proposed project.

## SETTING

### PROJECT SITE AND VICINITY

Existing public open space in the project vicinity includes Civic Center Plaza, one block southwest of the project site; the War Memorial Court, between the Opera House and the Veterans’ Building in the War Memorial Complex on Van Ness Avenue; and United Nations (UN) Plaza, which extends from Hyde Street to Market Street generally in the Fulton Street right-of-way. The Phillip Burton Federal Building on Golden Gate Avenue between Polk and Larkin Streets includes a plaza that was recently renovated to improve pedestrian access and use. In the project vicinity, Civic Center Plaza and the UN Plaza are under the jurisdiction of the San Francisco Recreation and Park Commission.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

Under *San Francisco Planning Code* Section 295, new construction more than 40 feet in height that would shade property under the jurisdiction of the San Francisco Recreation and Park Commission during the period from one hour after sunrise to one hour before sunset, at any time of the year, cannot be approved unless the City Planning Commission, in consultation with the General Manager of the Recreation and Park Commission, determines that such shade would not have a significant impact on the use of such property. Hastings has decided to adopt the City's standard for evaluating shadow impact. Thus, for the purposes of this analysis, a project would have a significant shadow effect if it would result in new shadow that would substantially affect use of public open space under the jurisdiction of the Recreation and Park Commission during these hours. For purposes of this analysis, projects would also have a significant shadow impact if they would shade other publicly accessible open space or sidewalks to a level that would substantially affect their use.

### IMPACTS

**Impact E.1: The proposed project would add no new shadow on public open space under the jurisdiction of the San Francisco Recreation and Park Commission. (No Impact)**

Final EIR Figure 22 (see page III-77 of the Final EIR) identifies the extent of all shadows at all times of the year without intervening buildings for the previously-approved project. This analysis considers shadows cast by currently-existing structures in the site's vicinity as well as shadows cast by the original project. As shown in Final EIR Figure 22, no new project shadows would be cast on the Civic Center Plaza, the nearest open space under Recreation and Park Commission jurisdiction. Therefore, because the previously-approved project would have no adverse effects on Recreation and Parks Department open space, the smaller proposed project would not have an impact either. The project would also have no adverse effects on UN Plaza and the Fulton Street Mall. Because the proposed project would be 12 feet lower in height than the original project, it would likewise have no shadow impact.

**Impact E.2: The proposed project would add shade to nearby streets and sidewalks, and to the easterly portion of the Federal Building Plaza. Those shown would not adversely affect the use of those areas. (Less than Significant)**

The top floor of the parking garage would step back the parking deck slab by 17 feet by 56.5 feet in length) to reduce the bulk of the structure; this would reduce shadow impacts on nearby residential buildings on the north side of Golden Gate Avenue.

A shadow analysis for the original project was prepared for the hours of 10:00 a.m., 12:00 noon, and 3:00 p.m. during the months of March, June, September, and December (see Figures 18 through 21 on pp. III-73 through III-77 in the FEIR). The project analyzed in the 2002 FEIR would have cast shadow on nearby streets and sidewalks at the times indicated in the FEIR (pp. III-71 and III-72). The net new shading of street and sidewalks that would result from the proposed project would be even more limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. These would not be considered significant shadow effects.

FEIR Figures 18 through 21 show that the project analyzed in the 2002 FEIR and therefore, the smaller proposed project would not have added any shade to the Federal Building Plaza, on the north side of Golden Gate Avenue west of the project site, after 10:00 a.m. at any time of the year. From April to August, neither the 2002 or the currently-proposed project would add new shade to that open space at any time during the day. Therefore, the proposed project would not affect sun conditions on that open space during midday periods of higher use. Overall, the proposed garage project would not have significant adverse effects on shadow conditions on public open space, streets, or sidewalks and would not adversely affect their use

#### **MITIGATION MEASURES**

No significant adverse effects related to shadow were identified. Therefore, no mitigation measures are required.

#### **CUMULATIVE IMPACTS**

As noted in the Introduction, the cumulative analysis in this SEIR examines both a short-term cumulative condition that considers the combined impacts of the project with two potential options

for build-out of the development pad and a long-term cumulative condition that considers the potential combined impacts of the project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

#### **SHORT-TERM CUMULATIVE**

The development pad that is included as part of the proposed project is expected to be developed in the short-term, and is thus considered a foreseeable future project subject to cumulative impact analysis under CEQA. Two potential development options (Option A and Option B) have been developed for possible construction on the development pad that would be built on Lots 14, 15, and part of Lot 13. Option A would include construction of a community recreational facility, and Option B would include a Hastings-initiated student housing/mixed-use facility. The community recreational facility and the student housing/mixed-use facility would be lower in height and volume than the FEIR project. Therefore, the conclusions of shadow impacts for the proposed project are the basis of the analysis and conclusions for the community recreational facility and the student housing/mixed-use facility.

#### **Community Recreational Facility (Option A)**

The community recreational facility building would cover approximately 10,527 sf of the 12,000-sf development pad on five floors (one below ground). The top floor would be approximately 80 feet tall, and mechanical equipment for the elevator would rise an additional approximately 16 feet above the roof of the building for a maximum building height of approximately 96 feet. Adjacent uses would be the same as those described above for the proposed project.

#### **IMPACTS**

**Short-term Cumulative Impact E.1: The community recreation facility in combination with the proposed project would add no new shadow on public open space under the jurisdiction of the San Francisco Recreation and Park Commission. (No Impact)**

As shown in Figure 22 of the FEIR, no new project shadows would be cast on the Civic Center Plaza, the nearest open space under Recreation and Park Commission jurisdiction. The proposed project in combination with the community recreational facility would be lower in height than the project analyzed in the 2002 FEIR and would likewise cast no new shadow on the Civic Center Plaza. Therefore, the community recreational facility combined with the proposed project would

have no impact on Recreation and Parks Commission open space. This option combined with the proposed project would also have no adverse effects on UN Plaza and the Fulton Street Mall.

**Short-term Cumulative Impact E.2: The community recreational facility in combination with the proposed project would add shade to nearby streets and sidewalks, though not to an extent that would adversely affect the use of those areas. (Less than Significant)**

The proposed project combined with the community recreational facility would be lower in height than the originally-proposed project. The proposed project, as discussed above, would cast shadow on nearby streets and sidewalks, but at a less-than-significant level. The proposed project with a community recreational facility on the development pad would also cast shadow on nearby street and sidewalks. However, the net new shading that would result from the build-out of the site with the community recreational facility would be limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. These would not be considered significant shadow effects. Therefore, short-term cumulative shadow from the proposed project combined with the community recreational facility would be less than significant.

## **MITIGATION MEASURES**

No significant adverse short-term cumulative effects related to shadow from development of the community recreational facility combined with the proposed project were identified. Therefore, no mitigation measures are required

### **Student Housing/Mixed-use Facility (Option B)**

The student housing/mixed-use facility would consist of student housing, student fitness and recreational amenities, neighborhood and student oriented retail space, and academic/conference space. The proposed development pad would be approximately 11,745 sf (about 87 feet by 135 feet) fronting on Golden Gate Avenue, of which the student housing/mixed-use facility would cover approximately 10,527 sf (about 87 feet by 121 feet). The roof level would be approximately 76 feet tall, measured from the Golden Gate Avenue sidewalk at the midpoint of the street frontage to the highest roof deck parapet elevation. Mechanical equipment for the elevator would rise an additional approximately 21 feet above the parapet height for a maximum building height of approximately 97 feet.

## IMPACTS

**Short-term Cumulative Impact E.3: The student housing/mixed-use facility combined with the proposed project would add no new shadow on public open space under the jurisdiction of the San Francisco Recreation and Park Commission. (No Impact)**

Because the building heights would be virtually the same for the student housing/mixed-use facility as the community recreational facility, the shadow impacts on public open space under the jurisdiction of the San Francisco Recreation and Park Commission from the proposed project plus the student housing/mixed-use facility would be the same as those described above under Short-term Cumulative Impact E.1.

**Short-term Cumulative Impact E.4: The student housing/mixed-use facility in combination with the proposed project would add shade to nearby streets and sidewalks though not to an extent that would adversely affect the use of those areas. (Less-than-Significant)**

Because the building heights would be virtually the same for the student housing/mixed-use facility as the community recreational facility, its shadow impacts to nearby streets and sidewalks from the proposed project plus the student housing/mixed-use facility would be the same as those described above under Short-term Cumulative Impact E.2.

## MITIGATION MEASURES

No significant adverse effects related to shadow from development of the student housing/mixed-use facility combined with the proposed project were identified. Therefore, no mitigation measures are required.

## LONG-TERM CUMULATIVE

Implementation of the proposed project, in combination with build-out of the development pad would not result in long-term cumulative shadow impacts, as discussed above. Any future projects under City jurisdiction in the vicinity would be required to comply with Section 295 of the San Francisco Planning Code, which restricts new shadow upon public parks and open spaces under the jurisdiction of the Recreation and Park Commission. Those projects would undergo review that would reduce potential shadow impacts to less-than-significant levels. Therefore, long-term cumulative development would result in less-than-significant shadow impacts.

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NOTES – Shadow

- <sup>1</sup> *University of California Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report, 2002.*



## F. AIR QUALITY

This section identifies the regional and local air quality conditions applicable to the proposed project. This section also identifies the existing air quality standards and management plans, as well as significant air quality impacts associated with the proposed project, and provides mitigation measures to eliminate or reduce any impacts. All methodology in this section is consistent with the guidelines for CEQA air quality analysis as specified by the Bay Area Air Quality Management District (BAAQMD). This methodology was applied to the proposed project and to the motor vehicle traffic that it would generate as currently proposed, rather than the previously proposed development that was the subject of the 2002 *Hastings College of the Law Parking Garage and Residential Upgrade Final Environmental Impact Report* (FEIR).

