



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: DECEMBER 6, 2012

Date: November 29, 2012
Case No.: **2011.0953C**
Project Address: **300 SOUTH VAN NESS AVENUE**
Zoning: UMU (Urban Mixed Use) Zoning
58-X Height and Bulk District
Block/Lot: 3548/001
Project Sponsor: Reuben & Junius, LLP
One Bush Street, 6th Floor
San Francisco, CA 94110
Staff Contact: Tara Sullivan – (415) 558-6257
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PROJECT DESCRIPTION

The proposal is for the new construction of a 50-foot tall building containing a 20,040 square foot automotive sales dealership (d.b.a. "Audi") at the southwest corner of 14th Street and South Van Ness Avenue. Under Sections 843.45, 843.76, and 303, a retail automobile sales use above 4,000 square feet in the UMU Zoning District must obtain a Conditional Use Authorization.

SITE DESCRIPTION AND PRESENT USE

300 South Van Ness Avenue is located on the southwest corner of 14th Street and South Van Ness Avenue, Lot 001, in Assessor's Block 3548. The property is located within the UMU (Urban Mixed Use), and a 58-X Height and Bulk District. The site is approximately 6,225 square feet and is undeveloped. It is currently used as an open-air automotive retail sales (d.b.a. "Royal Motors Audi") with 32 vehicle spaces. Two curb cuts are on the property: a 9 foot wide cut on 14th Street and an approximately 20 foot wide cut on South Van Ness Avenue. The perimeter of the lot has a three-foot high chain and pole fence, and several large "Royal Motors" business wall signs on the side wall of the southern building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

300 South Van Ness Avenue is located in the northwest portion of the Mission neighborhood. It is one block to the south of the Highway 101 on-ramp and the elevated highway. Natoma Street a block to the west of the site. The intersection of 14th Street and South Van Ness Avenue is mixed use in character, with three of the corner properties currently used as paved open-air automobile retail sales (all owned and operated by Royal Motors), and a three-story residential apartment building with a ground floor restaurant on the southeast corner of 14th Street and South Van Ness Avenue. On the southern side of 14th

Street, directly to the west of 300 South Van Ness Avenue (between South Van Ness Avenue and Mission Street), are three-story residential buildings. The northern side of the street has a large two-story industrial building and miscellaneous light industrial uses. Along South Van Ness Avenue to the south and along 14th Street to the east (between South Van Ness Avenue and Folsom Street) are light industrial uses interspersed with residential buildings.

This portion of the northeast Mission neighborhood is largely light-industrial in character, due to its proximity to Highway 101. The majority of the adjacent blocks are zoned UMU (Urban Mixed-Use), and PDR-1-G (General Production, Distribution and Repair), and the buildings reflect these uses, with large one-to-two story warehouse buildings along 14th Street. The area has a high concentration of automotive-related uses, such as sales dealerships and service businesses, along South Van Ness Avenue from north of Highway 101 to 17th Street. There are also residential buildings throughout the neighborhood. There are several Neighborhood Commercial Transit (NCT) Districts along Mission Street and Residential Transit-Oriented (RTO) Districts to the west of the site. Along South Van Ness Avenue the zoning is predominately UMU. The neighborhood also has varied height limits ranging from 58-X to 68-X. This mixed development pattern is characteristic of the site's location at the northern portion of the Mission neighborhood, which was rezoned under the Eastern Neighborhoods Plan Area.

ENVIRONMENTAL REVIEW

On November 29, 2012, the Planning Department reviewed and considered the Community Plan Exemption ("CPE") and found that the contents of said report and the procedures through which the CPE was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Department also prepared a Mitigation Monitoring and Reporting Program ("MMRP") setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 16, 2012	November 14, 2012	22 days
Posted Notice	20 days	November 16, 2012	November 16, 2012	20 days
Mailed Notice	20 days	November 16, 2012	November 15, 2012	21 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT

- To date, the Department received no public comment on this project.

ISSUES AND OTHER CONSIDERATIONS

- Sections 843.45 and 843.76 require that any automobile retail sales use which is larger than 4,000 square feet and within an UMU District, seek and obtain a Conditional Use Authorization.
- 300 South Van Ness Avenue has been locally-owned and used as open-air automobile retail sales for several decades. This use will continue on the site.
- The proposed building is solely for the use of retail sales; all storage and mechanic work will be offsite. No parking space will be provided for a large trailer truck to load and unload vehicles, either on site or at the curb of 14th Street and South Van Ness Avenue. The project sponsor will not be loading vehicles directly from a trailer; rather they will be driving them individually from a warehouse and service building located at Howard and 12th Streets.
- The height of the building was lowered from 58 feet to 50 feet to respect the height of the adjacent residential buildings along 14th Street, and the structure has been designed to match the adjacent lightwells to provide light and air to the neighboring residences, in response to neighbors comments.
- This portion of South Van Ness Avenue is mixed-use in character although there is a high concentration of automobile uses. This is reflected in the Eastern Neighborhoods Plan Area zoning, which rezoned much of the neighborhood to the UMU zoning. The project at 300 South Van Ness Avenue is in keeping with the current character of the neighborhood.
- The Zoning Administrator has determined that the project qualifies for a non-residential open space exception pursuant to Section 307(h). The proposal is required to have 80 square feet of open space, which will be satisfied through the payment of a fee.
- The table below shows the estimated amount of each fee due for the new 20,040 square feet of automobile retail sales proposed as of the date of this report.

FEE TYPE	AMOUNT DUE
Transit Impact Development (\$2.41s/f) ¹	\$48,296
Eastern Neighborhoods (\$3.18 s/f)	\$63,727
Eastern Neighborhoods Open Space Fee (\$80.82 s/f of required open space)	\$6,465
TOTAL	\$118,488

¹ This fee is an estimate and the final fee shall be determined in consultation with SFMTA.

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow an automobile retail sales use size that is greater than 4,000 square feet in a UMU District, pursuant to Planning Code Sections 843.45, 843.76, and 303.

BASIS FOR RECOMMENDATION

- The project will construct a new contemporary and well-designed building at this prominent corner of South Van Ness Avenue.
- The proposal will remove a large open paved lot and construct a new 50-foot tall building, which is in alignment with the Eastern Neighborhoods Area Plan, which calls for the development of these type of lots.
- The proposed building at 300 South Van Ness Avenue is of a contemporary design that reflects the use while respecting the industrial character of the neighborhood with its modest architectural vocabulary and details, and a two-story ground floor storefront, which will be open and provide active uses along the street.
- South Van Ness Avenue is over 82 feet in width and the proposed 50 foot high building is in scale with this broad street and the adjacent three-story buildings along 14th Street.
- The neighborhood has historically featured a large concentration of automotive-related uses such as sales dealerships and repair, due to its proximity to Highway 101 and light-industrial nature, and the proposal will continue this use.
- The Project was reduced in height to address neighbors' comments.
- The Project provides development that is desirable and compatible with the scale and massing of the surrounding neighborhood.
- The Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions
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Attachments:

- Draft Motion
- Maps
- CEQA General Plan Exemption, including the Mitigation, Monitoring, & Reporting Provisions
- Project Sponsor Submittal, including, Photographs and Plans

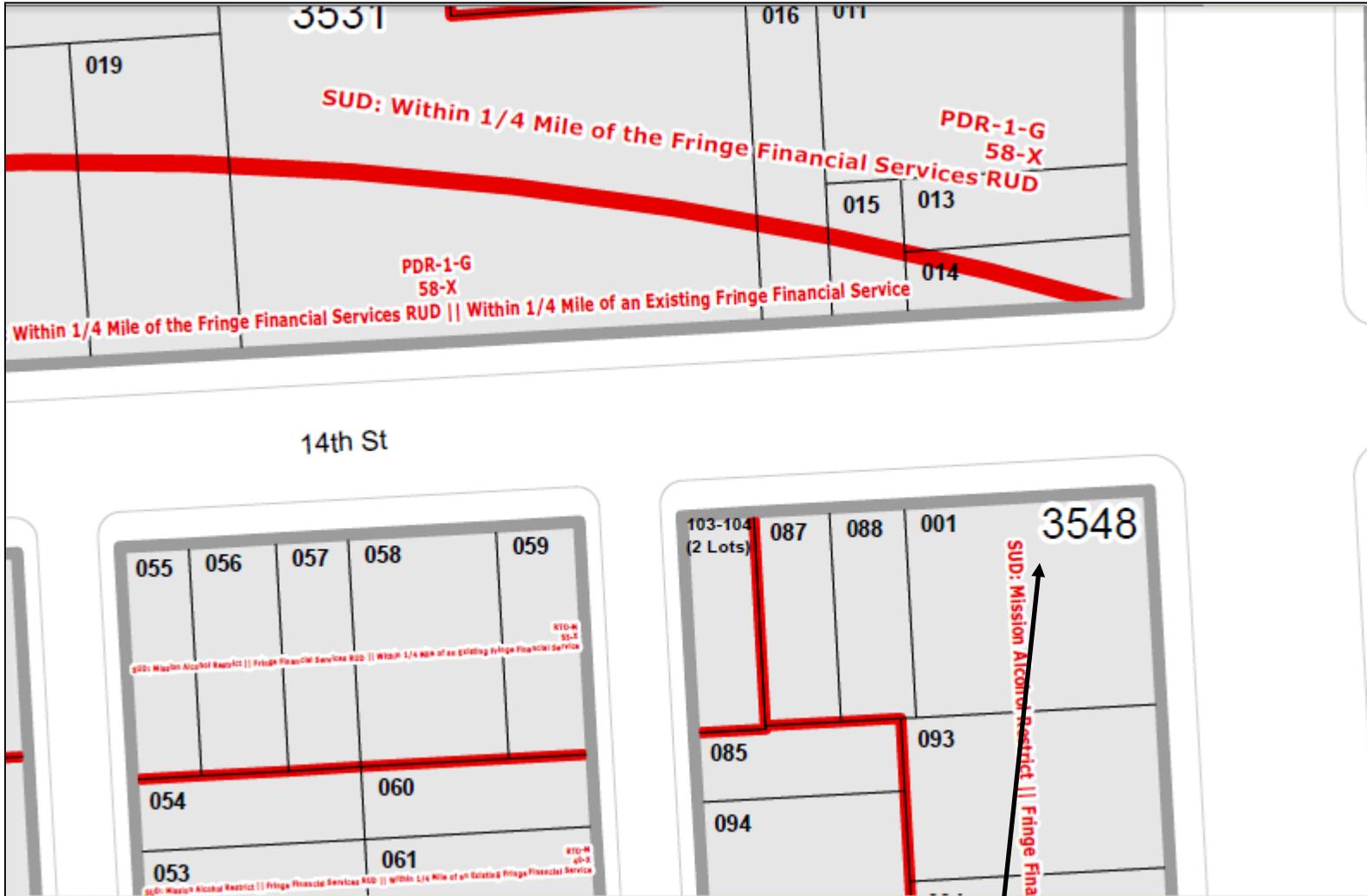
Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