### SETTING

#### REGIONAL AND LOCAL AIR QUALITY CONDITIONS

The Bay Area Air Quality Management District (BAAQMD) operates a regional monitoring network which measures the ambient concentrations of six air pollutants: ozone ( $O_3$ ), carbon monoxide (CO), particulate matter less than 10 microns in diameter ( $PM_{10}$ ), particulate matter less than 2.5 microns in diameter ( $PM_{2.5}$ ), nitrogen dioxide ( $NO_2$ ), and sulfur dioxide ( $SO_2$ ). On the basis of the monitoring data, the nine-county San Francisco Bay Area Air Basin has a history of recorded violations of federal and/or state ambient air quality standards for ozone, carbon monoxide,  $PM_{10}$ , and  $PM_{2.5}$ . Since the early 1970s, substantial progress has been made toward controlling these pollutants. The progress has led the area to attaining all state and federal standards except those for ozone,  $PM_{10}$ , and  $PM_{2.5}$ . The Bay Area is an ozone nonattainment area for state and federal purposes. For  $PM_{10}$  and  $PM_{2.5}$ , the Bay Area does not meet the state standards, but does meet the federal standards.

The BAAQMD operates air quality monitoring stations in San Francisco at 10 Arkansas Street (at the foot of Potrero Hill) and at 939 Ellis Street (near the Civic Center); the Ellis Street station monitors only carbon monoxide. Peak carbon monoxide concentrations observed at the Ellis Street station tend to be slightly higher than those observed at Arkansas Street.

Ozone and particulate matter data at the Arkansas Street station show the following trends:

- During the period of 1998 through 2004, the state 1-hour ozone standard and the federal 1-hour and 8-hour ozone standards were not exceeded on any day at the Arkansas Street station. During this period, state and federal standards were exceeded in the eastern part of the district and in the Santa Clara Valley.
- During the period of 1998 through 2004 at the Arkansas Street station, the state 24-hour  $PM_{10}$  standard was exceeded in no more than 10 percent of the samples per year, the federal 24-hour standard was not exceeded at all, and the state and federal annual standards were not exceeded at all. The federal standards were not exceeded in the district.

The regional and local air quality data show that the region has made considerable progress toward meeting the state and federal standards. At this time, the region does not meet ozone standards. Ozone precursors emitted in San Francisco tend to be carried away into the more sheltered areas of the region and cause violations of the standards there. Regional air quality benefits would result from efforts to control San Francisco's air pollutant emissions.

Motor vehicles are the most common sources of air pollutant emissions in the project area, especially the heavy volumes of traffic along Market Street south of the project site and Van Ness Avenue west of the project site. Traffic congestion has a detrimental effect on the localized air quality in the vicinity of the project. Stationary sources of air pollutants from office and commercial activity in the project site vicinity (e.g., water heaters, print shop ventilation equipment, etc.) are minor sources compared with motor vehicles. The emission sources at the project site are primarily from vehicular use of the existing parking lot. Levels one through seven of the proposed parking garage would be naturally ventilated, while mechanical ventilation equipment would exhaust vehicular emissions from the enclosed basement levels to the northernmost corners of the roof.

### **Ambient Air Quality Standards**

Federal, state, and local laws and regulations form the foundation for controlling air pollution. The Federal Clean Air Act, including amendments of 1990, and the California Clean Air Act of 1988 specify that federal and state regulatory agencies set upper limits on the airborne concentrations of six criteria air pollutants. National Ambient Air Quality Standards exist for ozone, carbon monoxide (CO), nitrogen dioxide ( $NO_2$ ), sulfur dioxide ( $SO_2$ ), and particulate matter.<sup>1</sup> Reactive organic gases (ROG) and oxides of nitrogen ( $NO_x$ ) are also regulated as precursor contaminants that react in the atmosphere to form ozone.

The federal and state standards for these pollutants are designed to protect all segments of the population including those most susceptible to the pollutants' adverse effects (e.g., the very young, the elderly, and people weak from illness or disease, or persons doing heavy work or exercise).

#### **Air Quality Management Plans**

The Federal Clean Air Act, as amended, and the California Clean Air Act provide the legal framework for attaining and maintaining the ambient air standards. Both the federal and state acts require that the California Air Resources Board (CARB) designate as "nonattainment areas" portions of the state where federal or state ambient air quality standards are not met. Where a pollutant exceeds standards, the acts require implementation of air quality management plans that demonstrate how standards will be achieved. These laws also provide the basis for the implementing agencies to develop mobile and stationary source performance standards.

The BAAQMD is the primary agency responsible for planning, implementing, and enforcing federal and state ambient standards in the Bay Area. In 2000, the BAAQMD revised the region's State Implementation Plan (SIP) for ozone. The SIP is maintained for the region because of ongoing exceedances of the federal ozone standard. The SIP is a compilation of plans and regulations prepared jointly by the BAAQMD, the Metropolitan Transportation Commission, and the Association of Bay Area Governments that governs how the region and state will comply with the federal Clean Air Act requirements to attain and maintain the ozone standard. The state ozone and PM<sub>10</sub> standards are also exceeded in the region. The recently adopted *Bay Area 2005 Ozone Strategy* demonstrates how the Bay Area will achieve compliance with the state one-hour air quality standard for ozone as expeditiously as practicable and how the region will reduce transport of ozone and ozone precursors to neighboring air basins. No plan is in effect that specifies the strategies and schedule required to meet state PM<sub>10</sub> standards.

Local environmental plans and policies also recognize community goals for air quality. The *San Francisco General Plan* includes the 2000 Air Quality Element.<sup>2</sup> The objectives specified by the City include the following:

- Objective 2: Reduce mobile sources of air pollution through implementation of the Transportation Element of the General Plan.
- Objective 3: Decrease the air quality impacts of development by coordination of land use and transportation decisions.

- Objective 5: Minimize particulate matter emissions from road and construction sites.
- Objective 6: Link the positive effects of energy conservation and waste management to emission reductions.

## IMPACTS AND MITIGATION

### SIGNIFICANCE CRITERIA

A proposed project would have a significant effect on the environment with respect to air quality if it would violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The BAAQMD specifies the significance criteria as follows:

- The project impacts would be considered significant if they would cause operation-related emissions equal to or exceeding an established threshold of 80 pounds per day (lb/day) of ROG, NO<sub>x</sub>, or PM<sub>10</sub>, or cause CO concentrations above the state ambient air quality standard;
- The project impacts would also be considered to have a significant contribution to cumulative regional air quality effects if the project impacts exceed these standards.<sup>3</sup>
- If project air quality impacts would not exceed the BAAQMD thresholds, the project still may be found to contribute to significant cumulative air quality impacts if the project would be inconsistent with the local general plan's air quality element.<sup>4</sup>

### METHODOLOGY

Regional emissions caused by project-related traffic are estimated using the CARB URBEMIS2002 version 8.7 computer program.<sup>5</sup> URBEMIS assesses the region-wide impacts of proposed land use development based on the increased vehicle trips that would be caused by the proposed project. This information is provided by the project's transportation analysis.<sup>6</sup>

Carbon monoxide concentrations near congested intersections are analyzed using Caltrans' CALINE4 program and the CO Protocol from the Institute of Transportation Studies. This guidance is used to evaluate "worst-case" air quality conditions at the most heavily impacted intersections.<sup>7,8</sup> As recommended by the BAAQMD *CEQA Guidelines*,<sup>9</sup> worst-case conditions are considered by placing receptors in locations that yield maximum exposure (at the sidewalk corners) and by assuming a stable atmosphere where dispersion of CO in the vicinity of the intersection would be minimal.

## IMPACTS

**Impact F.1: Construction activities associated with the proposed project would generate dust (PM<sub>10</sub>) during excavation and grading activities and the heavy equipment used would emit criteria air pollutants (ROG, NO<sub>x</sub>, SO<sub>x</sub>, and CO). This would be a short-term adverse impact. (Potentially Significant)**

Construction emissions would occur in short-term and temporary phases, but they could still cause adverse effects on local air quality. The BAAQMD, in its CEQA Guidelines, recommends that construction emissions not be quantified. Instead, BAAQMD has identified a set of feasible PM<sub>10</sub> control measures for construction activities; if these measures are implemented, significant PM<sub>10</sub> impacts would not be expected. Mitigation Measure F.1, p. III.F-7, would require implementation of such PM<sub>10</sub> measures.

A portion of the PM<sub>10</sub> emitted by construction equipment would be diesel particulate matter (DPM), a known Toxic Air Contaminant (TAC) with a potential for significantly increasing cancer risk after long exposure (i.e., 70-year exposure periods are commonly used to assess TAC cancer risk potentials). The State of California has implemented a Diesel Risk Reduction Program managed by the CARB.<sup>10,11</sup> The program establishes more stringent emissions standards for new diesel engines and vehicles, requires particulate control retrofit for existing engines and vehicles, and mandates the availability of cleaner alternative fuels and engines. This program is expected to reduce DPM emissions from all on-road, off-road, and stationary diesel engines by 85 percent, compared to the year 2000 baseline, by the year 2020. The proposed project would have its greatest short-term impact on local DPM levels during the construction phases. Since the construction period would be much shorter than the usual 70-year period used for health risk assessment, emissions of DPM from project construction equipment would not create significant health risks.

As for the ROG, NO<sub>x</sub>, SO<sub>x</sub>, and CO in the construction equipment exhaust, the BAAQMD considers these pollutants, together with similar emissions from the Bay Area's total construction activity, as already included in its regional emission inventory and has determined that present and anticipated levels of regional construction activity would not impede attainment or maintenance of air quality standards in the Bay Area.

**Impact F.2: Traffic generated by the proposed project would incrementally increase regional vehicular emissions, but would not result in emissions exceeding the BAAQMD significance thresholds. (Less than Significant)**

The proposed project would increase the number of motor vehicle trips per day. Based on URBEMIS2002 Version 8.7 modeling results, the increased motor vehicle trips associated with the proposed project would generate air pollutant emissions as given in Table 12 on p. III.F-6.<sup>12</sup> However, implementation of the project would not result in operation emissions exceeding the BAAQMD's significance thresholds for ROG, NO<sub>x</sub>, or PM<sub>10</sub> and thus would not result in a significant impact.

**TABLE 12  
FUTURE DAILY OPERATIONAL AIR POLLUTANT EMISSIONS**

Project Component	Net Increase in Daily Emissions in Pounds per Day		
	ROG	NO <sub>x</sub>	PM <sub>10</sub>
<b>PROPOSED PROJECT</b>			
Parking Garage	9.45	6.15	7.29
Retail	<u>1.03</u>	<u>0.97</u>	<u>1.01</u>
<b>Total (Project)</b>	<b>10.48</b>	<b>7.12</b>	<b>8.30</b>
<b>SHORT-TERM CUMULATIVE</b>			
Option A (community recreational facility)	2.83	2.72	2.94
<b>Total (project + Option A)</b>	<b>13.31</b>	<b>9.84</b>	<b>11.32</b>
Option B (student housing/mixed-use facility)	<u>4.74</u>	<u>3.69</u>	<u>4.47</u>
<b>Total (project + Option B)</b>	<b>15.22</b>	<b>10.81</b>	<b>12.97</b>
BAAQMD Significance Thresholds	80.0	80.0	80.0

Source: EIP Associates, 2006.

**Impact F.3: Traffic generated by the proposed project would result in incremental increases in localized CO emissions but would not contribute substantially to existing or projected violations of air quality standards. (Less than Significant)**

Project traffic would contribute to increased localized CO concentrations in the immediate vicinity of congested intersections. The effects of project traffic on local CO concentrations were calculated with the CALINE4 dispersion model. As shown in Table 13 on p. III.F-7, the project would not contribute to substantial increases in localized CO emissions at these intersections or to violations of ambient air quality standards. Exhaust emissions from mechanical venting equipment on the roof

would be located over 120 feet away from residential uses on the project block, and would not have a substantial effect on local CO concentrations.

**TABLE 13  
LOCALIZED CARBON MONOXIDE CONCENTRATIONS**

Intersection	CO Concentrations in Parts per Million at 25 Feet from Roadway Edges <sup>/a/</sup> <sup>/b/</sup>					
	Existing		Existing Plus Project		Year 2025 Cumulative	
	1-Hour	8-Hour	1-Hour	8-Hour	1-Hour	8-Hour
Sixth/Market	6.8	4.5	6.8	4.5	5.6	3.8
Eighth /Market	6.5	4.4	6.6	4.4	5.5	3.7
Ninth/Market	7.3	4.9	7.3	4.9	5.5	3.7
Van Ness/McAllister	7.3	4.9	7.3	4.9	5.6	3.8

*Notes:*

/a/ National 1-hour standard is 35.0 parts per million. State 1-hour standard is 20.0 parts per million.

/a/ National 8-hour standard is 9.0 parts per million. State 8-hour standard is 9.0 parts per million.

*Source:* EIP Associates, 2006.

## MITIGATION MEASURES

Mitigation Measure F.1: Implement basic control measures for controlling dust during construction, including the following recommended by the BAAQMD: (1) water all active construction areas at least twice daily; (2) cover all trucks hauling soil, sand, and other loose materials or require trucks to maintain at least two feet of freeboard; (3) pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas; (4) sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas; and (5) sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. In addition, construction equipment engines should be kept properly tuned at all times and unnecessary idling should be prohibited near sensitive receptors.

Significance after Mitigation F.1: Less than Significant

## CUMULATIVE IMPACTS

As noted in the Introduction, the cumulative analysis for the proposed project examines both a short-term cumulative condition that considers two potential options for build-out of the development pad combined with the proposed project; and a long-term cumulative condition that considers the potential combined impacts of the parking garage project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

### **SHORT-TERM CUMULATIVE**

Implementation of the basic dust and equipment emission control measures as specified in Mitigation Measure F.1, above, would reduce construction impacts for both the community recreational facility (Option A) and the student housing/mixed-use facility (Option B) to a less-than-significant level.

#### **Community Recreational Facility (Option A)**

As shown in Table 12 above, implementation of the proposed project together with Option A would not result in operational emissions exceeding the BAAQMD's significance thresholds for ROG, NO<sub>x</sub>, or PM<sub>10</sub> and thus would not result in a significant impact.

#### **Student Housing/Mixed-use Facility (Option B)**

As shown in Table 12 above, implementation of the proposed project together with Option B would not result in operation emissions exceeding the BAAQMD's significance thresholds for ROG, NO<sub>x</sub>, or PM<sub>10</sub> and thus would not result in a significant impact. Note, however, that implementation of Option B would generate more operational emissions than Option A because the former would result in more work-related motor vehicle trips, which would have longer average lengths in the Bay Area than non-work-related trips.

### **LONG-TERM CUMULATIVE**

The BAAQMD neither recommends quantified analyses of cumulative construction emissions nor provides thresholds of significance that could be used to assess cumulative construction impacts. As discussed previously, the construction industry is an existing source of emissions within the Bay

Area. Construction equipment operates at one site for a relatively short-term basis and, when finished, then moves on to a new construction site. The same situation occurs for the construction employees who make a living going from one site to another doing similar construction work. Because (1) construction activities would be temporary; (2) the contribution to the cumulative context is so small as to be virtually immeasurable; and (3) all of the appropriate and feasible construction-related measures recommended by the BAAQMD (see Mitigation Measure F.1) would be implemented, the contribution of construction emissions associated with the proposed project would not be cumulatively considerable.

The BAAQMD has established thresholds to judge the significance of potential air quality impacts from operational pollutant emissions. The proposed project's, in combination with either Option A or Option B, operational emissions would be below BAAQMD thresholds for all criteria pollutants. The project site is not adjacent to any heavy industrial uses, and the project area is well served by public transit. Additionally, the proposed project's operational emissions plus the emissions associated with either Option A or Option B would be below BAAQMD thresholds for all criteria pollutants. Therefore, under BAAQMD Guidelines, a cumulative analysis of operational criteria pollutant emissions is not required.

Table 13 on p. III.F-7 shows the future CO concentrations at the study intersections in 2025, with cumulative development that would account for development of the proposed project, and build-out of the development pad. Localized concentrations of CO would change as a result of cumulative growth in the project vicinity. However, as shown in the table, future CO concentrations near these intersections would not exceed the national or state ambient CO standards. Therefore, sensitive receptors located in close proximity to these intersections would not be exposed to substantial pollutant concentrations, and the impact of cumulative development would not be significant.

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#### NOTES – Air Quality

- <sup>1</sup> National Ambient Air Quality Standards have been established for criteria pollutants, named for the “criteria” documents that justified their regulation.
- <sup>2</sup> City and County of San Francisco, Planning Department, Air Quality – An Element of the General Plan of the City and County of San Francisco, July 1997.
- <sup>3</sup> BAAQMD *CEQA Guidelines*, Assessing the Air Quality Impacts of Projects and Plans, April 1996, Revised December 1999, Section 2.3.

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- <sup>4</sup> BAAQMD *CEQA Guidelines*, Assessing the Air Quality Impacts of Projects and Plans, April 1996, Revised December 1999, Page 18.
- <sup>5</sup> South Coast Air Quality Management District, *URBEMIS2002 for Windows with Enhanced Construction Module*, Version 8.7 – Emissions Estimations for Land Use Development Projects, April 2002.
- <sup>6</sup> Fehr and Peers, Hastings College of the Law Parking Garage/YMCA Transportation Study, prepared for EIP Associates, March, 2006.
- <sup>7</sup> California Department of Transportation, Division of New Technology and Research, *CALINE4 - A Dispersion Model for Predicting Air Pollutant Concentrations Near Roadways*, June 1989.
- <sup>8</sup> Institute of Transportation Studies, University of California, Davis, *Transportation Project-Level Carbon Monoxide Protocol*, Revised December 1997.
- <sup>9</sup> BAAQMD *CEQA Guidelines*, Assessing the Air Quality Impacts of Projects and Plans, April 1996, Revised December 1999, Table 10, page 35.
- <sup>10</sup> California Air Resources Board, Stationary Source Division & Mobile Source Control Division, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000.
- <sup>11</sup> California Air Resources Board, Fact Sheet: California's Plan to Reduce Diesel Particulate Matter Emissions, October 2000.
- <sup>12</sup> The URBEMIS2002 Version 8.7 model uses emission factors from the CARB EMFAC72002 emissions model. Vehicle operating characteristics are determined by each land use type in the proposed project and the setting of the project. Default values recommended by BAAQMD *CEQA Guidelines* are used for the average trip length. Worst-case summer (ozone season) and winter (CO season) temperatures are as recommended in the URBEMIS2002 User's Guide.