Parcel Map

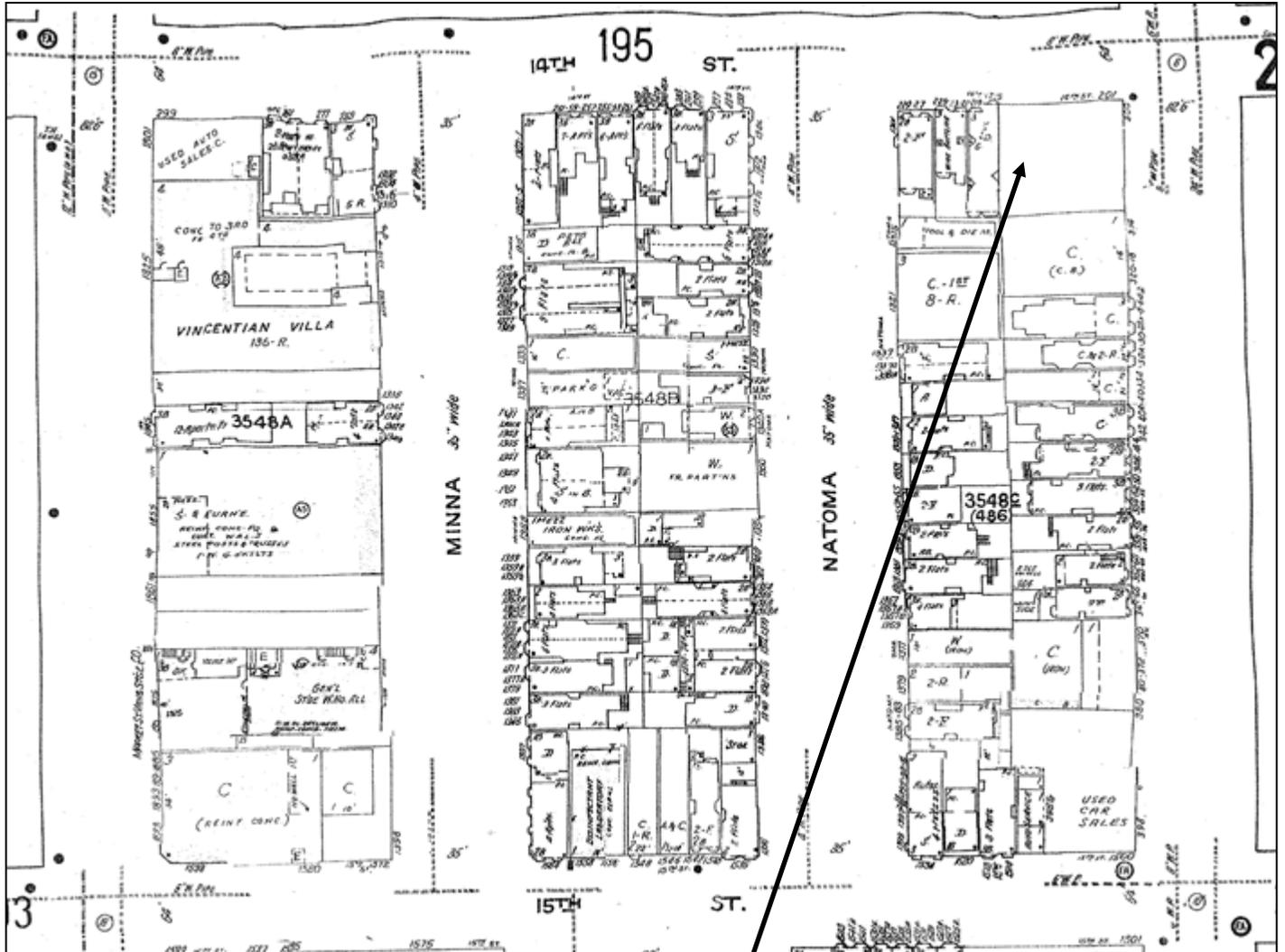


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Sanborn Map*



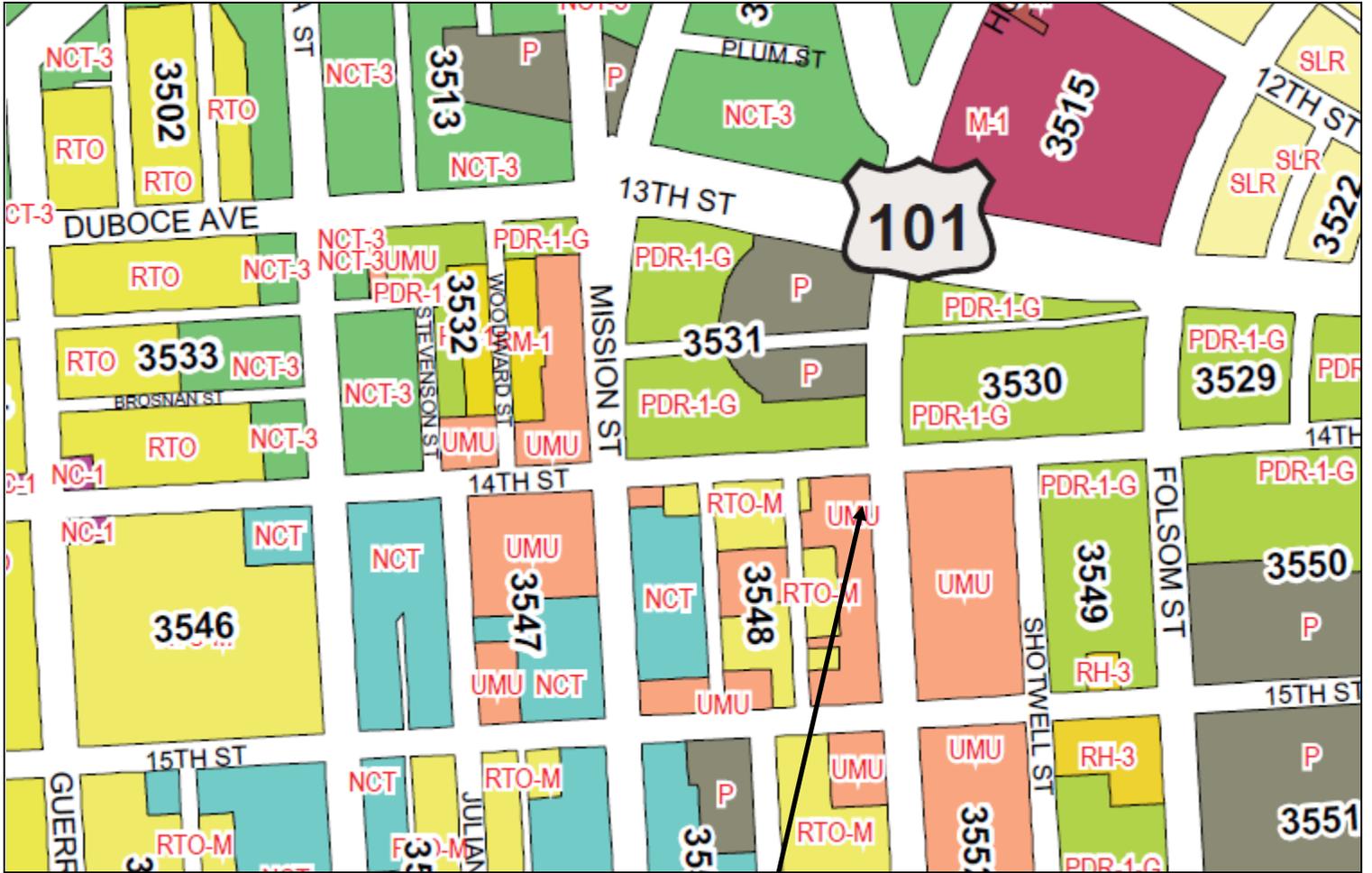
SUBJECT PROPERTY



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

Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Zoning Map

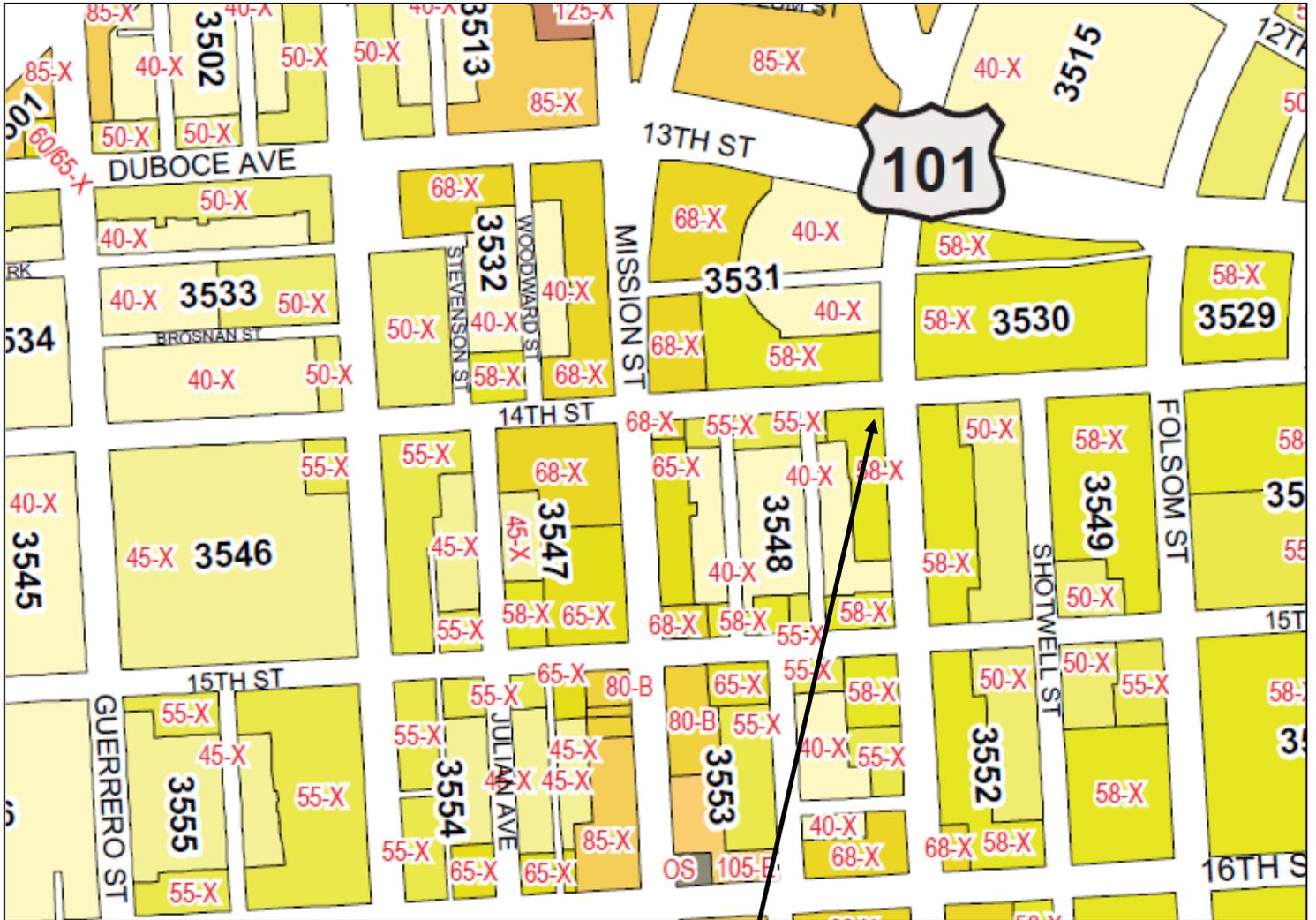


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Height Map



SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

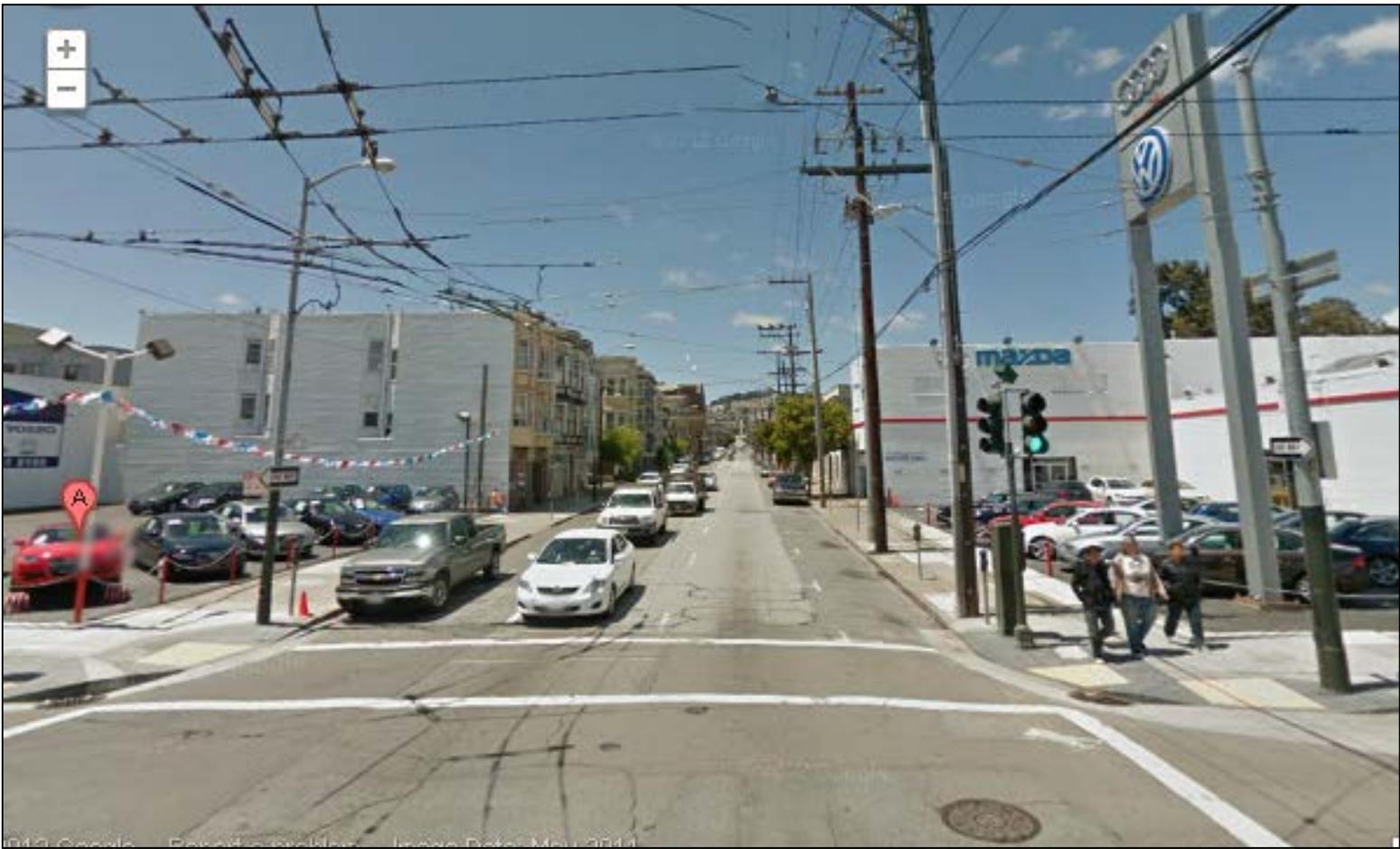
Site Photo



Subject Site: southwest corner of South Van Ness Avenue and 14th Street

Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Site Photo



Looking west along 14th Street

Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Site Photo



Looking north along South Van Ness Avenue

Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue

Site Photo



Looking northeast along South Van Ness Avenue

Conditional Use Authorization
Case Number 2011.0953
300 South Van Ness Avenue



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139) | <input checked="" type="checkbox"/> Other (Eastern Neighborhoods-Sec. 423 & 426) |
| <input checked="" type="checkbox"/> Transit Impact Development Fee (Admin Code) | <input checked="" type="checkbox"/> Other (Eastern Neighborhoods-Sec. 423 & 426) |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 843.45, 843.76, AND 303, FOR NEW CONSTRUCTION OF A 50-FOOT TALL BUILDING CONTAINING A 20,040 SQUARE FOOT AUTOMOTIVE SALES DEALERSHIP (D.B.A. "AUDI) AT THE SOUTHWEST CORNER OF 14TH STREET AND SOUTH VAN NESS AVENUE, WITHIN AN UMU (URBAN MIXED USE) ZONING DISTRICTS, 58-X HEIGHT AND BULK DISTRICT, AND THE EASTERN NEIGHBORHOOD AREA PLAN AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 12, 2011, Reuben & Junius LLP (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") on behalf of Michael J. Hansen, for a Conditional Use Authorization under Planning Code Sections 843.45, 843.76, and 303, for the new construction of a 50-foot tall building containing a 20,040 square foot automotive retail sales dealership (d.b.a. "Audi) at the southwest corner of 14th Street and South Van Ness Avenue.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Rezoning and Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17659, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The certification of the EIR was upheld on appeal to the Board of Supervisors at a public hearing on September 9, 2008. The Commission also adopted the Preferred Project in the Final EIR for final recommendation to the Board of Supervisors. In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning code amendments. The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, and (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of CEQA, on November 29, 2012, the Department determined that the proposed application was exempt from the environmental review process per Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (“MMRP”) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures reduce all potential significant impacts to less than significant levels, and are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On December 6, 2012, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0953C.

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

The Planning Commission Secretary, Jonas P. Ionin, is the custodian of records, and they are located in the File for Case No. 2011.0953CE at 1650 Mission Street, Fourth Floor, San Francisco, California.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization requested in Application No. 2011.0953C, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** 300 South Van Ness Avenue is located on the southwest corner of 14th Street and South Van Ness Avenue, Lot 001, in Assessor’s Block 3548. The property is located within the UMU (Urban Mixed Use), and a 58-X Height and Bulk District. The site is approximately 6,225 square feet and is undeveloped. It is currently used as an open-air automotive retail sales (d.b.a. “Royal Motors Audi”) with 32 vehicle spaces. Two curb cuts are on the property: a 9 foot wide cut on 14th Street and an approximately 20 foot wide cut on South Van Ness Avenue. The perimeter of the lot has a three-foot high chain and pole fence, and several large “Royal Motors” business wall signs on the side wall of the southern building.
3. **Surrounding Properties and Neighborhood.** 300 South Van Ness Avenue is located in the northwest portion of the Mission neighborhood. It is one block to the south of the Highway 101 on-ramp and the elevated highway. Natoma Street is a block to the west of the site. The intersection of 14th Street and South Van Ness Avenue is mixed use in character, with three of the corner properties currently used as paved open-air automobile retail sales (all owned and operated by Royal Motors), and a three-story residential apartment building with a ground floor restaurant on the southeast corner of 14th Street and South Van Ness Avenue. On the southern side of 14th Street, directly to the west of 300 South Van Ness Avenue (between South Van Ness

Avenue and Mission Street), are three-story residential buildings. The northern side of the street has a large two-story industrial building and miscellaneous light industrial uses. Along South Van Ness Avenue to the south and along 14th Street to the east (between South Van Ness Avenue and Folsom Street) are light industrial uses interspersed with residential buildings.

This portion of the northeast Mission neighborhood is largely light-industrial in character, due to its proximity to Highway 101. The majority of the adjacent blocks are zoned UMU (Urban Mixed-Use), and PDR-1-G (General Production, Distribution and Repair), and the buildings reflect these uses, with large one-to-two story warehouse buildings along 14th Street. The area has a high concentration of automotive-related uses, such as sales dealerships and service businesses, along South Van Ness Avenue from north of Highway 101 to 17th Street. There are also residential buildings throughout the neighborhood. There are several Neighborhood Commercial Transit (NCT) Districts along Mission Street and Residential Transit-Oriented (RTO) Districts to the west of the site. Along South Van Ness Avenue the zoning is predominately UMU. The neighborhood also has varied height limits ranging from 58-X to 68-X. This mixed development pattern is characteristic of the site's location at the northern portion of the Mission neighborhood, which was rezoned under the Eastern Neighborhoods Plan Area.

4. **Project Description.** The proposal is for the new construction of a 50-foot tall building containing a 20,040 square foot automotive sales dealership (d.b.a. "Audi) at the southwest corner of 14th Street and South Van Ness Avenue. Under Sections 843.45, 843.76, and 303, a retail automobile sales use above 4,000 square feet in the UMU Zoning District must obtain a Conditional Use Authorization.
5. **Public Comment.** The Department has received three letters in support of the project; no letters in opposition. There have been two phone inquiries about the project. Neighbors have expressed concern over the impact of the building. The Commission finds that the proposed structure is consistent and compatible with the scale of the buildings in the vicinity and the use reflects the concentration of automobile-related uses in the immediate vicinity.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Eastern Neighborhoods Permit Review.** Planning Code Section 312 requires neighborhood notification for a change of use within the Eastern Neighborhoods Area Plan. This includes a Pre-Application notice and meeting along with posted and mailed notice.

Section 312 notification was conducted in conjunction with the Conditional Use Authorization notification.
 - B. **Use Size.** Planning Code Sections 843.45 and 843.76 states that an automotive retail sales use which is larger than 4,000 square feet and within an UMU District, seek and obtain a Conditional Use Authorization.

The Proposed Project is for an automobile retail sales building, which is a permitted use within this zoning district. The proposed use is 20,040 square feet, which is above the 4,000 square feet threshold.

- C. **Open Space.** Section 135.3 states that non-residential uses in the UMU Districts provide one square foot of open space for every 250 square feet of occupied floor area. This requirement may be satisfied through the determination by the Zoning Administrator that a project qualifies for an exemption under Section 307(h), and an in-lieu fee be paid.

300 South Van Ness Avenue is required to have 80 square feet of open space for the use of the employees of the building. The proposal is for a new building that will cover the entire site and there are few areas that will qualify as the required open space. While the open space may be located on the roof, this area serves as a storage and retail area for new automobiles and will not provide high-quality open space. The Zoning Administrator has determined that the project qualifies for an exception under Section 307(h). The project sponsor will pay an in-lieu fee to meet the open space requirement.

- D. **Streetscape and Pedestrian Improvements.** Section 138.1 requires that new construction projects in mixed use districts provide a street tree for every 20-feet of lot frontage.

300 South Van Ness Avenue will provide a minimum of 8 street trees – 4 along both 14th Street and South Van Ness Avenue. The Project will also improve the sidewalk conditions through modifying the existing curb cuts. The approximately 20 foot wide cut on South Van Ness will be reduced to 10 feet, and the 9 foot wide cut on 14th Street will be enlarged to 14 feet to accommodate display vehicles.

- E. **Bird-Safe Standards.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated.

300 South Van Ness Avenue has been designed to reduce the impact of bird risks. The majority of building will be clad with perforated corrugated aluminum, and all glass will be fretted or of a type that will not create a bird hazard. Therefore the project complies with the treatments required by Planning Code Section 139.

- F. **Rooftop Screening.** Section 141 requires that all rooftop mechanical features in UMU Districts be screened from the public right of way.

The mechanical equipment necessary for 300 South Van Ness Avenue will be located on the roof, which will have a 4 foot high parapet. Further, the elevator penthouse is located on the interior of the lot. Both of these elements will prevent any mechanical systems from being visible. The proposed height is within the 58 foot height limit.

- G. **Street Frontages.** Section 145.1 has requirements for the treatment of ground floor uses. In the UMU District, ground floor ceiling heights must be 17 feet, and there must be a minimum of 60 percent transparency.

The proposed building at 300 South Van Ness Avenue features a double-height ground floor of 20 feet, creating a large open space for retail sales. The facades along 14th Street and South Van Ness Avenue feature a combination of corrugated aluminum cladding with a glass storefront system. The project provides the required amount of transparency and ground floor ceiling height.

- H. **Loading.** Section 152 requires certain amounts of off-street freight loading spaces based on the type and size of uses in a project. For the proposed project at 300 South Van Ness Avenue, one loading space is required.

300 South Van Ness Avenue will have one loading space on South Van Ness Avenue at the southernmost portion of the façade, which will be used for loading automobiles for sales to each floor of the building. There is no space provided for a large trailer truck to load and unload vehicles, either on site or at the curb. The project sponsor will not be loading vehicles directly from a trailer; rather, they will be driving them individually from a warehouse and service building located at Howard and 12th Streets.

- I. **Showers & Lockers.** Planning Code Section 155.3 requires that there be 1 shower and 2 lockers provided on site for employees and/or tenants.

300 South Van Ness Avenue will one shower and two locker spaces within the proposed building.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new use, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed structure at 300 South Van Ness Avenue is consistent with the mass and scale of other buildings along South Van Ness Avenue and in the neighborhood. The business has been locally-owned and used as open-air automobile retail sales for several decades and this automobile sales use will continue on the site. The existing open-air automobile sales lot will be removed and a new 50 foot tall building will be constructed. This stretch of South Van Ness Avenue consists of large lots with a mix of light industrial uses. The design of the structure is of a contemporary design that reflects the use while respecting the industrial character of the neighborhood with its modest architectural vocabulary and details. South Van Ness Avenue is over 82 feet in width and the proposed 50 foot high building is in scale with this broad street and the adjacent three-story residential buildings along 14th Street. The new building will enhance the overall visual quality of the neighborhood. The project meets the requirements of the Eastern Neighborhoods Area Plan and the Planning Code.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. The nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

300 South Van Ness Avenue is a corner lot that is square in shape. Located at a prominent corner of South Van Ness Avenue, the new building has been designed to maximize the floor area of the building while respecting the surrounding buildings. South Van Ness Avenue is 82 feet wide, and the new building is in scale with this broad street. Further, the building will be 50 feet high and will not overwhelm the adjacent three story residential structures to the west of the site. The design of the structure is of a contemporary design that reflects the proposed use while respecting the industrial character of the neighborhood with its modest architectural vocabulary and details. The project will improve the existing appearance and character of the neighborhood with the construction of a new, well-designed building. Overall, the Project is compatible with the dominant building form and industrial character of the neighborhood.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The proposed use will not generate significant amounts of additional vehicular trips from the immediate neighborhood or citywide. There is no off-street parking proposed on site, and the retail vehicles will be driven from a storage facility on Howard and 12th Streets.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

300 South Van Ness Avenue has functioned for various light industrial uses for many decades prior to its current use for open air automobile sales. The current retail use will remain and will not produce any noxious or offensive emissions which are otherwise subject to the Conditions of Approval outlined in Exhibit A.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

300 South Van Ness Avenue has been designed to maximize visibility along the street while minimizing the impact of lighting and loading areas. The proposed signage is modest in size and location, and will not result in additional glare to the neighborhood. Street trees will be provided along both frontages, and the mechanical systems will not be visible from the public right of way. In sum, the new building has been designed to enhance its use for automobile retails sales while

being sensitive in its treatment of lighting, landscaping, screening, and signage to be compatible with the character of the neighborhood.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

300 South Van Ness Avenue is not located within a Neighborhood Commercial District. However, it is located near several mixed use districts and developments, and is compatible with the scale and character of the adjacent areas.

8. **Section 101.1 Priority Policy Findings.** Section 101.1(b)(1-8) establishes Eight Priority Planning Policies and requires review of permits for consistency with said policies.

The Commission finds and determines that the Project is consistent with the eight priority policies, for the reasons set forth below.

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

The proposed project at 300 South Van Ness Avenue is retaining the existing automobile retail sales use. The construction of a new retail building will enhance the retail sales of automobiles, bring people to the site, and provide opportunities for local employment. The current business has been locally owned for several decades and the new building will enable this ownership to expand and prosper in San Francisco.

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

The Project falls in the Eastern Neighborhoods Plan Area, which was implemented in 2009. As a result, the adjacent neighborhoods have seen a considerable amount of mixed use development and conversions. This portion of South Van Ness Avenue is largely light industrial in character due to its proximity to Highway 101. There are residential and neighborhood commercial uses to the west of the site. All of these uses provide a diverse cultural and economic base for the neighborhood and San Francisco. As such, the area will continue to provide a vibrant mix of uses.

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

No housing is being proposed or removed for this Project.

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

The site is well served by transit. There are several bus lines that run along Mission and Folsom Streets, both a block from the site. Further, the 16th Street MUNI station is located two blocks to the southwest of the site. The project will modify the existing curb-cuts and there is no proposed off-street parking on the site. No significant increase in automobile trips is anticipated with the proposed project.