## G. NOISE

This section discusses the noise setting of the proposed project vicinity and identifies significant noise impacts associated with the proposed project, and provides mitigation measures to eliminate or reduce any impacts. This section is based on noise measurements and fieldwork by EIP Associates. Estimates of construction and traffic noise impacts in this section used methodology developed and/or approved by federal, state, or local agencies charged with protecting the public from the adverse effects of noise exposure.

### SETTING

#### EXISTING NOISE CONDITIONS

The existing ambient noise environment in the vicinity of the project site is typical of downtown San Francisco, dominated by vehicular traffic including cars, trucks, buses, and emergency vehicles. Noise measurements were taken during the PM peak hour near the project site along Golden Gate Avenue between Hyde Street and Larkin Street and along McAllister Street between Hyde Street and Larkin Street on April 10, 2006. The hourly  $L_{eq}$ <sup>1</sup> noise levels for the PM peak hour were between 69 and 70 dBA on both streets. Using the Federal Transit Administration (FTA) guidance for estimating the  $L_{dn}$  from observed hourly noise levels, the  $L_{dn}$  would be approximately 68 dBA in the project area.<sup>2</sup>

#### EXISTING LAND USES AND SENSITIVE RECEPTORS

Existing surrounding land uses are a mixture of office, commercial, educational, and residential uses. Many buildings in the area have retail commercial uses (i.e. restaurants, personal services, etc.) on the ground floor with residential or office uses above. The sensitive receptors in the project area include the residential uses within 100 feet north and south of the project site. Senior housing and an apartment building are located immediately north of the project site, fronting Golden Gate Avenue. An apartment building fronting Larkin Street is adjacent to the site to the south. Two residential hotels front McAllister Street immediately south of the project site.

## NOISE REGULATIONS

State projects are not subject to local noise regulations. San Francisco noise regulations that would otherwise be applicable are stipulated in Article 29 of the Police Code, which states that the City's policy is "to prohibit unnecessary, excessive and offensive noises from all sources subject to police power." Sections 2907 and 2908 of Article 29 regulate construction equipment and construction work at night.

Section 2907 (b) states "it shall be unlawful for any person, including the City and County of San Francisco, to operate any powered construction equipment, regardless of age or date of acquisition, if the operation of such equipment emits noise at a level in excess of 80 dBA when measured at a distance of 100 feet from such equipment, or an equivalent sound level at some other convenient distance." Exemptions to this requirement include:

- impact tools and equipment with intake and exhaust mufflers recommended by the manufacturers and approved by the Director of Public Works as best accomplishing maximum noise attenuation; and
- pavement breakers and jackhammers equipped with acoustically attenuating shields or shrouds recommended by the manufacturers and approved by the Director of Public Works as best accomplishing maximum noise attenuation.

Section 2908 prohibits any person, between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day, to erect, construct, demolish, excavate for, alter, or repair any building or structure if the noise level created is in excess of the ambient noise level by 5 dBA at the nearest property line unless a special permit therefore has been applied for and granted by the Director of Public Works.

## IMPACTS AND MITIGATION

Hastings has decided to adopt the City and County of San Francisco's construction-related noise regulations.

## SIGNIFICANCE CRITERIA

- During construction, the proposed project would be considered to have a significant impact if it would exceed average noise levels of 80 dBA (excluding impact tool use) at a 100-foot distance from the source; exceed ambient noise levels by 5 dBA between the hours of 8:00 p.m. and 7:00 a.m. at the project property line; or, create vibration that could disturb the residents of nearby buildings.

- After project construction, the project would be considered to have a significant impact if it would create a substantial (i.e., 3 dBA or more) permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

## METHODOLOGY

Noise modeling procedures involved the calculation of existing and future vehicular noise levels along individual roadway segments in the project vicinity. This task was accomplished using Federal Highway Administration's Traffic Noise Model (TNM). The model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. Traffic volumes utilized as data inputs in the noise prediction model were provided by the project traffic engineer, Fehr & Peers (see Section III.B, Transportation and Circulation).

## IMPACTS

**Impact G.1: The proposed project would not create a substantial permanent increase in ambient noise levels in the project vicinity above baseline levels without the project. (Less than Significant)**

Based on TNM calculations, the project traffic's contributions to both peak-hour and twenty-four-hour average ( $L_{dn}$ ) noise levels on any of the streets accounted for in the project transportation study would be small fractions of a dBA (i.e., 0.4 dBA during the peak hour on Golden Gate Avenue, less for both peak hour and twenty-four-hour averages on all other streets). Thus, project traffic would not cause a significant increase in the ambient noise levels above baseline conditions.

Noise from motor vehicles inside the garage would be contained by solid walls at the rear (south-facing) elevation, which would limit noise from disturbing adjacent residents to the south. The pedestrian warning system for cars exiting the garage at Larkin Street would be audible at the project driveways, but such noise would be intermittent and not likely loud enough to substantially affect sensitive residential uses to the north and south of the site, given that the proposed garage building itself would block the direct noise propagation path from the exit to the residences. Mechanical ventilation equipment would be located on the northern corners of the roof, approximately 120 feet away from residential uses to the south, and approximately 75 feet away from residential uses to the north, and would not be considered a substantial source of noise. Finally, all project-related noise

would cease from 12:00 p.m. to 6:00 a.m., when the proposed garage would be closed. As such, noise impacts would be less than significant.

While not a significant impact, installation of double-paned windows at 324 Larking Street's north façade would further reduce any less-than-significant impacts of ambient noise in the project vicinity.

**Impact G.2: Project construction-related activities would result in temporary noise increases in the project vicinity. (Potentially Significant)**

During project construction, temporary noise increases would result from the operation of heavy equipment. The construction period would last approximately 18 months. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and receptor, and presence or absence of barriers between noise source and receptor.

Construction noise ranges from about 76 to 85 dBA at 50 feet for most types of construction equipment, with slightly higher levels of about 88 to 91 dBA at 50 feet for certain types of earthmoving and impact equipment. The project would not require pile driving because the parking structure would have a concrete slab foundation. The average noise levels for many common types of construction equipment are shown in Table 14 on p. III.G-5. Note that the noise levels at 100 feet would be 6 dBA lower than their corresponding values at 50 feet; this illustrates the general rule that noise levels decrease by about 6 dBA with every doubling of distance from a point source.

Average resultant noise levels generated by construction equipment typical of the various phases of commercial building construction are listed in Table 15 on p. III.G-6.

Based on Table 15, average exterior noise levels during proposed project construction would be below 80 dBA at distances greater than 100 feet from the project site, except during the ground clearing and excavation phase. This would exceed the 80 dBA criterion during ground clearing and excavation and would be reduced to a less-than-significant impact with implementation of Mitigation Measure G.2.

**TABLE 14**  
**AVERAGE NOISE LEVELS AND ABATEMENT POTENTIAL OF**  
**CONSTRUCTION EQUIPMENT NOISE AT 50 AND 100 FT. (in dBA)**

Equipment	Noise Level at 50 Ft. (Before Mitigation)	With Feasible Noise Control (After Mitigation)	Noise Level at 100 Ft. (Before Mitigation)	With Feasible Noise Control/ <sup>a/</sup> (After Mitigation)
Earthmoving				
Front Loaders	79	75	73	69
Backhoes	85	75	79	69
Dozers	80	75	74	69
Tractors	80	75	74	69
Scrapers	88	80	82	74
Graders	85	75	79	69
Trucks	91	75	85	69
Pavers	89	80	83	74
Materials Handling				
Concrete Mixer	85	75	79	69
Concrete Pump	82	75	76	69
Crane	83	75	77	69
Derrick	88	75	82	69
Stationary				
Pumps	76	75	70	69
Generator	78	75	72	69
Compressors	81	75	75	69
Impact/ <sup>b/</sup>				
Rock Drills	98	80	92	74
Jack Hammers	88	75	82	69
Pneumatic Tools	86	80	80	74
Other				
Saws	78	75	72	69
Vibrators	76	75	70	69

Notes:

/a/ Estimated levels obtainable by selecting quieter procedures or machines and implementing noise-control features requiring no major redesign or extreme cost.

/b/ Pile-driving and rock-drilling are not proposed as part of the project.

Source: Adapted from the U.S. Environmental Protection Agency. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*, December 1971.

**TABLE 15**  
**TYPICAL COMMERCIAL/INDUSTRIAL CONSTRUCTION NOISE LEVELS**

Construction Phase	Average Noise Levels (dBA) at 50 Ft.
Ground Clearing and Excavation	87
Structural Steel and Concrete	85
Wall and Ceilings	85
Finishes /a/	n/a

*Notes:*

/a/ This phase refers to finish carpentry, painting, carpet, and other such interior work that could be completed only after construction of exterior walls. Most noise would be contained within the building shell. Noise audible on the outside would be largely intermittent and would expect to be quieter than other phases of construction shown in this table.

*Source:* Luster Construction Management, *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*, July 30 and August 30, 1993; adapted from U.S. Environmental Protection Agency, December 1971.

While not considered a significant noise effect, construction noise could cause temporary disturbance (e.g., speech interference) to persons in adjacent buildings if the noise level in the interior of those buildings were to exceed 45 dBA.<sup>3</sup> Exterior-to-interior noise reduction in a typical building can range from 25 dBA (windows closed) to 15 dBA (windows open).<sup>4</sup> The former level of noise reduction could be maintained only on a temporary basis in some cases, as it assumes windows would remain closed at all times. Assuming that the structural components of the nearest residential buildings would afford a 25 dBA exterior-to-interior noise reduction, interior noise levels could be maintained at or below 45 dBA as long as the exterior noise levels do not exceed 70 dBA. This would be necessary to maintain an acceptable interior noise environment for normal conversation. Exterior noise levels during project construction could exceed 70 dBA within 400 feet of the site. The north wall of nearest residential use, an apartment building at 324 Larkin Street, is within 14 feet of the project site boundary. That building has operable windows and occupants of those north-facing units could experience noise disturbance during project construction. As an improvement measure, Hastings has agreed to replace the existing windows of 324 Larkin Street's north façade with double-paned windows that would provide substantial acoustic insulation for apartments facing the project site. If this upgrade were implemented prior to project construction, construction noise levels in the facing apartments would be substantially reduced.