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

The proposal at 300 South Van Ness Avenue is a locally owned business that has been located at this corner for several decades. It has been used for automobile retail sales and this use will be continued and expanded through the construction of a new building. It is adjacent to both light industrial and residential uses, and automobile sales is a use that is in keeping with the variety of adjacent uses in the neighborhood. The Project will provide an increase in local resident employment and demand for new neighborhood-serving businesses in the area.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

There are no designated landmarks or historic buildings on the Project site.

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

The Project does not adversely affect open spaces or parks. There are no parks in the vicinity of the project site. There is an open parking lot but it does not function as open space.

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

COMMERCE AND INDUSTRY ELEMENT
Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

300 South Van Ness Avenue will remove an existing open air automobile sales lot, thus enhancing the quality of the built environment in this area. This use compliments the automobile retail sales establishments on the two northern corners of Van Ness Avenue and 14th Street. Further, the new building will contribute to the active street life of the neighborhood. In sum, the project at 300 South Van Ness Avenue will provide substantial net benefits to the block and surrounding area.

MISSION AREA PLAN

Objectives and Policies

OBJECTIVE 1.1:

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.2:

Revise land use controls in portions of the Northeast Mission Industrial Zone outside the core industrial area to create new mixed use areas, allowing mixed income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.6:

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of the Mission, while allowing larger retail in the formerly industrial areas when part of a mixed-use development.

OBJECTIVE 1.2:

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

OBJECTIVE 3.1:

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

Policy 3.1.1:

Adopt heights that are appropriate for the Mission's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

Policy 3.1.2:

The design of new, mixed-use infill development in the Northeast Mission Industrial Zone (NEMIZ) should strengthen the area's industrial character through appropriate materials, massing, and setback.

Policy 3.1.3:

Relate the prevailing heights of buildings to street and alley width throughout the Plan Area.

Policy 3.1.4:

Heights should also reflect the importance of key streets in the city's overall urban pattern, such as Mission and Valencia streets, while respecting the lower scale development that typifies much of the established residential areas throughout the Plan Area.

OBJECTIVE 3.2:

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

Policy 3.2.1:

Require high quality design of street-facing building exteriors.

Policy 3.2.4:

Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.5:

Building form should celebrate corner locations.

OBJECTIVE 6.1

SUPPORT THE ECONOMIC WELLBEING OF A VARIETY OF BUSINESSES IN THE EASTERN NEIGHBORHOODS.

300 South Van Ness Avenue overwhelmingly meets the goals of the Mission Area Plan. The site has been used for automobile retail sales for several decades and this use will remain and be expanded. The business is locally owned and the construction of a new building will enable the business to thrive while providing local employment. The design of the building meets all of the Area Plans goals – it celebrates its corner location, has a strong relationship between the ground floor retail and the sidewalk, is of a high quality design, is of a height that is lower than the permitted limit so that it is compatible and respectful of the adjacent residential buildings, and retains the mixed use character of the neighborhood. The design is thoughtful and speaks to its use for automobile sales while relating to the industrial character of the area through its materials and detailing. The building does not overwhelm the corner of South Van Ness Avenue, which is 82 feet wide, yet serves as a distinguished marker and is visible from Highway 101. The proposed development of 300 South Van Ness Avenue is what was envisioned for this area in the Eastern Neighborhoods Plan Area and is in conformance with its objectives and policies.

10. **Mitigation Measures.** Pursuant to the California Environmental Quality Act (CEQA), the Commission has considered the mitigation measures that were identified in the Eastern Neighborhoods Area Plan EIR that are applicable to the project. These mitigation measures

reduce all potential significant impacts to less than significant levels, and are set forth in their entirety in the Mitigation Monitoring and Reporting Program (MMRP) attached to the draft Motion as Exhibit C.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0953C** subject to the following conditions attached hereto as "EXHIBIT A", in general conformance with plans on file, dated July 25, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the Certificate of Exemption ("CPE") issued under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3, and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the CPE to avoid potentially significant environmental effects associated with the Project, and hereby adopts the CPE.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 6, 2012.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 6, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization to construct a 50-foot tall building containing a 20,040 square foot automotive sales dealership (d.b.a. "Audi) located at 300 South Van Ness Avenue, Lot 001 in Assessor's Block 3548 pursuant to Planning Code Section(s) **843.45, 843.76, and 303** within the **UMU District** and a **58-X** Height and Bulk District; in general conformance with plans, dated **November 25, 2012**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.0953C** and subject to conditions of approval reviewed and approved by the Commission on **December 6, 2012** under Motion No. XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **December 6, 2012** under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

PROVISIONS

Transit Impact Development Fee. Pursuant to Planning Code Sections 411 (formerly Chapter 38 of the Administrative Code) and 179.1(g), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

Open Space Impact Fee. Pursuant to Planning Code Section 427 (formerly 327), the Project Sponsor shall comply with the nonresidential open space provisions through payment of an Impact Fee pursuant to Article 4.

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

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

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

Curb cuts: There are two curb cuts at 300 South Van Ness Avenue, which will be modified with this proposal. The curb cut on South Van Ness Avenue will be reduced from approximately 20 feet to 10 feet, and the curb cut on 14th Street will be enlarged from 9 feet to 14 feet.

Street Trees. Pursuant to Planning Code Section 138, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

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

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

Showers and Clothes Lockers. Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 1 shower and 2 clothes lockers.

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

Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

MONITORING - AFTER ENTITLEMENT

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

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

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

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

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

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

OPERATION

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

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

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

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

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

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

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
ARCHEOLOGICAL RESOURCES					
<i>Mitigation Measure 1 – Mission Dolores Archeological District</i>					
<p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO.</p> <p>Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>	Project sponsor.	Prior to issuance of grading or building permits.	Project sponsor to retain archeological consultant to undertake archaeological monitoring program in consultation with ERO.	Project sponsor, archeologist, and ERO.	Complete when project sponsor retains a qualified archeological consultant.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site¹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	<p>Project sponsor/archeological consultant in consultation with any individual listed in the current Native American Contact List and Chinese Historical Society of America.</p>	<p>In the event of discovery of an archeological site associated with descendant Native Americans or Overseas Chinese.</p>	<p>Contact any individual listed in the current Native American Contact List and Chinese Historical Society of America and implement any further mitigation advised.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete upon notification of appropriate organization and implementation of any further mitigation as advised.</p>
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>Project sponsor/archeological consultant at the direction of the ERO.</p>	<p>Prior to soil-disturbing activities on the project site.</p>	<p>Prepare and submit draft ATP. Implement ATP.</p>	<p>Archeological consultant and ERO.</p>	<p>After consultation with and approval by ERO of ATP. Considered complete on submittal to ERO of report on ATP findings.</p>

¹ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

² An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO</p>	<p>After completion of ATP.</p>	<p>Submit report to ERO of the findings of the ATP.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete on submittal to ERO of report on ATP findings.</p>
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. 	<p>Project sponsor/ archeological consultant/ archeological monitor / contractor(s) at the direction of the ERO.</p>	<p>ERO and archeological consultant meet prior to commencement of soil-disturbing activity. If ERO determines that an AMP is necessary, monitor</p>	<p>Implement AMP.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete on findings by ERO that AMP implemented.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p>	Archeological consultant.	throughout all soil-disturbing activities.	Advise project contractor(s).		
<ul style="list-style-type: none"> ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the 	Archeological consultant.		Notify ERO if intact archeological deposit is encountered.		

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the</p>					
	<p>Archeological consultant at the direction of the ERO.</p>	<p>If there is determination by the ERO that an ADRP is required.</p>	<p>Prepare an ARDP.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete on findings by ERO that ADRP is implemented.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>appropriate curation facilities, and a summary of the accession policies of the curation facilities.</p>					
<p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project sponsor/ archeological consultant in consultation with the San Francisco Coroner, NAHC, and MLD.</p>	<p>In the event human remains and/or funerary objects are encountered.</p>	<p>Contact San Francisco County Coroner. Implement regulatory requirements, if applicable, regarding discovery of Native American human remains and associated/ unassociated funerary objects.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete on notification of the San Francisco County Coroner and NAHC, if necessary.</p>
<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s)</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of archeological data recovery, inventorying, analysis, and interpretation.</p>	<p>Submit a draft FARR.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered complete on submittal of FARR.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>					
<p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>Written certification submitted to ERO that required FARR distribution has been completed.</p>	<p>Distribute FARR.</p>	<p>Archeological consultant and ERO.</p>	<p>Considered compete on distribution of FARR.</p>
<p>AIR QUALITY</p>					
<p><i>Mitigation Measure 2 – Construction Emissions Minimization</i></p> <p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p>	<p>Project sponsor/ contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.</p>	<p>Prepare and submit a Plan.</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is complete.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, <i>and</i></p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).³</p> <p>c) Exceptions:</p> <p>i. Exceptions to A(1)(a) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</p> <p>ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the</p>					

³ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

**TABLE A1
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN
SCHEDULE***

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures			Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
		VDECS					
2	Tier 2	ARB Level 1 VDECS					
3	Tier 2	Alternative Fuel*					

*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

**Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p>					
<p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p>					
<p>B. <i>Reporting.</i> Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>	Project sponsor/ contractor(s).	Monthly.	Submit monthly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>		Within six months of completion of construction activities.	Submit a final report of construction activities.		
<p>C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been</p>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
incorporated into contract specifications.		equipment.			statement.

NEW DEALERSHIP FACILITY ROYAL MOTORS AUDI of SAN FRANCISCO, CALIFORNIA



LOCATION MAP



EXISTING



PROPOSED



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OF RECORD.

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

**MARTIN CONSULTING
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(916) 256-4676 PHONE / (916) 302-4085 FAX

**CHATFIELD
CONSTRUCTION**
Automotive Dealership Design and construction
110 SOUTH BECKMAN ROAD Lodi, CA 95240
CA LICENSE # T15601 (2/21) 3/31-10/15

**ROYAL MOTORS AUDI
of SAN FRANCISCO
AUTOMOTIVE DEALERSHIP**
300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

PROJECT NO: 11110
DATE: NOVEMBER 28, 2012
ENGINEERED BY: JHM
DRAWN BY: JHM
SHEET NAME:

COVER SHEET

SHEET NO:

T1.0



PROPOSED BUILDING RENDERING



CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

MARTIN CONSULTING GROUP, INC.
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 110 SOUTH BECKMAN ROAD Lodi, CA 95240
 CA LICENSE # T15601 (2/21) 353-1916

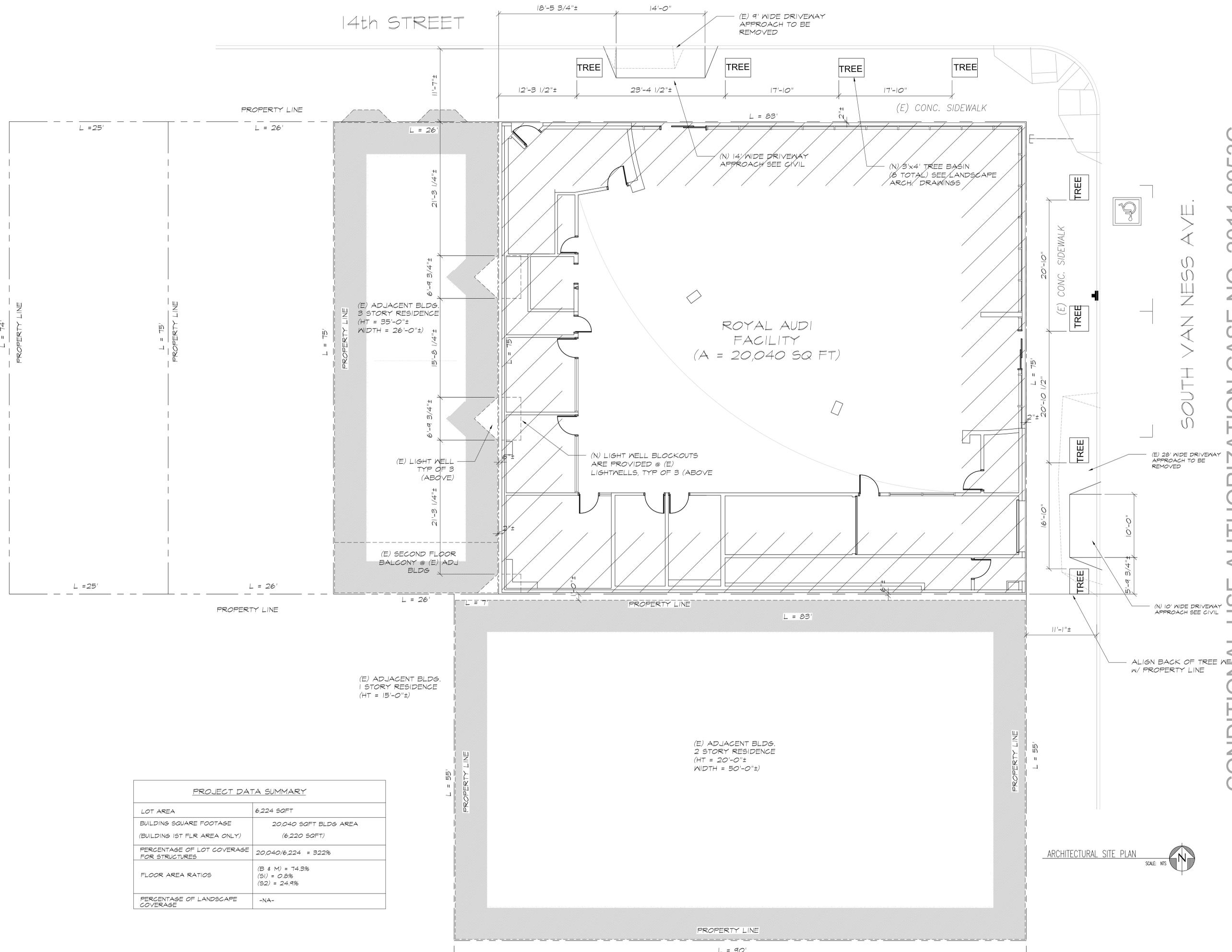
ROYAL MOTORS AUDI of SAN FRANCISCO AUTOMOTIVE DEALERSHIP
 300 S. VAN NESS AVE.
 SAN FRANCISCO, CA 94103

PROJECT NO: 11110
 DATE: NOVEMBER 28, 2012
 ENGINEERED BY: JIM
 DRAWN BY: JIM
 SHEET NAME:

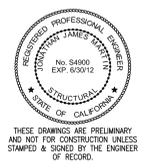
RENDERING

SHEET NO:

T1.1



PROJECT DATA SUMMARY	
LOT AREA	6,224 SQFT
BUILDING SQUARE FOOTAGE (BUILDING 1ST FLR AREA ONLY)	20,040 SQFT BLDG AREA (6,220 SQFT)
PERCENTAGE OF LOT COVERAGE FOR STRUCTURES	20,040/6,224 = 322%
FLOOR AREA RATIOS	(B & M) = 74.5% (S1) = 0.8% (S2) = 24.9%
PERCENTAGE OF LANDSCAPE COVERAGE	-NA-



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CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

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300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

PROJECT NO.: 11110
DATE: NOVEMBER 29, 2012
ENGINEERED BY: JJM
DRAWN BY: JJM
SHEET NAME:

SITE PLAN
SHEET NO.:
A1.0-PL



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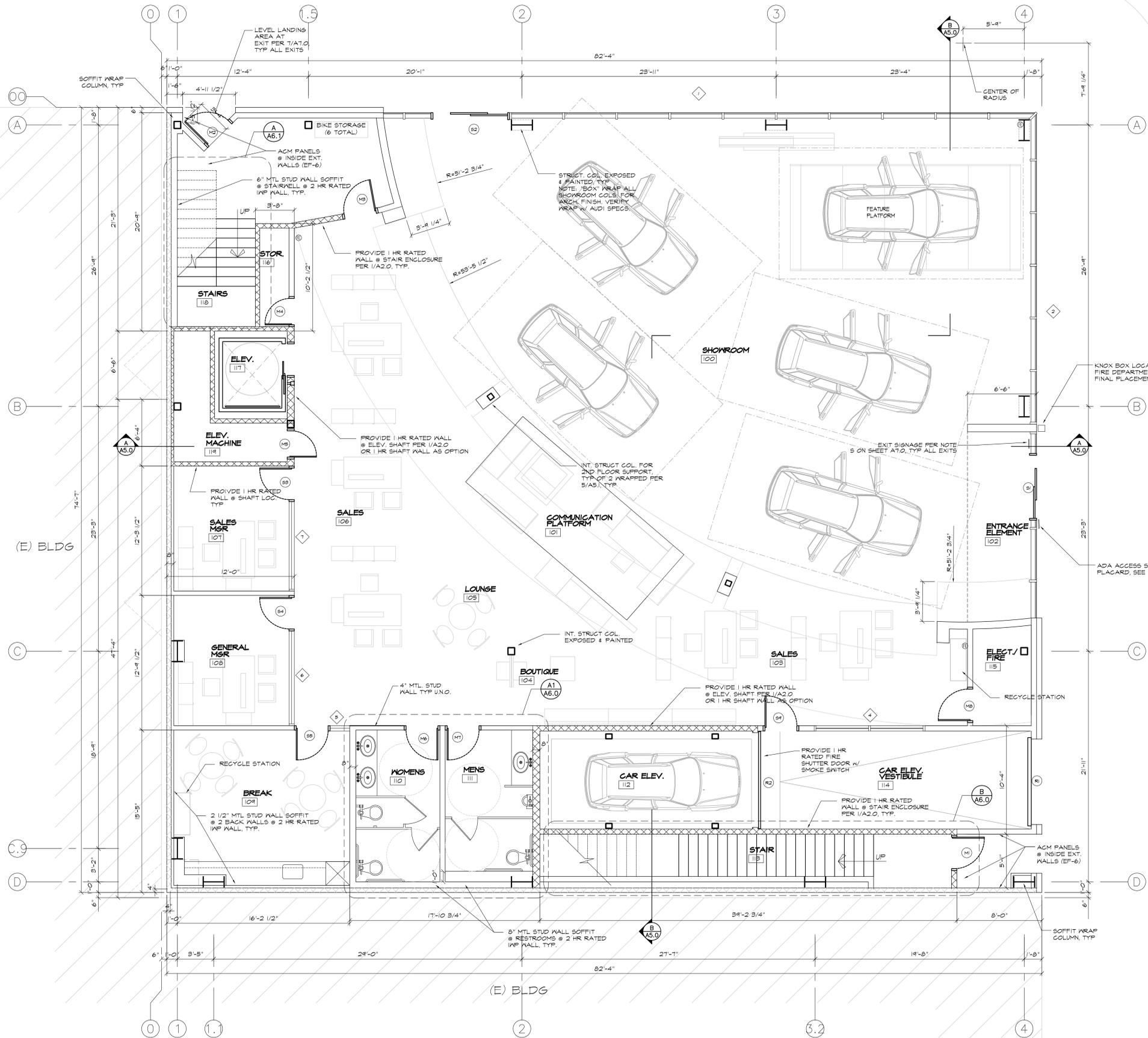
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AUTOMOTIVE DEALERSHIP

300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C



DEALERSHIP FIRST FLOOR PLAN

1/4" = 1'-0"

PROJECT NO.	11110
DATE	NOVEMBER 29, 2012
ENGINEERED BY	JJM
DRAWN BY	JJM
SHEET NAME	DEALERSHIP FIRST FLOOR PLAN
SHEET NO.	A2.0