Any nighttime construction activities (occurring between 8:00 p.m. and 7:00 a.m.) would have the potential to increase the nighttime ambient noise levels by more than 5 dBA, exceeding the 5 dBA

significance criteria for nighttime noise, and could result in disturbance to occupants of the adjacent residential uses. This would be considered a potentially-significant impact. Mitigation Measure G.2 would be implemented to reduce this potential impact to a less-than-significant level.

**Impacts G.3: Construction equipment vibration could disturb occupants of nearby residential buildings. (Potentially Significant)**

Vibration would be generated by operation of project construction equipment and haul trucks. Vibration would not be expected to be severe enough to damage nearby buildings, but it could be noticeable enough to disrupt sleep in residential buildings adjacent to the project site and on the haul truck routes. This would be considered a potentially-significant impact. Mitigation Measure G.4 would be implemented to reduce this potential impact to a less-than-significant level.

**MITIGATION MEASURES**

**Mitigation Measure G.2: The proposed project shall include the following measures for equipment noise, truck scheduling, and noise barriers to minimize potentially significant construction noise:**

- G.2.a. The project contractor shall use equipment and trucks with noise control (e.g., improved exhaust mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) in order to minimize construction noise impacts. Before project construction, all construction equipment (except for impact tools, pavement breakers, and jackhammers) will be tested to ensure that equipment noise does not exceed an average level of 80 dBA at 100 feet.
- G.2.b. The project contractor shall prohibit truck and heavy equipment operations during the nighttime hours (8:00 p.m. to 7:00 a.m.) to minimize potential disturbance of adjacent residents.
- G.2.c. The project contractor shall locate stationary construction noise sources, such as compressors, as far from adjacent residences as possible. If it were necessary to locate equipment near existing residences, they shall be enclosed within temporary sheds.
- G.2.d. The project contractor shall use hydraulically or electrically powered impact tools (e.g., jack hammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA.<sup>5</sup>

Significance After Mitigation G.2.a.-d.: Less than Significant

**Mitigation Measure G.3: Construction equipment and haul truck vibration would be restricted under Mitigation G.2.b.**

Significance after Mitigation: Less than Significant

**CUMULATIVE IMPACTS**

As noted in the Introduction, the cumulative analysis for the proposed project examines both a short-term cumulative condition that considers two potential options for build-out of the development pad combined with the proposed project; and a long-term cumulative condition that considers the potential combined impacts of the parking garage project, build-out of the development pad, and other cumulative development anticipated to occur in the project area.

**SHORT-TERM CUMULATIVE**

**Community Recreational Facility (Option A)**

Noise from the construction of Option A would be similar to that of the proposed project. As construction of the proposed project would be complete before construction of Option A would begin, implementation of Option A would not increase construction noise levels in the project site vicinity. The same construction noise and vibration mitigation measures implemented for the proposed project would also reduce the noise and vibration impacts of Option A to a less-than-significant level with the implementation of Mitigation Measure G.2. Therefore, the impacts of construction noise from the proposed project together with Option A would be less than significant.

**Student Housing/Mixed-use Facility (Option B)**

Noise from the construction of Option B would be similar to that of the proposed project. As construction of the proposed project would be complete before construction of Option B would begin, implementation of Option B would not increase construction noise levels in the project site vicinity. The same construction noise and vibration mitigation measures implemented for the proposed project would also reduce the noise and vibration impacts of Option B to a less-than-significant level with the implementation of Mitigation Measure G.2. Therefore, the impacts of construction noise from the proposed project together with Option B would be less than significant.

## LONG-TERM CUMULATIVE

Construction equipment operates at one site for a relatively short-term basis and, when finished, then moves on to a new construction site. Because (1) project construction activities would be temporary; (2) project construction noise increment at locations greater than a few hundred feet from the project site would be so small as to be virtually immeasurable; and (3) all of the appropriate and feasible construction noise reduction measures would be implemented in accordance with standard City practice, the contribution of construction noise associated with the proposed project would not be cumulatively considerable.

Localized traffic noise would increase as a result of cumulative growth in the project vicinity. However, cumulative traffic noise increments along any local streets would be less than one dBA. (i.e., 0.9 dBA during the peak hour on Golden Gate Avenue, based on noise modeling using the traffic projections). Therefore, sensitive receptors located in close proximity to these intersections would not be exposed to substantially greater noise levels, and the traffic noise impact of cumulative development would not be significant.

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### NOTES – Noise

- <sup>1</sup>  $L_{eq}$ , the equivalent energy noise level, is the average acoustic energy content of noise over any chosen exposure time. The  $L_{eq}$  is the constant noise level that would deliver the same acoustic energy to the ear as the actual time-varying noise over the same exposure time.  $L_{eq}$  does not depend on the time of day during which the noise occurs.
- <sup>2</sup> Federal Transit Administration. *Transit Noise and Vibration Impact Assessment*, April 1995.
- <sup>3</sup> In indoor noise environments, the highest noise level that permits relaxed conversation with 100 percent intelligibility throughout the room is 45 dBA. Speech interference is considered to become intolerable when normal conversation is precluded at 3 ft, which occurs when background noise levels exceed 60 dBA. In outdoor environments, the highest noise level that permits normal conversation at 3 feet with 95 percent sentence intelligibility is 66 dBA (U.S. Environmental Protection Agency, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*, 1974.)
- <sup>4</sup> U.S. Environmental Protection Agency, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*, 1974.
- <sup>5</sup> U.S. Environmental Protection Agency, *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*, December 1971.



## IV. ALTERNATIVES

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CEQA Guidelines Section 15163 states that an SEIR be prepared when only minor changes would be necessary to make the previous EIR adequately apply to the revised project and need contain only the information necessary to make the previous EIR adequate for the revised project. As the proposed project would not create any new significant impacts compared to the approved 2002 FEIR, no new alternatives have been identified and no new discussion of Alternatives Considered but Rejected is presented.

The No Project Alternative (FEIR p. IV-1) would remain the same, and would not meet Hastings Objectives. Alternative 2 (FEIR p. IV-2) was a parking garage reduced in scale by about 27 feet (through the elimination of elevator service to the top floor), so that no elevator mechanical rooms or towers would project above the 80-ft. parapet. The currently-proposed parking garage project would be 12 feet lower, with a total height of approximately 68 feet to the top of the parapet. The parking garage approved in 2002 included 885 stalls and covered the entire developable area, whereas the currently-proposed project includes 430 stalls and would cover about two-thirds of the project site. Therefore, the proposed project would be very similar to Alternative 2, as analyzed in the 2002 FEIR, with about the same or reduced impacts because the proposed parking garage is smaller.

From a visual quality standpoint, the proposed garage would be as compatible with its immediate surroundings as Alternative 2, and would also appear less prominent from the Civic Center Plaza than the larger, 2002 FEIR project. In terms of transportation, the proposed project would have the same number of PM peak hour trips as Alternative 2. Intersection LOS for the proposed project would also remain the same as under the existing, existing-plus-project, and cumulative scenarios of Alternative 2. Construction-related air emissions would likely be similar to the proposed project, as the same type and amount of construction equipment would be required to build a similar structure, albeit slightly smaller. Effects on parking supply, transit, and pedestrian circulation, and on-site circulation would remain the same. As no significant traffic impacts were identified with either the previously-proposed project or Alternative 2 to the proposed project, the currently proposed project would also have no significant traffic impacts.

Land use, plans, and zoning; historic architectural resources; shadow; air quality; and noise would all have similar impacts to Alternative 2, as described in Section IV of the 2002 FEIR. Therefore, no additional analysis is required.

## **V. CEQA FINDINGS**

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### **A. SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT WERE IMPLEMENTED**

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Sections 15040, 15081, and 15082 of the State CEQA Guidelines, this chapter identifies impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of the proposed project, or by other mitigation measures that could be implemented, as described in Chapter III, Environmental Setting and Impacts.

Implementation of the mitigation measures identified in Chapter III, specifically Historic Architectural Resources, Noise, and Transportation and Circulation, could reduce potentially significant impacts to a less-than-significant level. No significant and unavoidable impacts were identified in Chapter III.

### **B. GROWTH INDUCEMENT**

Approximately two workers are currently employed by City Park at the existing surface parking lot. The proposed parking garage would increase garage employment at the site by approximately two to three additional workers, for a total of four to five. The proposed retail uses to be included as part of the garage building would provide employment for approximately eight to ten workers. Overall, net new employment resulting from the operation and retail uses associated with the proposed project would be approximately 12 to 15 workers.

It is assumed that most of these additional workers already live in the area. These additional 12 to 15 workers would not substantially induce growth on the project site or in other areas. Therefore, no impact related to growth inducement as a result of the proposed project is anticipated.

The proposed development pad would not directly generate employment or residential growth; however it would allow future growth on the project site, the impacts of which are analyzed in Chapter III. Future development of Option A, the community recreational facility, or Option B, the Hastings-initiated student housing/mixed-use facility, would generate some further employment growth. However, this would be considered urban in-fill development and would not constitute substantial growth beyond that expected in the vicinity or in San Francisco as a whole.



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San Francisco, CA 94102-3609

Occupant/Owner  
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San Francisco, CA 94102-3609

Occupant/Owner  
378 Golden Gate Ave.  
San Francisco, CA 94102-3609

Occupant/Owner  
370 Golden Gate Ave.  
San Francisco, CA 94102-3609

Occupant/Owner  
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San Francisco, CA 94102-3609

Occupant/Owner  
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246 McAllister St.  
San Francisco, CA 94102-4707

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111 Grand Ave.  
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Occupant/Owner  
401 Golden Gate Ave.  
San Francisco, CA 94102-4712

Occupant/Owner  
380 Golden Gate Ave.  
San Francisco, CA 94102-3609

Occupant/Owner  
418 Larkin St.  
San Francisco, CA 94102-3609

Occupant/Owner  
426 Larkin St.  
San Francisco, CA 94102-3609

Occupant/Owner  
499 Golden Gate Ave.  
San Francisco, CA 94102-4712

Occupant/Owner  
450 Golden Gate Ave.  
San Francisco, CA 94102

Occupant/Owner  
350 McAllister St.  
San Francisco, CA 94102-4712

Occupant/Owner  
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San Francisco, CA 94102-4712

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San Francisco Daily Journal  
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San Francisco, CA 94103

San Francisco Independent  
Attn: City Desk  
1201 Evans Avenue  
San Francisco, CA 94124

San Francisco Bay Guardian  
Attn: Jim Balderson  
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KPOO - FM  
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San Francisco, CA 94101

San Francisco Chronicle  
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San Francisco, CA 94124-2644

San Francisco Examiner  
901 Mission Street  
San Francisco, CA 94102

Central City Extra  
San Francisco Study Center  
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## **VII. ORGANIZATIONS AND PERSONS CONSULTED**

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### **A. LEAD AGENCY**

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Appendix A  
MITIGATION MEASURES FROM THE 2002 FEIR



## I. Introduction

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This appendix includes all relevant mitigation measures required for the proposed project that were included in the University of California Hastings College of the Law Parking Garage and Residential Upgrade Project Final Environmental Impact Report (FEIR), certified April 23, 2002. This includes mitigation measures from the Initial Study completed for the project (November 30, 2001) that is included as Appendix A to the FEIR. All of the mitigation measures that would be required for the proposed project are being carried forward from the FEIR and its Initial Study. Mitigation measures that are related to the previously-proposed residential upgrade at 100 McAllister Street and other measures that are no longer applicable to the currently proposed project as described in this SEIR are not included and would not be required of the proposed project.

## HISTORIC ARCHITECTURAL RESOURCES

Implementation of the following mitigation measures would reduce or eliminate potential impacts to cultural resources or human remains on the project site:

- Implementation of a pre-construction archaeological testing and evaluation program to insure that deposits of significant, or potentially significant cultural resources are not inadvertently impacted during the course of construction, and to specifically determine the presence or absence of any cultural resources of prehistoric or historic character on the property. If such significant, or potentially significant, cultural resources are found on the property, the primary goal would be to locate, identify, characterize, and evaluate these resources. The recommended testing procedures would consist of the following:
  1. Placement and systematic evaluation of a series of mechanical exploratory borings, or trenches, at selected locations within the property prior to the commencement of construction activities. Such work would be conducted under the supervision of a qualified archaeological consultant, who would be responsible for devising the appropriate pre-construction archaeological testing program and for choosing the specific boring or trenching locations.
  2. Upon completion of the pre-construction testing or archaeological monitoring procedures, the archaeological consultant would conduct a program of laboratory interpretation and analysis upon any cultural materials recovered.
  3. The archaeological consultant would submit a detailed written report to Hastings, the State Historic Preservation Office, and the City of San Francisco's Environmental Review Officer. The report would include the findings of the testing program, assess the significance of any cultural resources recovered, and propose appropriate recommendations for any additional procedures deemed necessary for further

investigation of and/or mitigation of adverse impacts to significant cultural resources.

4. If during the course of construction, unexpected deposits of cultural materials of potential significance were encountered, all earthmoving activities shall cease until a qualified archaeological consultant has been given the opportunity to examine the findings, assess their significance, and offer appropriate recommendations for further investigation and/or mitigation of adverse impacts to the cultural resources.
5. If findings are Native American artifacts or remains, the archaeologist shall contact the Native American Heritage Commission pursuant to Public Resources Code 5097.98, Health and Safety Code 7050.5, and CEQA Guidelines Section 15064.5. (FEIR, Appendix A, pp. 19 to 20)

## **GEOLOGY AND SOILS**

The geotechnical report recommends the following measure to reduce potential liquefaction and settlement impacts to an acceptable level:

- The investigation recommends that a stiffened foundation system consisting of either a mat or a grid of interconnected strip footings be used for support of the structure. These systems would be sufficiently rigid to resist the effects of differential settlement. The mat or interconnected foundation system would reduce the estimated settlements to an acceptable level, and would perform adequately during ground shaking. (FEIR, Appendix A, p. 21)

## **HAZARDS AND HAZARDOUS MATERIALS**

The following mitigation measures would reduce or eliminate potential exposure to hazardous materials from excavation of fill:

- Stockpiling and testing excavated fill prior to removal from the site, therefore conserving efforts and costs associated with soil transportation and disposal.
- Preparation of a soil management plan describing procedures for the segregation of non-hazardous soil from hazardous material through focused testing. In addition, because hazardous materials were detected at the site, a Site Management Plan (SMP) and a Health and Safety (H&S) plan would be required prior to construction. The SMP would provide recommended measures to mitigate the long-term environmental or health and safety risks caused by the presence of hazardous materials in the soil. The H&S plan would outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. (FEIR, Appendix A, p. 24)

## NOISE

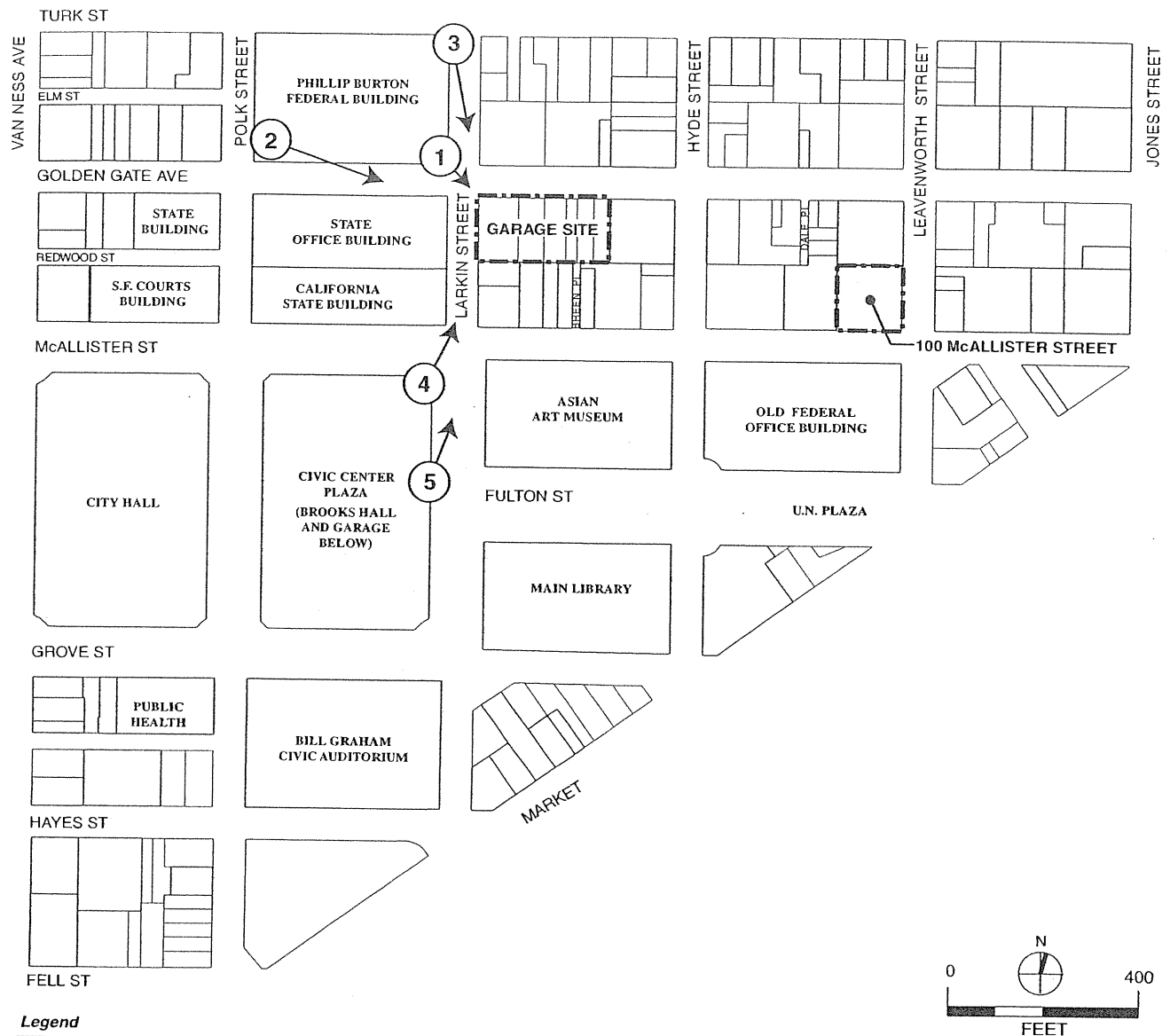
The project shall include the following construction measures for equipment noise, truck scheduling, and noise barriers to minimize potentially significant construction noise:

- The project contractor shall use equipment and trucks with noise control (e.g., improved exhaust mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) in order to minimize construction noise impacts. Before project construction, all construction equipment (except for impact tools, pavement breakers and jackhammers) will be tested to ensure that equipment noise does not exceed an average level of 80 dBA at 100 feet.
- The project contractor shall prohibit truck and heavy equipment operations during the nighttime hours (8:00 p.m. to 7:00 a.m.) to minimize potential disturbance of adjacent residents.
- The project contractor shall locate stationary construction noise sources, such as compressors, as far from adjacent residences as possible. If it were necessary to locate equipment near existing residences, they shall be enclosed within temporary sheds.
- The project contractor shall use hydraulically or electrically powered impact tools (e.g., jack hammers, pavement breakers and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. (FEIR, p. III-94).