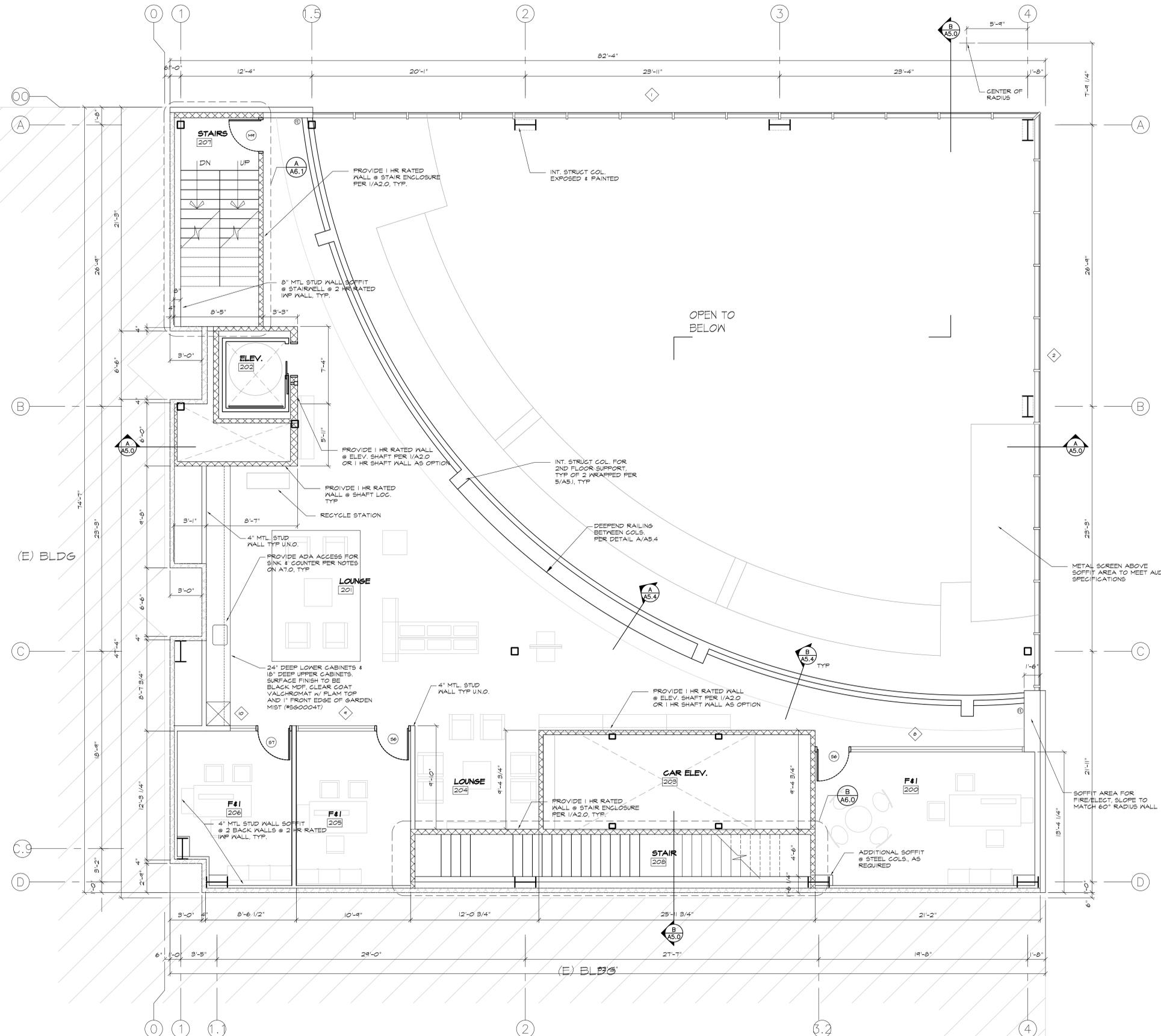
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AUTOMOTIVE DEALERSHIP
300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

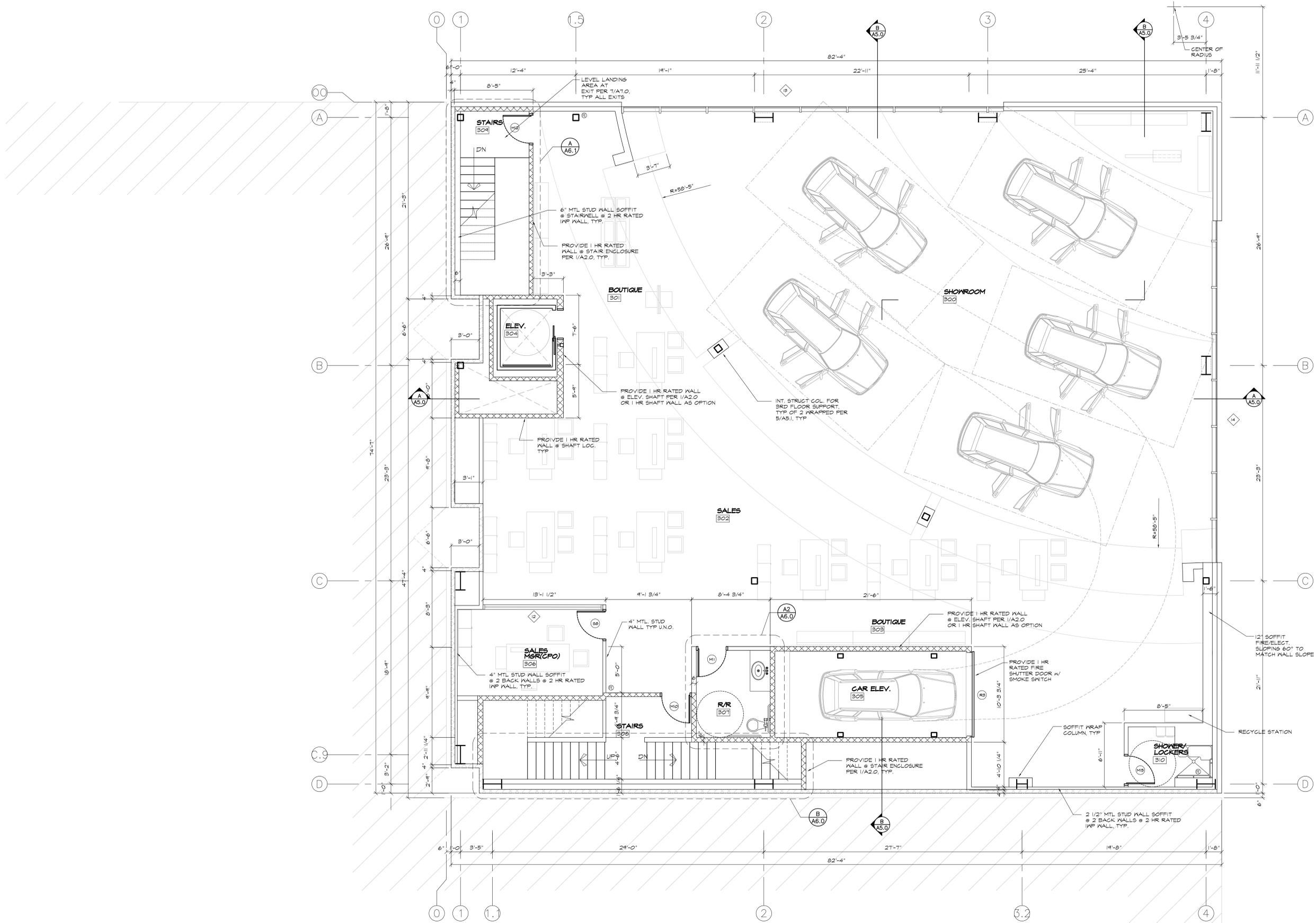
CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C



FINISH FLOOR (F.F.) ELEVATION IS = +12'-0"
DEALERSHIP SECOND FLOOR PLAN
1/4" = 1'-0"
NORTH

PROJECT NO.	11110
DATE	NOVEMBER 29, 2012
ENGINEERED BY	JJM
DRAWN BY	JJM
SHEET NAME	DEALERSHIP SECOND FLOOR PLAN
SHEET NO.	

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FINISH FLOOR (F.F.) ELEVATION IS = +25'-0"
DEALERSHIP THIRD FLOOR PLAN
 1/4" = 1'-0"



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 300 S. VAN NESS AVE.
 SAN FRANCISCO, CA 94103

PROJECT NO.	11110
DATE	NOVEMBER 29, 2012
ENGINEERED BY	JJM
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SHEET NAME	DEALERSHIP THIRD FLOOR PLAN
SHEET NO.	A2.2



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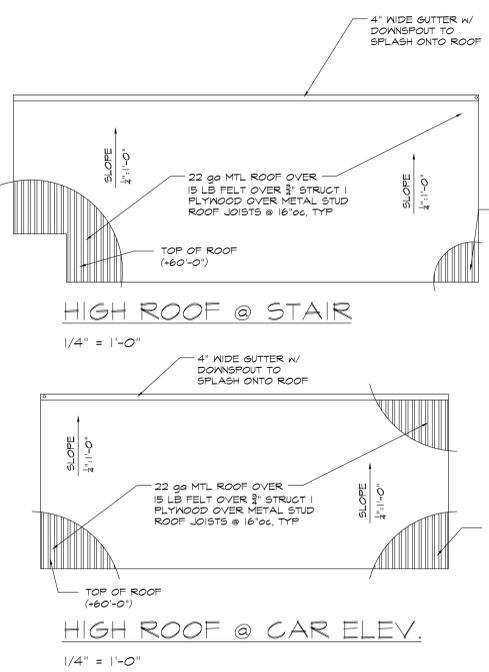
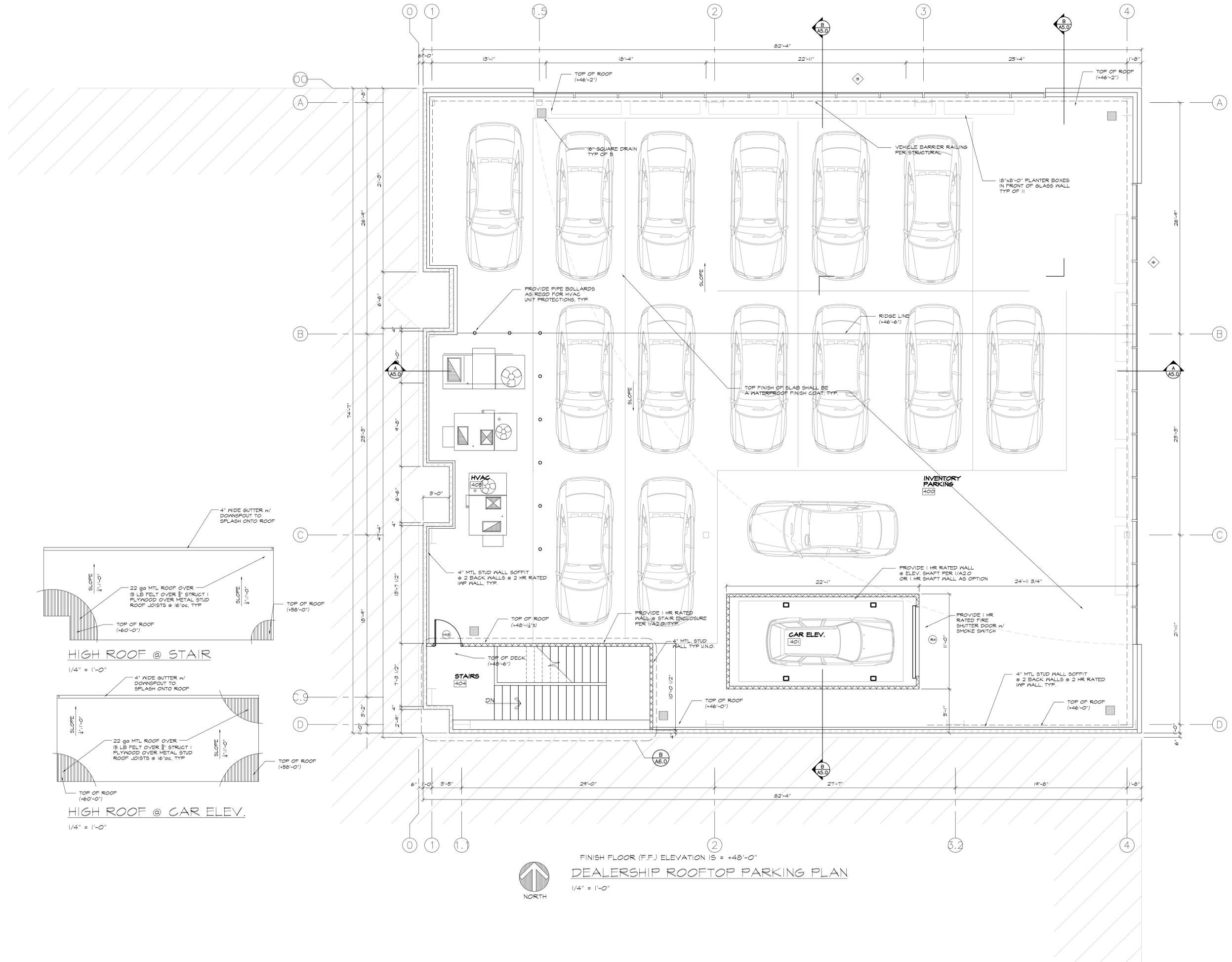
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110 SOUTH BECKMAN ROAD, Lodi, CA 95240
CA LICENSE # 112507 (201) 333-1818

ROYAL MOTORS AUDI of SAN FRANCISCO
AUTOMOTIVE DEALERSHIP

300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

PROJECT NO.	11110
DATE	NOVEMBER 29, 2012
ENGINEERED BY	JJM
DRAWN BY	JJM
SHEET NAME	DEALERSHIP ROOFTOP PARKING PLAN
SHEET NO.	



FINISH FLOOR (F.F.) ELEVATION IS = +46'-0"
DEALERSHIP ROOFTOP PARKING PLAN
 1/4" = 1'-0"





CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

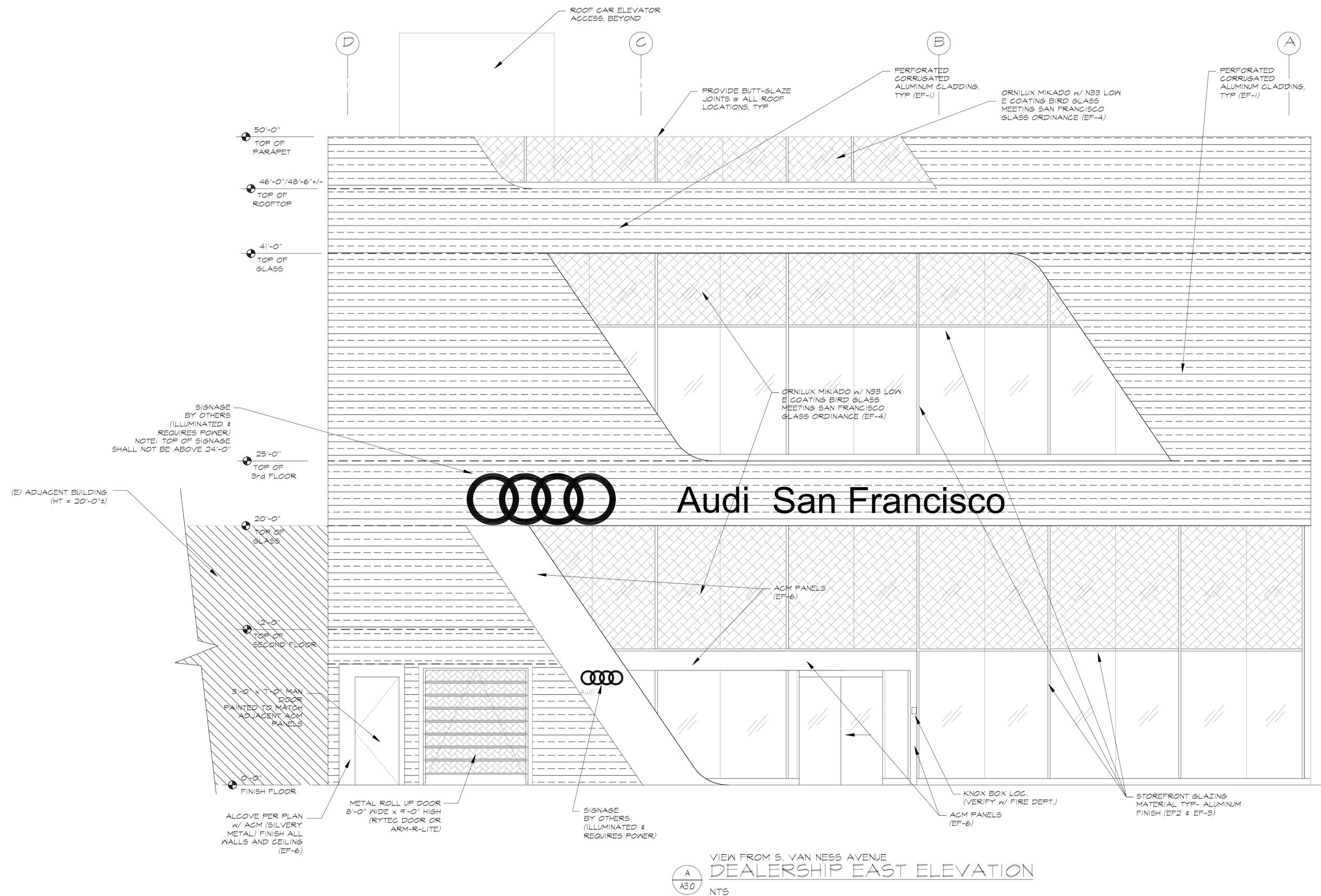
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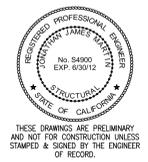
PROJECT NO: 11110
 DATE: NOVEMBER 23, 2012
 ENGINEERED BY: JJM
 DRAWN BY: JJM
 SHEET NAME:
 DEALERSHIP BLDG.
 EAST EXTERIOR
 ELEVATION

SHEET NO:
 A3.0



VIEW FROM S. VAN NESS AVENUE
DEALERSHIP EAST ELEVATION
 NTS

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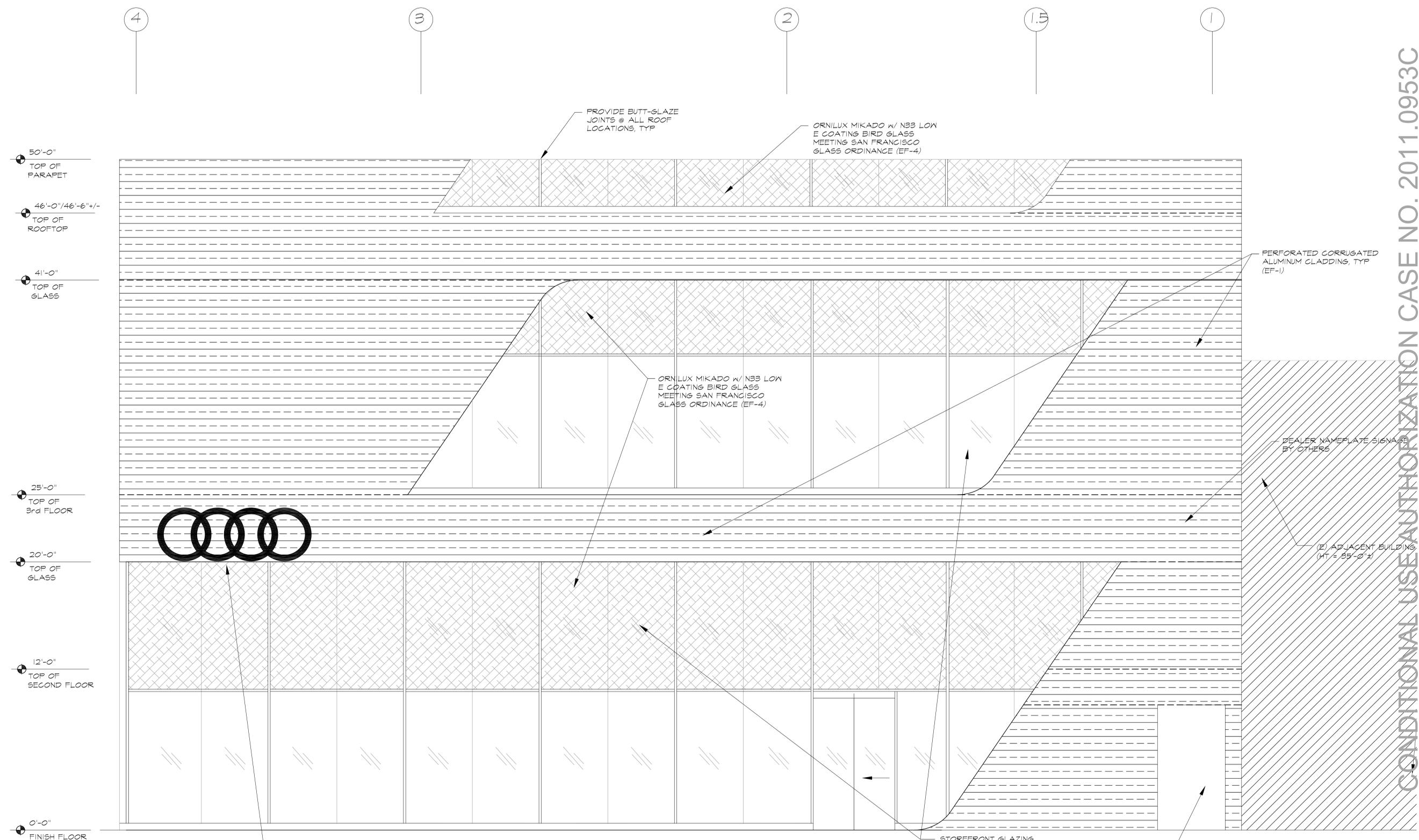
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 710 SOUTH BECKMAN ROAD, LODI, CA 95240
 CA LICENSE # 115507 (20/4) 355-1616

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 300 S. VAN NESS AVE
 SAN FRANCISCO, CA 94103

PROJECT NO: 11110
 DATE: NOVEMBER 29, 2012
 ENGINEERED BY: JJM
 DRAWN BY: JJM
 SHEET NAME: DEALERSHIP BLDG. NORTH EXTERIOR ELEVATION

SHEET NO:

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C



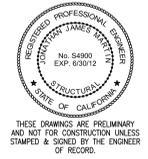
VIEW FROM 14th STREET
DEALERSHIP NORTH ELEVATION
 NTS

SIGNAGE BY OTHERS (ILLUMINATED & REQUIRES POWER)
 NOTE: TOP OF SIGNAGE SHALL NOT BE ABOVE 24'-0"

STOREFRONT GLAZING MATERIAL TYP- ALUMINUM FINISH (EF-1 & EF-2)

ALCOVE PER PLAN w/ ACM (SILVERY METAL) FINISH ALL WALLS AND CEILING (EF-6)

A
 A3.1



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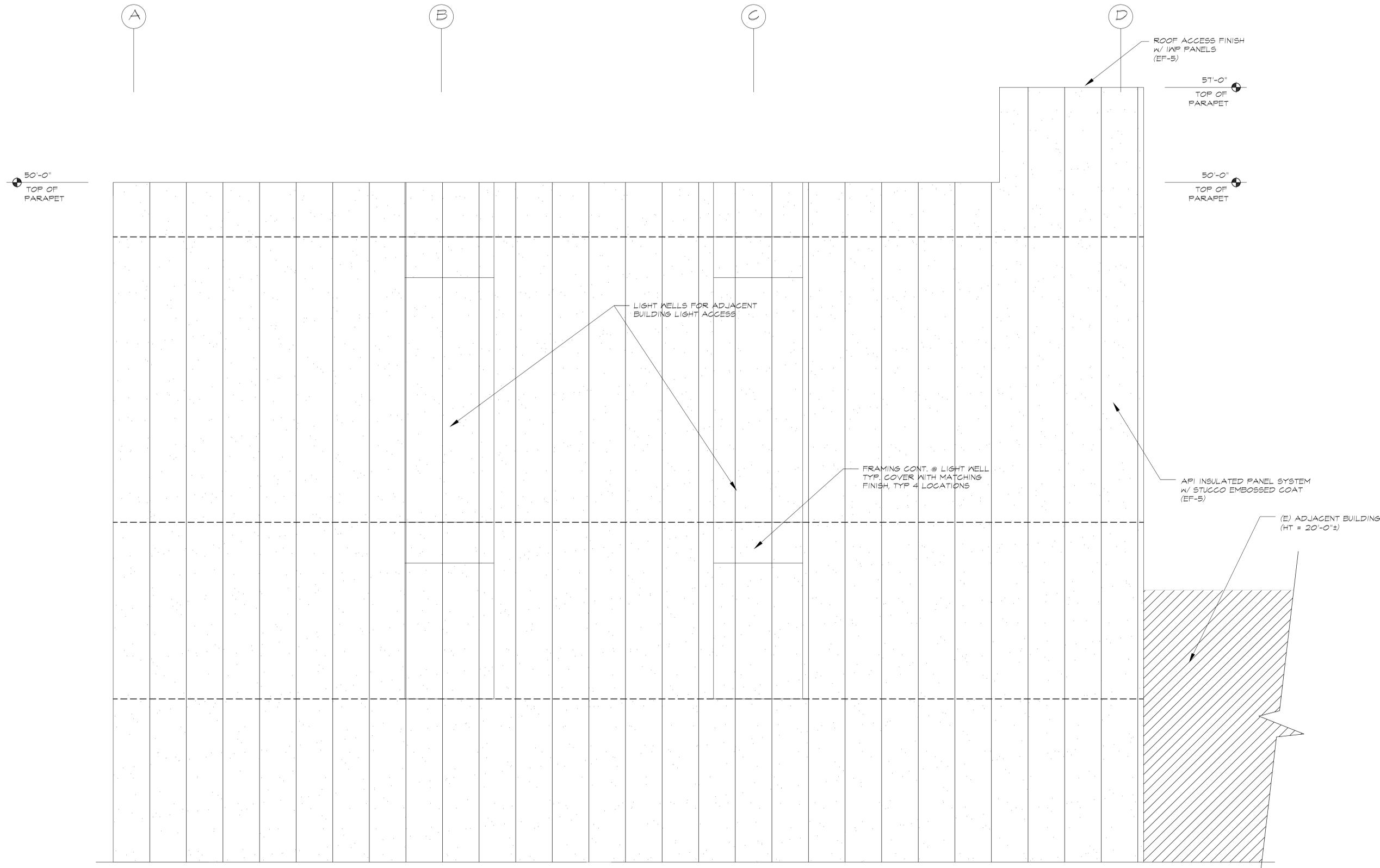
CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

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 CA LICENSE # TT155071 (204) 955-1616

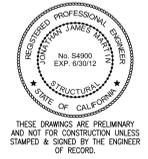
ROYAL MOTORS AUDI of SAN FRANCISCO AUTOMOTIVE DEALERSHIP
 300 S. VAN NESS AVE
 SAN FRANCISCO, CA 94103

PROJECT NO.	11110
DATE	NOVEMBER 23, 2012
ENGINEERED BY:	JJM
DRAWN BY:	JJM
SHEET NAME:	DEALERSHIP BLDG. WEST EXTERIOR ELEVATION
SHEET NO.	

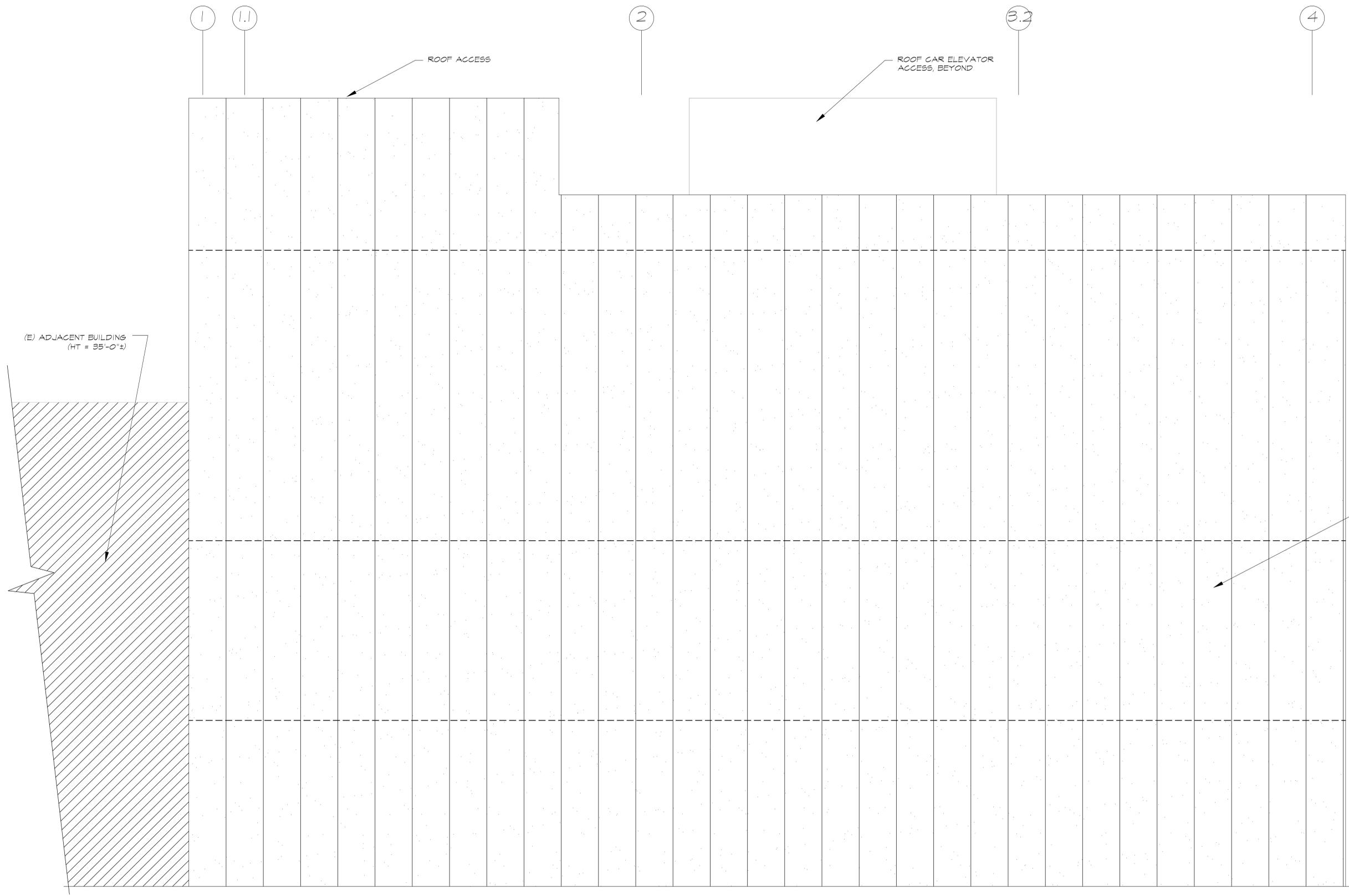


A DEALERSHIP WEST ELEVATION
 A3.2 NTS

A3.2



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(E) ADJACENT BUILDING
(HT = 35'-0"±)

ROOF ACCESS

ROOF CAR ELEVATOR
ACCESS, BEYOND

57'-0"
TOP OF STAIRWELL

50'-0"
TOP OF PARAPET

API INSULATED PANEL
SYSTEM
W/ STUCCO EMBOSSED
COAT TYP
(EF-5)

0'-0"
FINISH FLOOR

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

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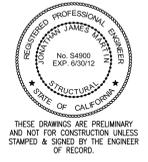
**CHATFIELD
CONSTRUCTION**
Automotive Dealership Design and Construction
110 SOUTH BECKMAN ROAD LAD1, C.A. 95240
CA LICENSE # TT195071 (204) 955-1616

**ROYAL MOTORS AUDI
of SAN FRANCISCO
AUTOMOTIVE DEALERSHIP**
300 S. VAN NESS AVE
SAN FRANCISCO, CA 94103

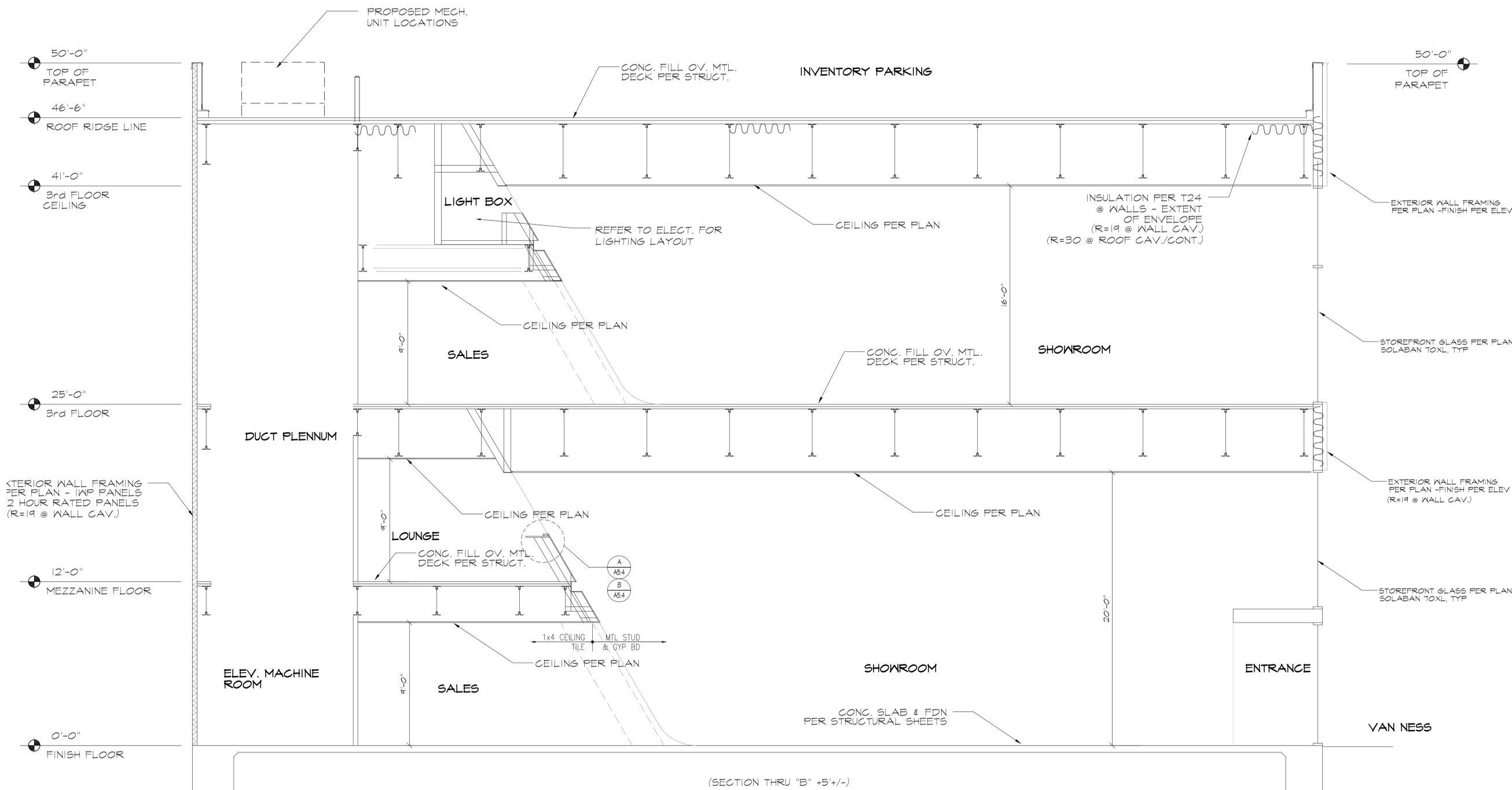
PROJECT NO.	11110
DATE	NOVEMBER 23, 2012
ENGINEERED BY:	JJM
DRAWN BY:	JJM
SHEET NAME:	DEALERSHIP BLDG. SOUTH EXTERIOR ELEVATION
SHEET NO.	

A
A33
DEALERSHIP SOUTH ELEVATION
NTS

A3.3



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(SECTION THRU "B" +5' +/-)
BUILDING SECTION
 NTS

NOTE:
 PROVIDE 1 HOUR FIRE PROOFING AT
 UNDERSIDE OF STEEL
 BEAM/JOIST/GIRDER FRAMING AT
 ROOF LEVEL ONLY.