Appendix B  
VISUAL SIMULATIONS





**Legend**

 PROJECT SITES

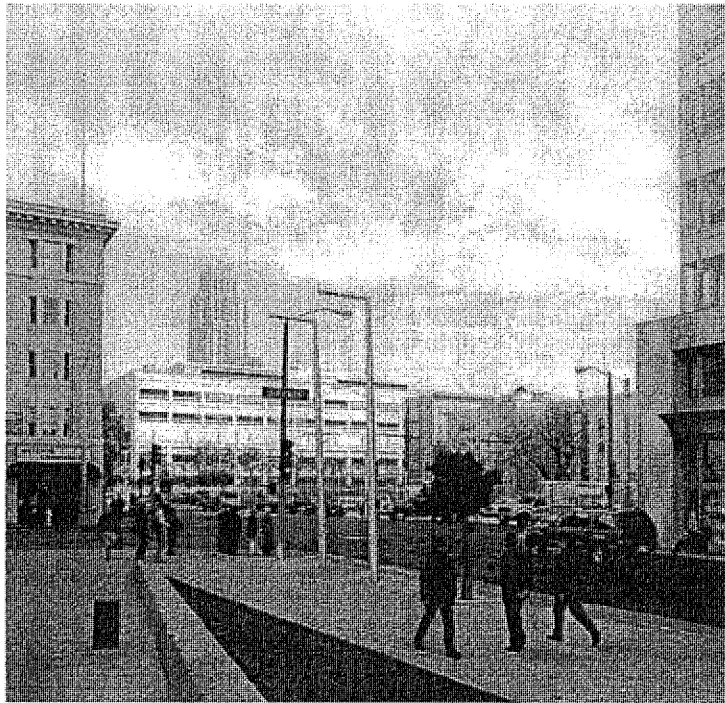
- ① FIGURE 13A AND B: VIEW OF PARKING GARAGE SITE LOOKING SOUTHEAST FROM CORNER OF GOLDEN GATE AVENUE AND LARKIN STREET
- ② FIGURE 14A AND B: VIEW OF PARKING GARAGE SITE LOOKING EAST FROM THE FEDERAL BUILDING PLAZA AT GOLDEN GATE AVENUE
- ③ FIGURE 15A AND B: VIEW OF PARKING GARAGE SITE LOOKING SOUTH FROM LARKIN STREET NEAR TURK STREET
- ④ FIGURE 16A AND B: VIEW OF PARKING GARAGE SITE LOOKING NORTH FROM McALLISTER STREET NEAR LARKIN STREET
- ⑤ FIGURE 17A AND B: VIEW OF PARKING GARAGE SITE LOOKING NORTH FROM THE CIVIC CENTER PLAZA AT FULTON STREET

11.7.01

SOURCE: EIP Associates

**EIP**

**HASTINGS COLLEGE OF LAW  
FIGURE 12: VIEWPOINT LOCATIONS**



13A. EXISTING VIEW

**BASED ON PREVIOUS PROJECT, FOR REFERENCE PURPOSES ONLY.**



13B. EXISTING VIEW WITH SIMULATED PROJECT

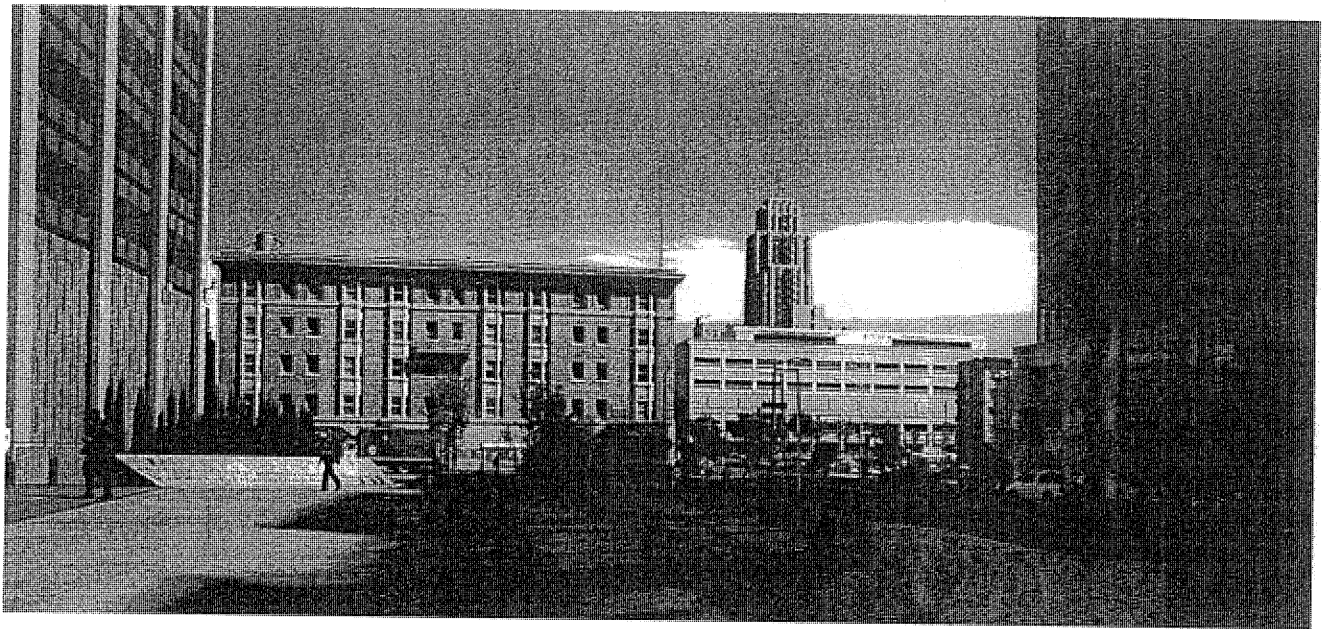
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SOURCE: Square One Productions

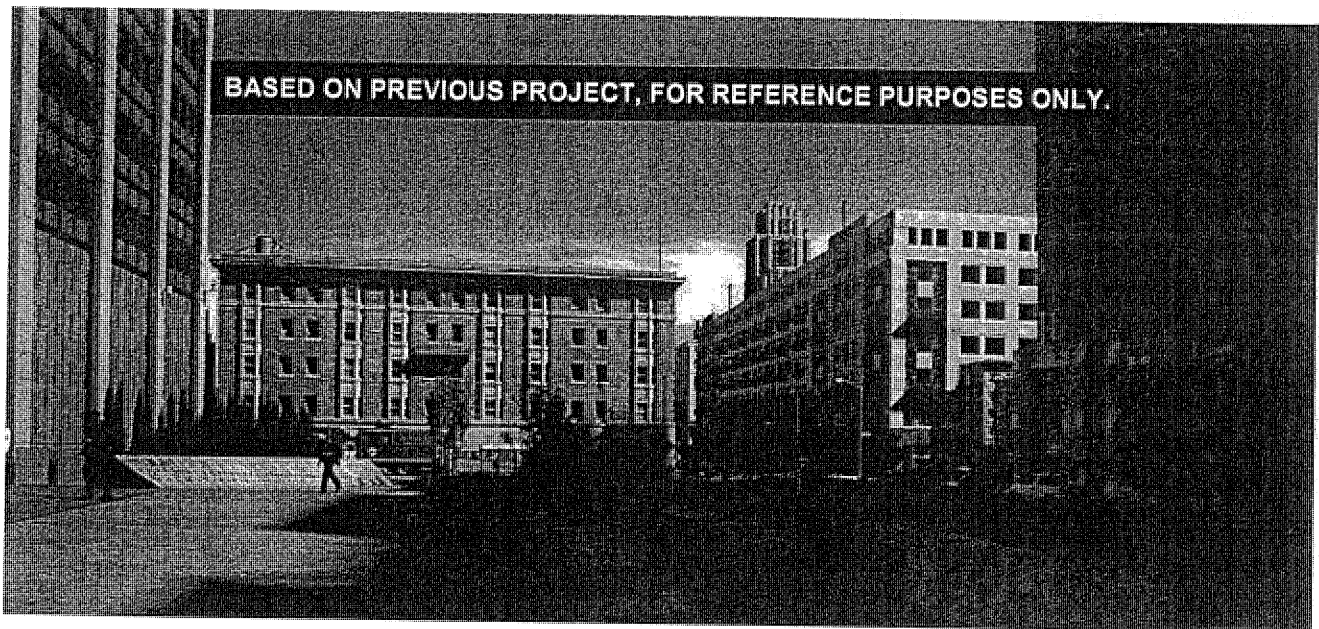
EIP

HASTINGS COLLEGE OF LAW

FIGURE 13: VIEW OF PARKING GARAGE SITE LOOKING SOUTHEAST  
FROM CORNER OF GOLDEN GATE AVENUE AND LARKIN STREET



14A. EXISTING VIEW



14B. EXISTING VIEW WITH SIMULATED PROJECT

11.12.01

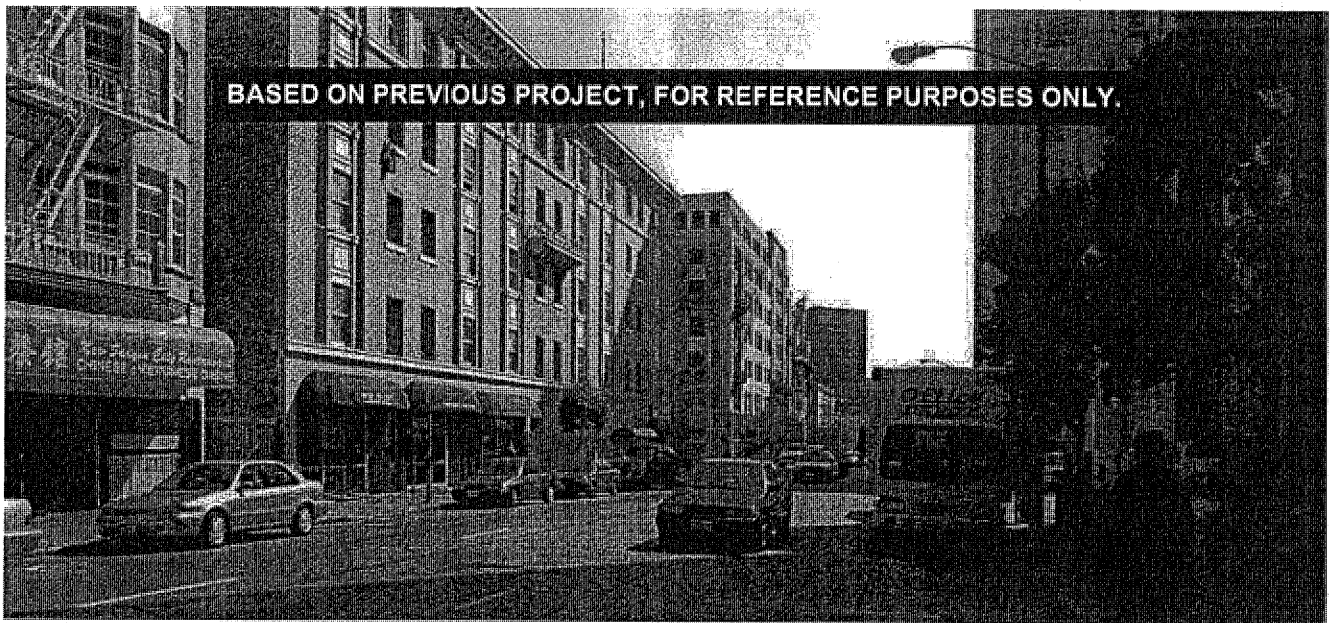
SOURCE: Square One Productions

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HASTINGS COLLEGE OF LAW  
FIGURE 14: VIEW OF PARKING GARAGE SITE LOOKING EAST  
FROM THE FEDERAL BUILDING PLAZA AT GOLDEN GATE AVENUE-



15A. EXISTING VIEW



15B. EXISTING VIEW WITH SIMULATED PROJECT

SOURCE: Square One Productions

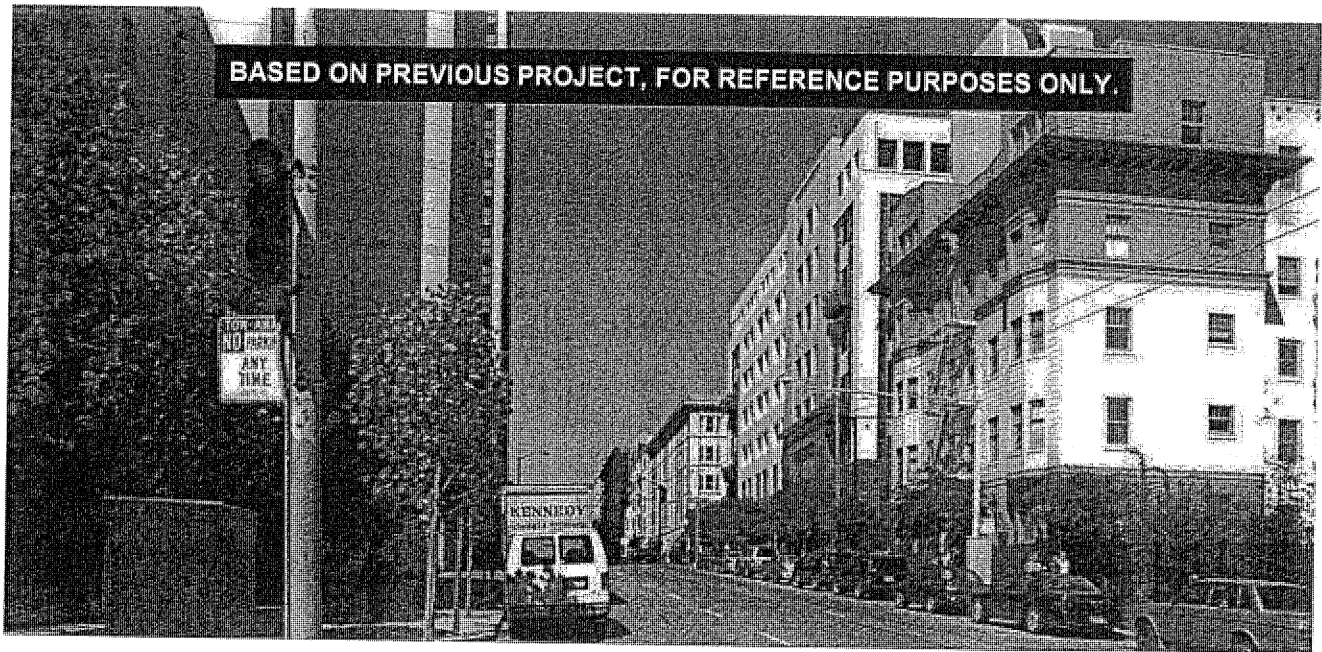
EIP

HASTINGS COLLEGE OF LAW

FIGURE 15: VIEW OF PARKING GARAGE SITE LOOKING SOUTH  
FROM LARKIN STREET NEAR TURK STREET



16A. EXISTING VIEW



16B. EXISTING VIEW WITH SIMULATED PROJECT

11.8.01

SOURCE: Square One Productions

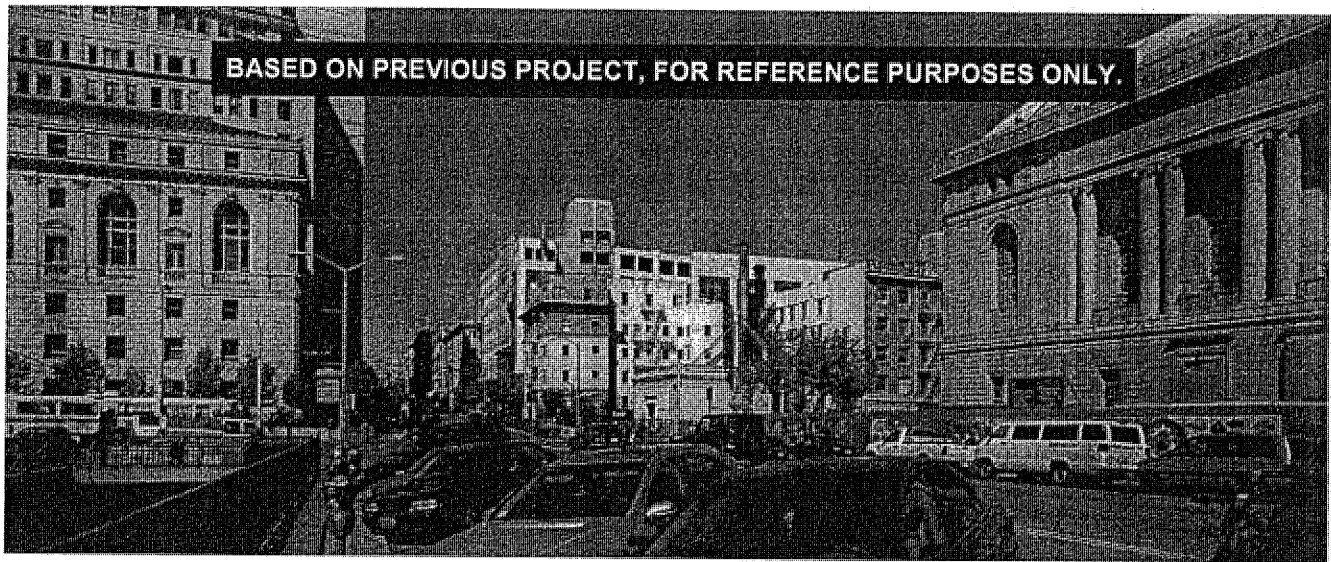
EIP

HASTINGS COLLEGE OF LAW

FIGURE 16: VIEW OF PARKING GARAGE SITE LOOKING NORTH  
FROM McALLISTER STREET NEAR LARKIN STREET



17A. EXISTING VIEW



17B. EXISTING VIEW WITH SIMULATED PROJECT

11.8.01

SOURCE: Square One Productions

EIP

HASTINGS COLLEGE OF LAW  
FIGURE 17: VIEW OF PARKING GARAGE SITE LOOKING NORTH  
FROM THE CIVIC CENTER PLAZA AT FULTON STREET