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

MARTIN CONSULTING GROUP, INC.
 PROVIDING STRUCTURAL DESIGN
 2204 PLAZA DRIVE SUITE 100
 ROCKLIN, CA 95765
 (916) 256-4616 PHONE / (916) 302-4066 FAX

CHATFIELD CONSTRUCTION
 Automotive Dealership Design and Construction
 110 SOUTH BECKMAN ROAD Lodi, CA 95240
 CA LICENSE # T15501 (2/07) 335-1916

ROYAL MOTORS AUDI of SAN FRANCISCO AUTOMOTIVE DEALERSHIP
 300 S. VAN NESS AVE.
 SAN FRANCISCO, CA 94103

PROJECT NO.:	11110
DATE:	NOVEMBER 28, 2012
ENGINEERED BY:	JJM
DRAWN BY:	JJM
SHEET NAME:	DEALERSHIP BUILDING SECTIONS

SHEET NO.:

A5.0A



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CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

MARTIN CONSULTING GROUP, INC.
 PROVIDING STRUCTURAL DESIGN
 2204 PLAZA DRIVE SUITE 80
 ROCKLIN, CA 95765
 (916) 266-6886 PHONE / (916) 302-4085 FAX

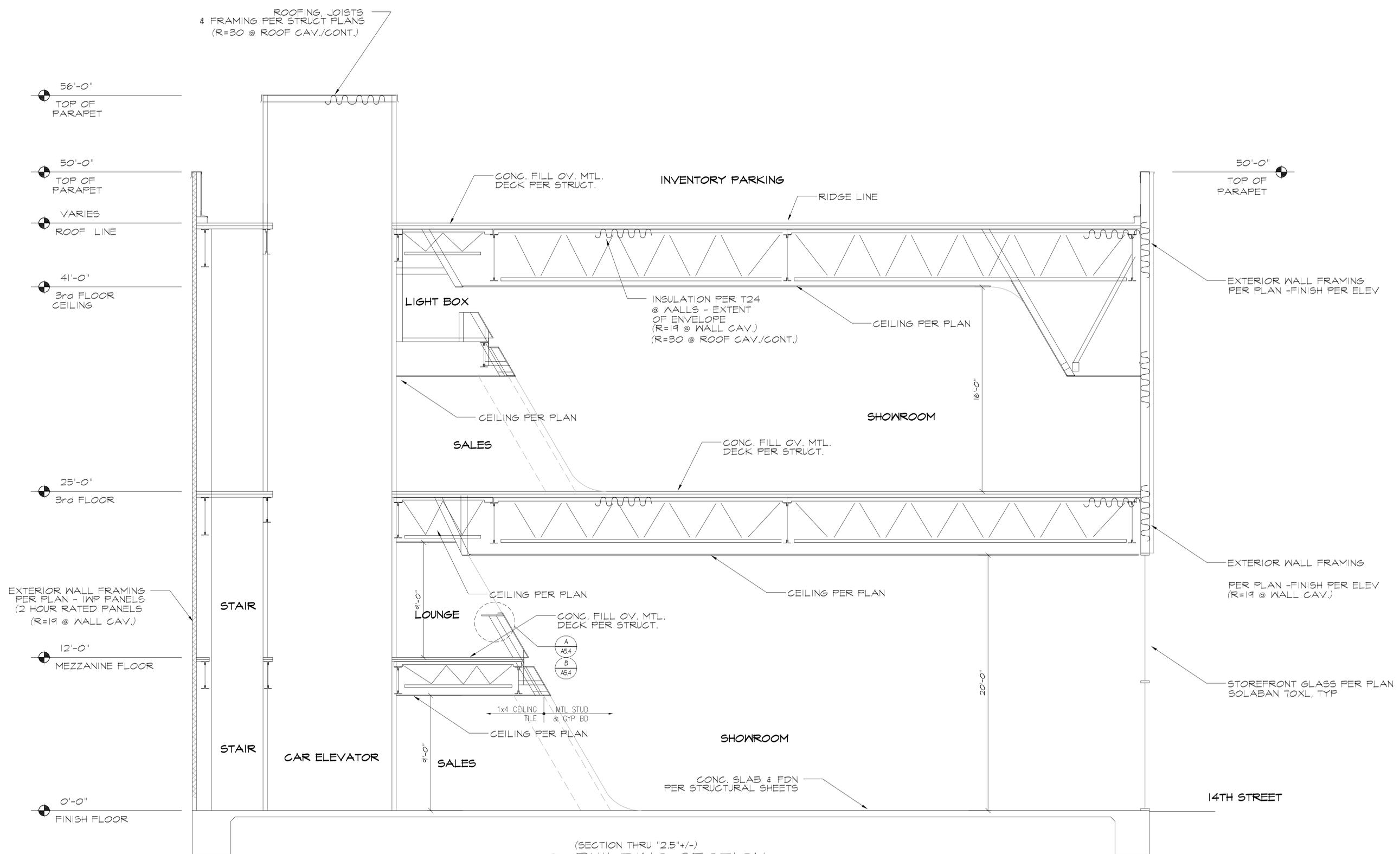
CHATFIELD CONSTRUCTION
 Automotive Dealership Design and construction
 110 SOUTH BECKMAN ROAD Lodi, CA 95240
 CA LICENSE # 715607 (209) 333-1818

ROYAL MOTORS AUDI of SAN FRANCISCO AUTOMOTIVE DEALERSHIP
 300 S. VAN NESS AVE.
 SAN FRANCISCO, CA 94103

PROJECT NO.	1110
DATE	NOVEMBER 23, 2012
ENGINEERED BY	JJM
DRAWN BY	JJM
SHEET NAME	DEALERSHIP BUILDING SECTIONS

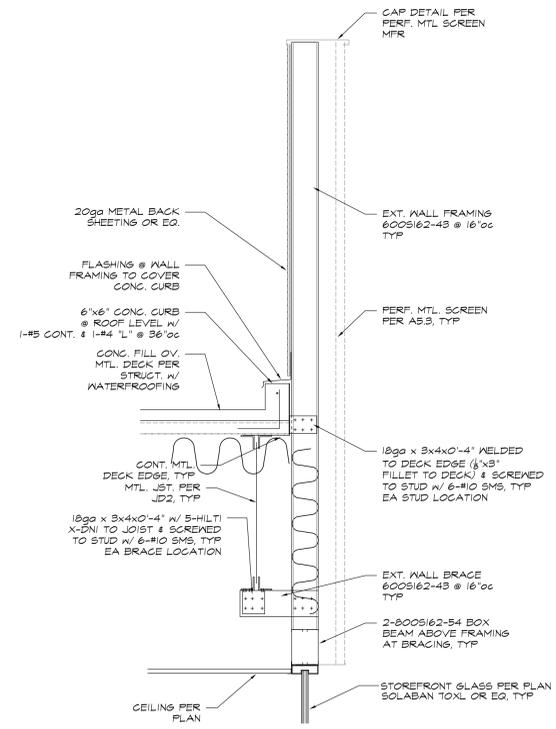
SHEET NO.

A5.0B



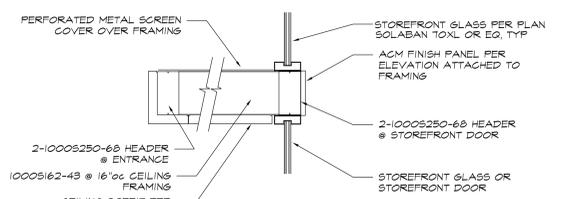
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BUILDING SECTION
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NOTE:
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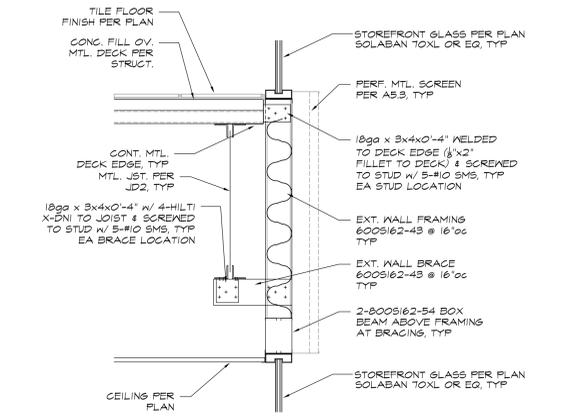


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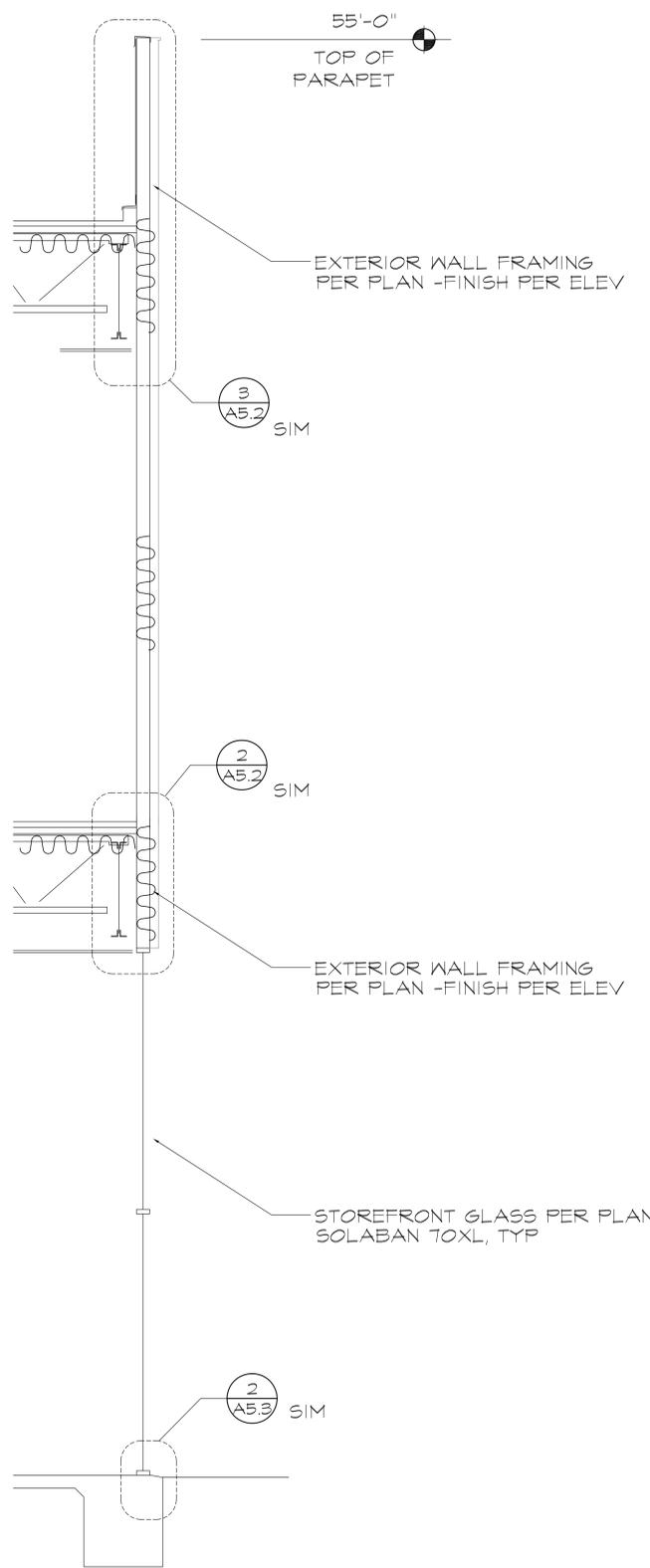
NOTE:
PROVIDE 1 HOUR FIRE PROOFING AT
UNDERSIDE OF STEEL
BEAM/JOIST/SIDER FRAMING AT
ROOF LEVEL ONLY.



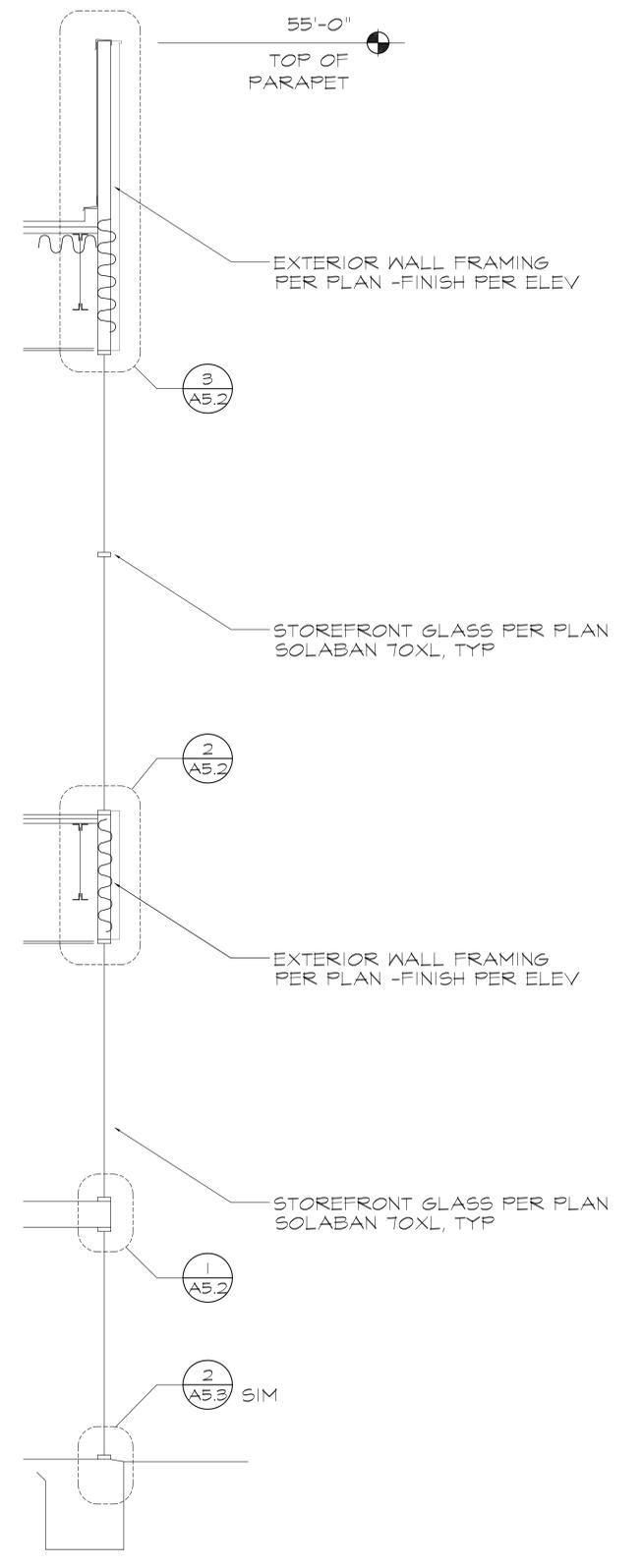
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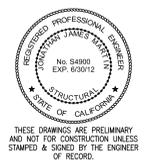
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A5.2
3/4" x 1'-0"



C
A5.2
3/8" x 1'-0"



A
A5.2
3/8" x 1'-0"



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OF RECORD.

CONDITIONAL USE AUTHORIZATION CASE NO. 2011.0953C

**MARTIN CONSULTING
GROUP, INC.**
PROVIDING STRUCTURAL DESIGN
2204 PLAZA DRIVE SUITE 100
ROCKLAND, CALIFORNIA 95965
(916) 256-4616 PHONE / (916) 302-4085 FAX

**CHATFIELD
CONSTRUCTION**
Automotive Dealership Design and Construction
110 SOUTH BECKMAN ROAD Lodi, CA 95240
CA LICENSE # T15601 (2/07) 3/30/09

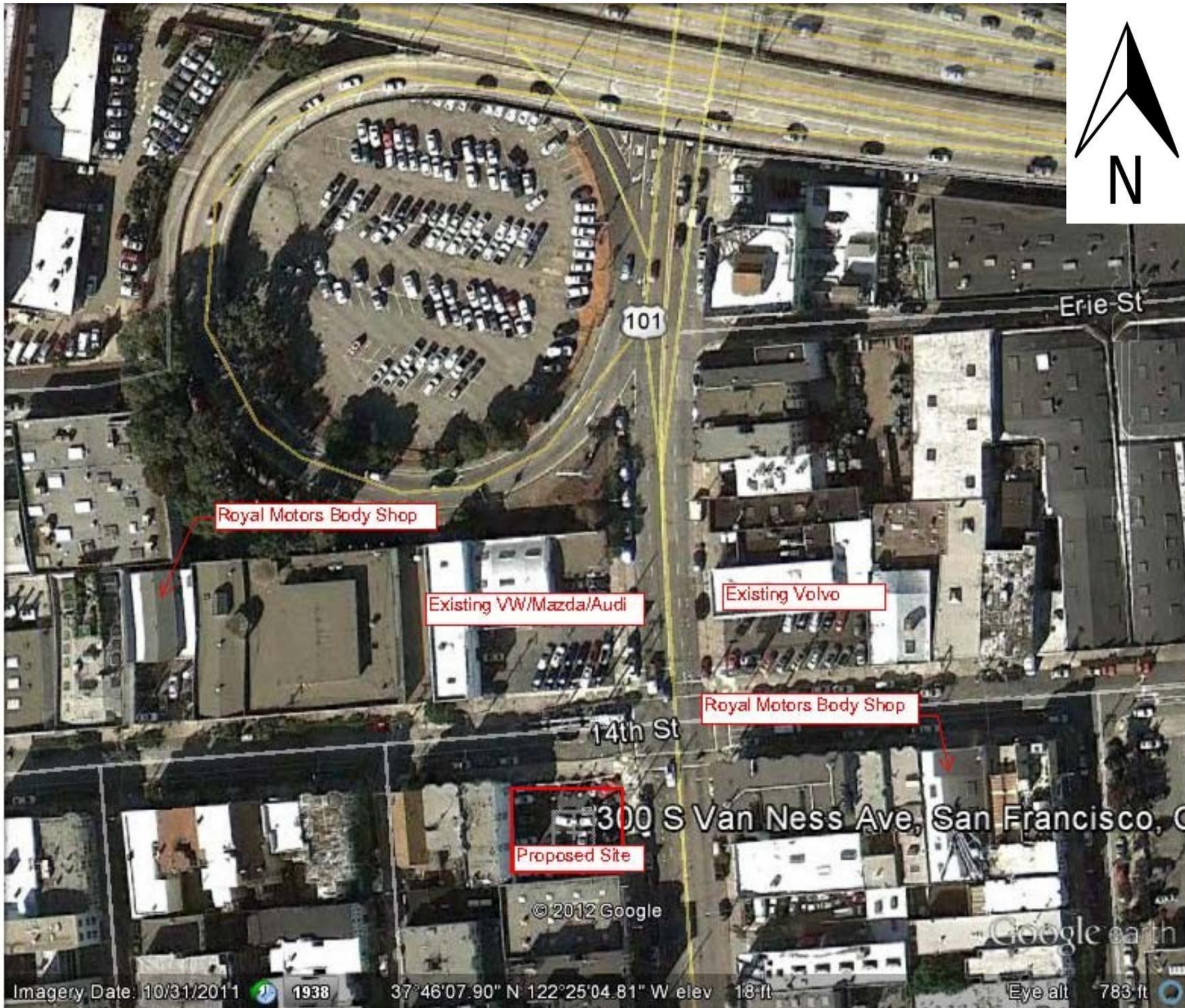
**ROYAL MOTORS AUDI
of SAN FRANCISCO
AUTOMOTIVE DEALERSHIP**
300 S. VAN NESS AVE.
SAN FRANCISCO, CA 94103

PROJECT NO.	11110
DATE	NOVEMBER 28, 2012
ENGINEERED BY:	JJM
DRAWN BY:	JJM
SHEET NAME:	

CURTAIN WALL SECTIONS

SHEET NO:

A5.2



Royal Motors Body Shop

Existing VW/Mazda/Audi

Existing Volvo

Royal Motors Body Shop

Proposed Site

101

Erie St

14th St

300 S Van Ness Ave, San Francisco, CA

Imagery Date: 10/31/2011

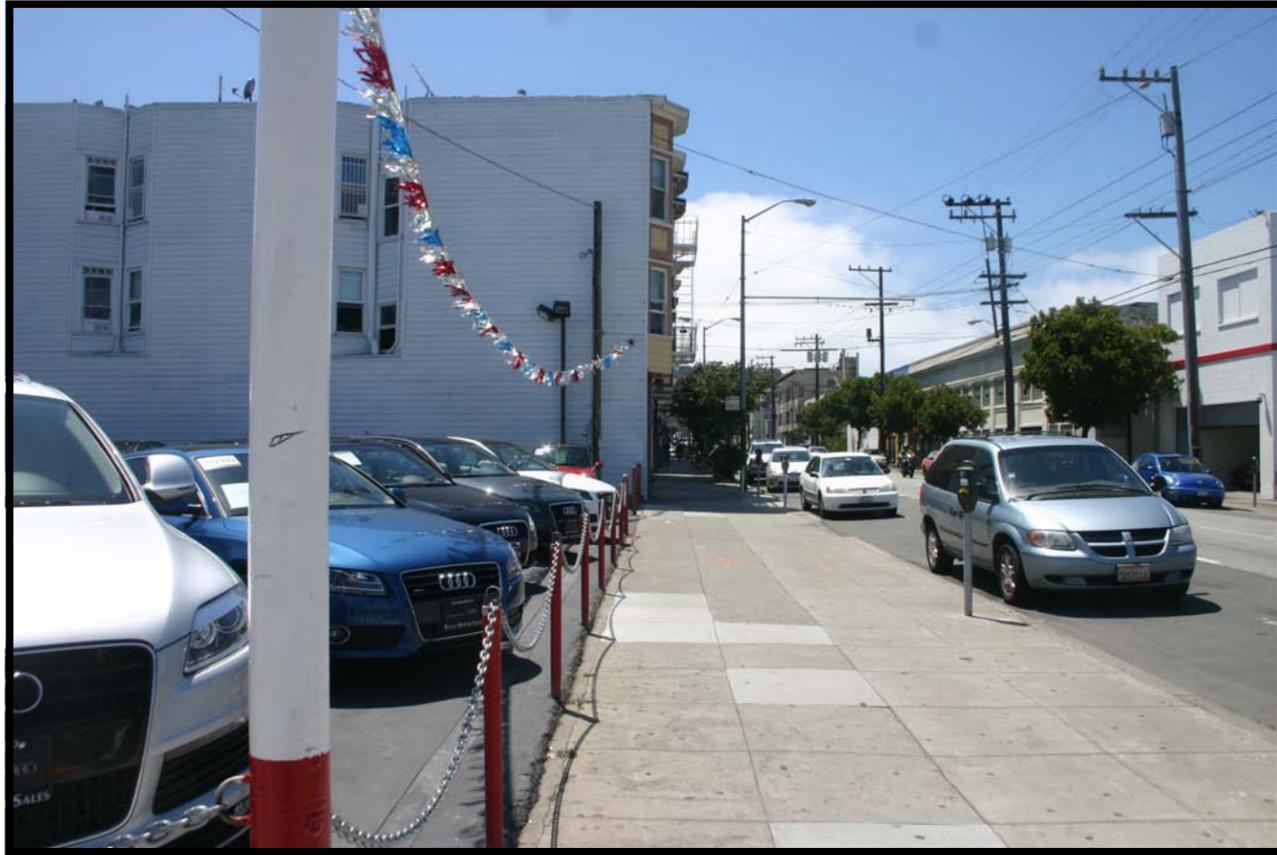
1938

37° 46' 07.90" N 122° 25' 04.81" W elev 18-ft

Eye alt 783 ft

© 2012 Google

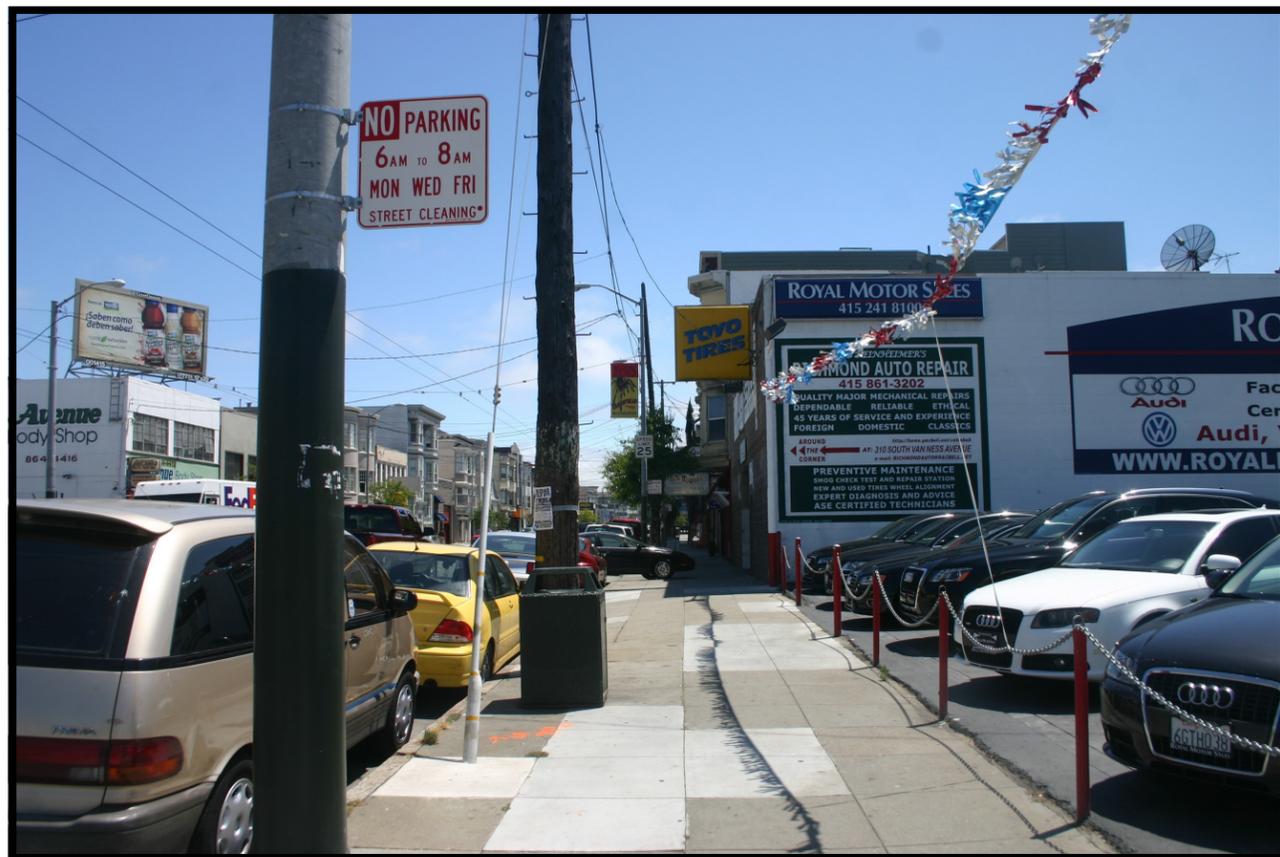
Google earth



Looking West down 14th Street



Looking onto the site from 14 Street



Looking South down South Van Ness



Looking onto the site from S. Van Ness



Southeast corner of South Van Ness & 14th St



Northeast corner of South Van Ness & 14th St



Northwest corner of South Van Ness & 14th St



Multi-use building to the West of the site



Auto service garage to the South of the site



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0953E
 Project Title: 300 South Van Ness Avenue
 Zoning/Plan Area: UMU (Urban Mixed Use); 58-X Height and Bulk District
 Mission subarea of Eastern Neighborhoods Area Plan
 Block/Lot: 3548/001
 Lot Size: 6,224 square feet
 Project Sponsor: Michael & JoAnn Hansen/Andy Hansen
 (415) 241-8127
 Staff Contact: Wade Wietgreffe – (415) 575-9050
 Wade.Wietgreffe@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is located at the southwest corner of South Van Ness Avenue and 14th Street, in the Mission neighborhood. The proposed project would involve construction of a new 50-foot-tall (including four-foot-tall parapet), three-story, approximately 20,040-square-foot building on the entirety of an existing surface parking lot. The new building would be used as an automobile sales dealership business (discussed in more detail later).

[continued on next page]

EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


 Bill Wycko
 Environmental Review Officer


 Date

cc: Michael & JoAnn Hansen/Andy Hansen, Project Sponsor
 Christy Newport, Project Contact
 Tara Sullivan, Current Planning Division

Supervisor David Campos, District 9
 Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The Central Freeway is approximately 500 feet to the north of the project site and the land uses north of 14th Street and south of the highway, near the project site, are predominantly industrial and commercial. Land uses south of 14th Street, near the project site, include a mixture of uses. Land uses adjacent to the project site include one-to-two-story automobile sales dealerships across 14th Street to the north and northeast, ground-floor commercial uses with two-story residential above across South Van Ness Avenue to the east, a one-story auto repair facility to the south, and ground-floor commercial uses with two-story residential above to the west.

The approximately 6,224-square-foot project site is an existing surface parking lot that serves as a sales lot for an adjacent automobile sales dealership (Royal Motors) at 280 South Van Ness Avenue. Currently, Audi, Volkswagen, and Mazda all occupy 280 South Van Ness Avenue, of which eight employees work for Audi. Vehicles enter and exit the project site from an approximately 30-foot-wide curb cut at South Van Ness Avenue and an approximately 11-foot-wide curb cut at 14th Street.

As noted above, the proposed project would construct a new 20,040-square-foot building at 300 South Van Ness Avenue to be used as an automobile sales dealership business. The interior of the building would be used for automobile sales and each story would contain an auto showroom and offices. In addition, the new rooftop would be used for vehicle inventory parking storage for the dealership. Refer to Table 1 below for more specific characteristics.

**TABLE 1
300 SOUTH VAN NESS AVENUE CHARACTERISTICS**

Stories	Existing Project Site Area/Height	Proposed Project Floor Area/Height
First	6,224 square feet/0 feet in height ^a	5,195 square feet automobile sales, 1,025 square feet other/12 feet to bottom of second story
Second	-	2,170 square feet automobile sales, 310 square feet other/13 feet to bottom of third story
Third	-	5,090 square feet automobile sales, 605 square feet other/21 feet to top of rooftop
Rooftop	-	4,990 square feet parking, 235 square feet automobile sales, 420 square feet other/four feet to top of parapet
Total	6,224 square feet/0 feet in height^a	20,040 square feet (12,690 square feet automobile sales, 2,360 square feet other, 4,990 square feet parking)/46 feet to top of rooftop, 50 feet to top of parapet

a. Existing project site is a surface parking lot, no structure exists.
Automobile sales = office and retail showroom for the project site
Other = stairs, elevators, storage, mechanical
Parking = vehicle inventory parking storage

An eight-foot-wide, nine-foot-tall metal roll-up door would provide access for vehicles to enter the building from a replaced 10-foot-wide curb cut at South Van Ness Avenue. At this entrance, the vehicles would enter one of two new elevators (one for vehicles, one for persons) to access the third floor showroom and roof. The remainder (20 feet) of the existing curb cut at South Van Ness Avenue would be

removed. Another door would provide access for vehicles to enter and exit the building (showroom ground floor) from a widened (by three feet) curb cut at 14th Street. The project sponsor has committed that delivery/transport trucks for vehicles would not access the project site; instead vehicles for the new automobile dealership would arrive individually from an off-site location. Entrances for pedestrians to the new building would be provided from South Van Ness Avenue.

Approximately half of the new building facade would consist of perforated corrugated aluminum cladding. The other half of the new building facade would consist of glass containing a glazing material and/or a patterned UV reflective coating. In addition, on the South Van Ness Avenue facade, at the second story, an "Audi San Francisco" sign and Audi emblem sign (four overlapping rings) would be installed. Another Audi emblem sign would be installed on the 14th Street facade, at the second story.

The proposed project would install an ADA-accessible on-street parking space at South Van Ness Avenue, adjacent to the project site. No off-street parking spaces are proposed. A total of eight street trees along both street frontages would also be installed.

The eight employees that work at the existing 280 South Van Ness Avenue site would move to the project site. The existing 280 South Van Ness Avenue site would continue to operate as a separate automobile sales dealership.

Construction would be expected to last approximately nine months (35 weeks). Diesel-generating equipment would be required for the proposed project during the initial and middle phases of construction for approximately 5 months (21 weeks). Below-ground surface construction would be required during some of these initial phases (approximately 11 weeks). Around the perimeter of the project site and at locations for the elevator pits and support columns for the second story, excavation would occur to approximately three-to-five feet below ground surface (bgs). At these same locations, 55 screw-in type deep piles (approximately 13 inches in diameter) would also be installed to approximately 30 feet bgs. Excavation for the rest of the project site would occur to approximately one-foot bgs. The remainder of the construction period (approximately 24 weeks) would consist of exterior wall construction and glazing (both requiring diesel-generating equipment) and building construction interior and finishes.

The proposed project would require a Conditional Use Authorization from the Planning Commission because the proposed use of retail automobile sales exceeds 4,000 square feet in the Urban Mixed Use Zoning District.

REMARKS

The California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project

would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, and (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

This Certificate of Determination (determination) evaluates the topics for which a significant impact is identified in the final programmatic EIR, *Eastern Neighborhoods Rezoning and Area Plans Final EIR* (Eastern Neighborhoods FEIR – Case No. 2004.0160E; State Clearinghouse No. 2005032048) and evaluates whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the determination under each topic area. The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether such impacts are addressed in the Eastern Neighborhoods FEIR.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods FEIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods FEIR that would be applicable to the proposed project at 300 South Van Ness Avenue. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects.

Background

The Eastern Neighborhoods FEIR included analyses of the following environmental issues: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed project at 300 South Van Ness Avenue is in conformance with the height, use, and density for the site described in the Eastern Neighborhoods FEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 300 South Van Ness Avenue project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods FEIR.

Potential Environmental Effects

The following discussion demonstrates that the proposed 300 South Van Ness Avenue project would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR, including proposed project-specific impacts related to land use and planning, cultural and paleontological resources, transportation and circulation, noise, air quality, shadow, and hazards and hazardous materials.

Land Use and Planning

The Eastern Neighborhoods Area Plan (Area Plan) rezoned much of the city's industrially zoned land. The goals of the Area Plan were to reflect local values, increase housing, maintain some industrial land supply, and improve the quality of all existing areas with future development. A major issue discussed in the Area Plan process was the degree to which existing industrially zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR (Production, Distribution, and Repair) employment and businesses.

The Eastern Neighborhoods FEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be greatest under Option C. The alternative ultimately selected – the 'Preferred Project' – represented a combination of Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the FEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Area Plan. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. The measure was judged to be infeasible, because the outcome of the community-based Western SoMa planning process could not be known at the time, and the measure was seen to conflict with other City policy goals, including the provision of affordable housing. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

The project site is in the Mission Area Plan of the San Francisco General Plan and is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. The UMU District is also intended to serve as a buffer between residential districts and PDR Districts in the Eastern Neighborhoods. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services (e.g., automobile sale or rental). The proposed project's use, an automobile sales dealership business, is consistent with uses permitted within the UMU District.

Furthermore, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is consistent with the UMU Zoning and satisfies the requirements of the General Plan and the Planning Code.^{1,2}

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Cultural Resources

Archeological Resources

The Eastern Neighborhoods FEIR identified potential archeological impacts related to the Eastern Neighborhoods program and identified three archeological mitigation measures that would reduce impacts to archeological resources to less than significant. Eastern Neighborhoods FEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The Planning Department's archeologist conducted an archeological assessment review of the project site and the proposed project.³ The project site is a property within the Eastern Neighborhoods FEIR Mitigation Measure J-3 (Archeological Mitigation Zone B). Mitigation Measure J-3 states any project resulting in soils disturbance of 2.5 feet or greater below existing grade proposed within Archeological Mitigation Zone B shall be required to conduct an archeological testing program prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology.

The project site is located south of and near the former alignment of Mission Creek and approximately two blocks from the edge of the marshland that encircled the former *Laguna de los Dolores*. The project site is underlain by artificial fill to approximately 15 feet bgs; which is the depth at which organic remains have been found. The interface of the organic remains and artificial fill may have represented the historic land surface or alluvial deposits. There may have been little or no cutting into the historic surface within the project site.

¹ Matthew Snyder, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning Section, 300 South Van Ness Avenue, February 24, 2012. This document is on file and available for review as part of Case File No. 2011.0953E.

² Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 300 South Van Ness Avenue, April 20, 2012. This document is on file and available for review as part of Case File No. 2011.0953E.

³ Environmental Planning Preliminary Archeological Review: checklist for 300 South Van Ness Avenue from Randall Dean, May 24, 2012. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0953E.

The project site is within area of the Jesus de Noé's *Las Camaritas* land grant (c. 1840). Noé had a three-room house, bake oven building, mill, wheat shed, corral, and several "huts." The three-room house was located near Mission Street. The project site could have been used in various forms of agricultural production at that time. The project site is also located within a general area where the first and second Spanish Franciscan missions are thought by some historians to have been located. The first missions were established near an Ohlone/Costanoan settlement, known as Chutchui. Therefore, given the proximity of both fresh water and extensive marshland near the project site, there is a possibility that archeological remains of prehistoric occupation, including those associated with Chutchui, could be present within the project site.

The project site is located in the vicinity of recorded/documented prehistoric and historical archeological sites: prehistoric shell midden site recorded as CA-SFR-19 is located a few blocks to the west; redeposited prehistoric midden and human remains associated with at least four individuals were recovered near Valencia Street and 15th Street, as well the documentation of a 19th century Overseas Chinese farm at this location; and Juan Prado's Adobe is believed to be less than two blocks west of the project site.

The proposed project would result in below-ground surface construction around the perimeter of the project site and at locations for the elevator pits and support columns for the second story, to approximately three-to-five feet bgs. At these same locations, 55 screw-in type deep piles (approximately 13 inches in diameter) would also be installed to approximately 30 feet bgs. Excavation for the rest of the project site would occur to approximately one foot bgs. Excavation for areas within the artificial fill (i.e., to approximately 15 feet bgs) would not result in significant effects to archeological resources because these depths are above the historic land surface and alluvial deposits. However, subsurface construction below that depth for the 55 screw-in type deep piles could potentially encounter archeological resources and would result in a change in the significance of an archeological resource, with potential anticipated archeological resources being those associated with Noé's *Las Camaritas* land grant, the first and second Spanish Franciscan missions, and prehistoric occupation, including those associated with Chutchui. Therefore, Mitigation Measure J-3, Mission Dolores Archeological District, from the Eastern Neighborhoods FEIR would apply to the proposed project. With implementation of this mitigation measure, impacts related to archeological resources would be less than significant. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1, as updated below.

With compliance with Project Mitigation Measure 1, the proposed project would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR related to archeological resources.

Project Mitigation Measure 1 – Mission Dolores Archeological District (Mitigation Measure J-3 of the Eastern Neighborhoods FEIR). Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing

program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site⁴ associated with descendant Native Americans or the Overseas Chinese an appropriate representative⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

⁴ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁵ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall

identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Historic Architectural Resources

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

Eastern Neighborhoods FEIR Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Area Plan, required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission (HPC)). This mitigation measure is no longer relevant, because the Inner Mission North Historic Resource Survey was completed and adopted by the HPC on June 1, 2011. Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply the proposed project because the project site is not located within the South End or Dogpatch Historic Districts.

The existing project site is a surface parking lot. The project site does not contain any historical structures, sites, or architectural features. The project site is not located in a known historic district. Therefore, the proposed project would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR related to historic architectural resources.

Transportation and Circulation

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topic 16c from the CEQA Guidelines, Appendix G is not applicable.

Trip Generation

Although the project site would relocate eight existing employees from the existing Audi dealership at 280 South Van Ness Avenue and the project site is currently used as an automobile sales lot for the existing Audi dealership, the following analysis assumes that the project site is vacant and the proposed project would add eight new employees and 20,040 square feet of automobile sales. The analysis assumes this because the Volkswagen and Mazda dealerships could annex and use the existing space lost by Audi at 280 South Van Ness Avenue and add new employees. Therefore, the following analysis provides for a more conservative approach in evaluating potential project-generated transportation impacts, in that the analysis does not give credit to the transfer of the eight existing employees or the existing automobile sales lot at the project site or automobile sales space at 280 South Van Ness Avenue.

Based on information in the Institute of Transportation Engineers (ITE), Trip Generation Rates (8th Edition), vehicle trip generation rate for new car sales (ITE Code 841) are 33.34 weekday vehicle trips per 1,000 square feet and 2.8 PM peak hour vehicle trips per 1,000 square feet. Therefore, the proposed project's new 20,040-square-foot building would generate 667 daily vehicle trips. During the PM peak hour, the proposed project would generate 17 vehicle trips.

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions with extremely long delays. LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Available LOS data of intersections within three blocks of the project site currently operate during the weekday PM peak hour at LOS B (Valencia/15th Street and South Van Ness/16th Street intersections), LOS C (Valencia/Duboce, Mission/16th Street, and 13th Street/Folsom intersections), and LOS E (Mission/Otis/Division and South Van Ness/Howard/Division intersections).⁶ The proposed project would generate 17 new PM peak hour vehicle trips to surrounding intersections. This amount of new PM peak hour vehicle trips are not anticipated to substantially increase traffic volumes at these or other nearby intersections, substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or substantially increase average delay at intersections that currently operate at unacceptable LOS.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday PM peak hour traffic conditions, with the Preferred Project having significant impacts at nine intersections. Of those intersections, the project site is near South Van Ness/Howard/13th Street (one block north of the project site) and 13th/Bryant Street (four blocks northeast of the project site) which operated at LOS E and C, respectively, under existing (baseline) conditions and each of these intersections would deteriorate to LOS F under cumulative weekday PM peak hour operating conditions. Specific mitigation measures were not proposed for the South Van Ness/Howard/13th Street or 13th/Bryant Street intersections, but general mitigation measures were

⁶ LOS is for the year 2006 and comes from the Eastern Neighborhoods FEIR.

proposed for the entire Plan Area. These include intelligent traffic management, enhanced transportation funding, and parking management to discourage driving. Even with mitigation, however, cumulative impacts at the above intersections were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative traffic impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its contribution of 17 PM peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects. The proposed project would not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any peculiar cumulative traffic impacts.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to traffic.

Transit

The project site is located within a quarter-mile of several local transit lines including Muni lines 12, 14, 14L, 22, 33, and 49 and regional transit stop for BART at Mission/16th Street. It is unknown how many transit trips the proposed project would generate. However, because of the minor amount of new employees (eight) and the proposed use as an automobile sales dealership, it is not anticipated that a substantial amount of new transit trips would be generated. In addition, because of the wide availability of nearby transit, any minor amount of new PM peak hour transit trips would not be anticipated to cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 22, 33, and 49. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of PM peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects. The proposed project would not contribute considerably to 2025 cumulative transit conditions and thus, the proposed project would not result in any peculiar cumulative transit impacts.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to transit.

Pedestrian

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; conditions that can negatively impact pedestrians. The proposed project would modify an existing curb cut at South Van Ness Avenue and existing curb cut at 14th Street to provide vehicular access to the building. However, both streets are not identified in the General Plan as a "Citywide Network Pedestrian Street," "Neighborhood Commercial Street," or "Neighborhood Network Connection Street" and the frequency of vehicles entering and exiting the project site from the proposed project would not be substantial enough to cause a hazard to pedestrians or otherwise interfere with pedestrian accessibility to the project site and adjoining areas. Pedestrian activity may increase as a result of the proposed project, but not to a degree that would result in substantial overcrowding on public sidewalks. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to pedestrians.

Bicycle

An existing Class II bikeway exists adjacent to the project site, on 14th Street. Class II bikeways are bicycle lanes striped with the paved areas of roadways, and established for the preferential use of bicycles. The proposed project would be replacing an existing 11-foot-wide curb cut with a 14-foot-wide curb cut at 14th Street. Although this curb cut would create a potential conflict for bicyclists from vehicles entering and exiting the showroom ground floor, the frequency of vehicles entering and exiting the project site from the project site would not be substantial enough to cause a hazard to bicyclists or otherwise interfere with bicyclist accessibility to the project site and adjoining areas. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Loading

Per the requirements of the Planning Code, the proposed project would be required to provide one loading space. As proposed, the project would provide one loading space in front of the vehicle elevator, therefore, the proposed project meets the loading requirements of the Planning Code.

Regarding loading demand, it is not anticipated that this type of use would require frequent loading. Vehicle loading into the 1st story showroom would occur at 14th Street. Vehicle loading for the other stories would occur at South Van Ness Avenue. Regarding delivery of new vehicles for sale, the project sponsor has committed that delivery/transport trucks for vehicles would not access the project site; instead vehicles for the new automobile dealership would arrive individually from an off-site location. If additional loading would be required that could not be accommodated in the one provided loading space, vehicle delivery via truck transport could occur at on-street parking locations adjacent to the project site at South Van Ness Avenue without creating potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to loading.

Emergency Access

The proposed project would not close off any existing streets or entrances to public uses. Therefore, the proposed project would not result in a significant impact related to emergency access nor result in any peculiar impacts related to emergency access that were not identified in the Eastern Neighborhoods FEIR related to emergency access.

Construction

The proposed project's construction activities would last approximately nine months and would include below-ground surface construction and building construction. Although construction activities would result in additional vehicle trips to the project site from workers, soil hauling, and material and equipment deliveries, these activities would be limited in duration. Therefore, the proposed project's construction would not result in a substantial impact to transportation or peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to construction.

Parking

Changes in parking conditions are considered to be social impacts rather than impacts on the physical environment. Therefore, the Planning Department does not consider changes in parking conditions to be environmental impacts as defined by CEQA. Accordingly, the following parking analysis is presented for informational purposes only.

Per the requirements of the Planning Code, no off-street parking spaces are required. Up to one parking space is allowed per 1,000 square feet of occupied floor area. The proposed project would not provide any off-street parking, but may result in additional on-street parking at South Van Ness Avenue due a reduced curb cut width (30 feet to 11 feet).

Regarding parking demand, it is not anticipated that this type of use would require a substantial amount of parking. If it is conservatively assumed that all eight new employees would require one parking space and each 1,000 square feet of occupied floor area would create demand for one space for customers, the proposed project would have an unmet parking demand of 28 spaces. However, on-street parking is available on both 14th Street and South Van Ness Avenue and off-street parking is available at several nearby lots. As described above, the unmet demand for parking spaces is considered a social effect, rather than a physical impact on the environment as defined by CEQA.

Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods FEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the Area Plan and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods FEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 requires individual projects that include pile-driving within the Eastern Neighborhoods

Area Plan and within proximity to noise-sensitive uses to ensure that piles be pre-drilled, wherever feasible, to reduce construction-related noise and vibration. Mitigation Measure F-2 requires individual projects that include particularly noisy construction procedures (including pile-driving) in proximity to sensitive land uses to submit a site-specific noise attenuation measures under the supervision of a qualified acoustical consultant to the Department of Building Inspection prior to commencing construction. The proposed project would install approximately 55 screw-in type deep piles around the perimeter of the project site and at locations for the elevator pits and support columns for the second story over an approximately two-week period. These types of piles, which would consist of concrete-filled steel pipe piles, would be installed with less vibration and noise compared to pile-driving activities. Vibration would be limited to after pile installation and concrete placement, at which point the pile would vibrate by placing a vibrator into the pile approximately 10 feet and withdrawn quickly. The vibrator would then be placed against the outside of the pipe for 10-15 seconds which would cause the pipe to vibrate its full length. The noise from these activities would be limited to the engine on the drill rig and concrete pouring equipment. As stated above, the proposed project would not include pile-driving or include activities similar in nature to pile-driving (particularly noisy construction procedures); therefore these mitigation measures are not applicable. In addition, all construction activities for the proposed project (approximately nine months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance) as outlined below.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, and F-6 include additional measures for individual projects that include new noise-sensitive uses. The proposed project's use, automobile sales dealership business, would not include a new noise-sensitive use; therefore this mitigation measure is not applicable.

Eastern Neighborhoods FEIR Mitigation Measure F-5 requires individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity to submit an acoustical analysis that demonstrates the proposed use would comply with the General Plan and Police Code Section 2909. Ambient noise levels in San Francisco are largely influenced by traffic-related noise. The proposed project would be located along two streets, 14th Street and South Van Ness Avenue, identified in the Housing Element EIR Figure V.G-3 with noise levels above 75 L_{dn}.⁷ An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel increase). The proposed project would not double traffic volumes because the proposed project would include approximately 667 daily vehicle trips adjacent to 14th Street and South Van Ness Avenue, roadways with average daily traffic volumes above 10,000 in 2010.⁸ In addition, operation of the proposed project would not include any other constant or short-term noise sources (e.g., diesel generator) that would be perceptible in the project vicinity. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity and thus Mitigation Measure F-5 does not apply.

⁷ L_{dn} refers to the day-night average level or the average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of 10 decibels to sound levels in the night after 10 PM and before 7 AM. A decibel is a unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals.

⁸ San Francisco County Transportation Authority. Model: SFCHAMP 2010.

Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 PM. and 7:00 AM., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 AM to 5:00 PM). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately nine months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a peculiar impact of the proposed project, because the construction noise would be temporary (approximately nine months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to noise.

Air Quality

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to

stop work by the Department of Building Inspection. Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),⁹ which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("hot spots"). Air pollution hot spots were identified based on two health based criteria:

- (1) Excess cancer risk from all sources > 100; and
- (2) PM_{2.5} concentrations from all sources including ambient >10µg/m³.

Sensitive receptors¹⁰ within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would be expected to last approximately nine months (35 weeks). Diesel-generating equipment would be required for approximately five months (21 weeks).

The project site is located within an identified hot spot, therefore, the proposed project's temporary and variable construction activities would result in short-term emissions of DPM and other TACs that would

⁹ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

¹⁰ The BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) Residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, page 12.

add emissions to areas already adversely affected by poor air quality. Thus, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is applicable to the proposed project and updated below. Compliance with the Construction Emissions Minimization measures would result in less-than-significant impacts from construction vehicles and equipment. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 2, as updated below.

Project Mitigation Measure 2 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR).

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).¹¹
 - c) Exceptions:
 - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
 - iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

¹¹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

**TABLE A1
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE***

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

*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.
**Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.
 5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.
- B. *Reporting.* Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Mitigation Measure G-2 requires new residential development near high-volume roadways and/or warehousing and distribution centers to include an analysis of DPM and/or TACs, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to DPM and other pollutant emissions, as well as odors. The proposed project would not include the addition of residential units. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring that uses generating substantial DPM emissions, including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct a new 20,040-square-foot automobile sales dealership business and it is not expected to generate substantial DPM emissions or be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would construct a new 20,040-square-foot automobile sales dealership business and would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for operational-related criteria air pollutants.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Area Plan, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction by departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods FEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be

determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct a 50-foot-tall building, therefore a shadow analysis was conducted pursuant to Planning Code Section 295.¹² The shadow fan analysis found that the proposed project would not have a shadow impact on any property under the jurisdiction of the Recreation and Parks Commission.

The shadow fan analysis also found the proposed project would shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to shadow.

Hazards and Hazardous Materials

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would result in the incremental replacement of some of the existing non-conforming business with development of these other land uses. Development may involve demolition or renovation of existing structures that may contain hazardous building materials, such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP) and fluorescent lights containing mercury vapors, that were commonly used in older buildings and which could present a public health risk if disturbed during an accident or during demolition or renovation. The Eastern Neighborhoods FEIR identified a mitigation measure to reduce this impact to less than significant. Because the existing project site consists of a surface parking lot, the proposed project would not involve the removal of transformers, fluorescent light ballasts, and fluorescent lights, the proposed project would not present a public health risk from these materials. Therefore, Mitigation Measure L-1, Hazardous Building Materials, from the Eastern Neighborhoods FEIR would not apply to the proposed project.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on March 13, 2012, to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Comments regarding physical environmental effects were related to the proposed building's height and bulk, in that

¹² San Francisco Planning Department, *Shadow Analysis, 300 South Van Ness Avenue*, January 23, 2012. This document conservatively analyzed the new building at 75 feet in height and is available for review as part of Case No. 2011.0953E.

the proposed building would be out of character with the height and bulk of the existing buildings in the neighborhood, and the proposed project's generation of new vehicle trips would adversely affect the recent traffic calming done in the project area. The land use section in the Certificate of Determination and the land use section and aesthetics section in the Community Plan Exemption Checklist (Attachment A) adequately addresses the former concern and the transportation section in the Certificate of Determination adequately addresses the latter concern.

Conclusion

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed project at 300 South Van Ness Avenue. As described above, the 300 South Van Ness Avenue project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods FEIR. Thus, the proposed project at 300 South Van Ness Avenue would not result in any environmental impacts substantially greater than described in the FEIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code.

Attachment A Community Plan Exemption Checklist

Case No.: 2011.0953E
Project Title: 300 South Van Ness Avenue
Zoning: UMU (Urban Mixed-Use) Use District
58-X Height and Bulk District
Block/Lot: 3548/001
Lot Size: 6,224 square feet
Plan Area: Mission subarea of Eastern Neighborhoods
Staff Contact: Wade Wietgreffe – (415) 575-9050
Wade.Wietgreffe@sfgov.org

A. PROJECT DESCRIPTION

The project site is located at the southwest corner of South Van Ness Avenue and 14th Street, in the Mission neighborhood. The approximately 6,224-square-foot project site is an open surface parking lot that serves as a sales lot for an adjacent automobile sales dealership (Royal Motors) at 280 South Van Ness Avenue. The proposed project would involve construction of a new 50-foot-tall (including four-foot-tall parapet), three-story, approximately 20,040-square-foot building on the entirety of the existing surface parking lot. The new building would be used as an automobile sales dealership business.

The proposed project would require a Conditional Use Authorization from the Planning Commission because the proposed use of retail automobile sales exceeds 4,000 square feet in the Urban Mixed Use Zoning District.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable final Programmatic EIR (FEIR) for the plan area.¹ Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination under each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the proposed project, i.e., the impact is not

¹ The FEIR also refers to any Initial Study that may have been conducted for the FEIR.

identified as significant in the FEIR. If any item is checked as this in a topic, these topics will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/No Impact and is discussed in the Checklist below.

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

For a discussion of Topic 1c, please see the Certificate of Determination.

FEIR

The Eastern Neighborhoods FEIR determined that the rezoning and community plans is a regulatory program, not a physical development project; therefore, the rezoning and community plans would not create any new physical barriers in the Eastern Neighborhoods. Furthermore, the Eastern Neighborhoods FEIR determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

No Peculiar Impacts

The proposed project would not create any new physical barriers in the Eastern Neighborhoods. The project site is an open surface parking lot that serves as a sales lot for an adjacent automobile sales dealership. The proposed project would construct a new 50-foot-tall, three-story, approximately 20,040-square-foot building on the entirety of the existing surface parking lot. Consequently, the proposed project would not physically disrupt or divide the project area or individual neighborhoods or subareas.

The project site is in the Mission Area Plan of the San Francisco General Plan. The project site is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services (e.g., automobile sale

or rental). The proposed project’s use, an automobile sales dealership business, is consistent with uses permitted within the UMU District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use.

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

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that implementation of the design policies of the area plans would not substantially degrade the visual character or quality of the area, have a substantial adverse effect on a scenic vista, substantially damage scenic resources that contribute to a scenic public setting, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing character of the project site and surroundings is dominated by uses typical in an urban setting, mostly one-to-three-story commercial and industrial uses and mixed-use commercial/residential uses. Public viewpoints in the project vicinity are dominated by these existing nearby buildings and the elevated Central Freeway, approximately 500 feet north of the project site. No scenic vistas or scenic resources exist in the project vicinity. The existing project site is an automobile sales surface parking lot.

The proposed project would construct a new 50-foot tall (including four-foot-tall parapet), three-story, approximately 20,040-square-foot building on the entirety of the existing surface parking lot. Although the new building would change the visual appearance of the project site and surroundings, it would not substantially degrade its visual character or quality. In addition, the new building would not be substantially taller than the existing development in the project vicinity such as the 84-foot-tall (including top of the arch) building at southwest corner of Mission Street and 14th Street; the 40-foot-tall building at southeast corner of Mission Street and

14th Street; the 35-foot-tall building adjacent to the project site the west; and the 35- to 40-foot-tall building at southeast corner of South Van Ness Avenue and 14th Street. Furthermore, the proposed project would not obstruct longer-range views from various locations in the Area Plan and the City as a whole. As described in the Certificate of Determination, the proposed building envelope and design meets Planning Code requirements for Urban Mixed Use zoning district.

The new building would introduce a new source of light and glare. However, the proposed project would be subject to and would comply with the City’s Green Building Code,² which requires all newly constructed non-residential buildings to design interior and exterior lighting such that zero direct-beam illumination leaves the building site, except for emergency lighting and lighting required for nighttime activity. Therefore, the new lighting would not adversely affect day or nighttime views in the area or substantially impact other people or properties because the lighting would not extend beyond the project site. Furthermore, Planning Commission Resolution No. 9212 (1981) established guidelines aimed at limiting glare from proposed buildings and the City’s Standards for Bird-Safe Buildings requires that new structures do not create a substantial source of glare. The proposed project would be subject to and would comply with this resolution and regulation.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to aesthetics.

The new building would be visible from some residential and commercial buildings within the project site vicinity, which could reduce private views. Reduced private views on private property would be an unavoidable consequence of the proposed project and may be an undesirable change for those individuals affected. Nonetheless, the change in private views would not exceed those commonly expected in an urban setting and would not constitute a significant impact under CEQA.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
3. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

² Building Code, 2010 Edition, Section 13.C.5.106.8

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project does not involve the development of residential use or the displacement of people. No housing would be removed; therefore the construction of replacement housing would not be necessary. In addition, the proposed project would not add any new infrastructure that would indirectly induce population growth.

The Eastern Neighborhoods FEIR concluded that an increase in population in the Area Plan is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance some key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The proposed project would not induce substantial population growth and any increase in population would be within the scope of the Eastern Neighborhoods FEIR analysis. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to population and housing.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

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

Please see the Certificate of Determination for discussion of this topic.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
6. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
7. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
8. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Background

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (Air Basin). BAAQMD is responsible for attaining and maintaining air quality in the Air Basin within federal and State air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Air Basin and to develop and implement strategies to attain the applicable federal and State standards. The BAAQMD assists CEQA lead agencies in evaluating the air quality impacts of projects and plans proposed in the Air Basin. Subsequent to the Eastern Neighborhoods FEIR, the BAAQMD provided studies which provided new methodologies for analyzing air quality impacts, including GHG emissions. The BAAQMD studies provide screening criteria for lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant GHG impacts.³ If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed assessment of their proposed project’s GHG emissions and construction or operation of the proposed project would result in a less-than-significant GHG impact. OPR’s amendments to the CEQA Guidelines as well as BAAQMD’s studies have been incorporated into the proposed project level analysis accordingly.

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E per service population,⁴ respectively.⁵ The Eastern Neighborhoods FEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods FEIR adequately addressed GHG emissions and the resulting emissions were determined to be less than significant. No mitigation measures were identified in the FEIR.

³ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011, pages 3-1 to 3-5.

⁴ SP= Service Population. Service population is the equivalent of total number of residents + employees.

⁵ Memorandum from Jessica Range, MEA to MEA staff, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

No Peculiar Impacts

The project proposes to construct a new automobile sales dealership. The proposed project would contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. Construction of the proposed project is estimated at approximately nine months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations. The project site is located within Mission Area Plan analyzed under the Eastern Neighborhoods FEIR.

As discussed above, the BAAQMD studies provide methodologies for analyzing GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified GHG Reduction Strategy, as defined in the BAAQMD's studies. On August 12, 2010, the San Francisco Planning Department submitted a draft of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.⁶ This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the BAAQMD's studies.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's studies and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."⁷

Based on the BAAQMD's studies, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions. Applicable requirements for the proposed project are shown below in Table 1.

⁶ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

⁷ Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

**Table 1
Greenhouse Gas Regulations Applicable to 300 South Van Ness Avenue**

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Transit Impact Development Fee (San Francisco Planning Code, Section 411)	Establishes the following fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C.5.201.1.1)	New construction of non-residential buildings requires the demonstration of a 15% energy reduction compared to 2008 California Energy Code, Title 24, Part 6.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
San Francisco Green Building Requirements for Energy Efficiency (LEED EA3, San Francisco Building Code, Chapter 13C.5.410.2)	<p>For New Large Commercial Buildings - Requires Enhanced Commissioning of Building Energy Systems</p> <p>For new large buildings greater than 10,000 square feet, commissioning shall be included in the design and construction to verify that the components meet the owner's or owner representative's project requirements.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Commissioning of Building Energy Systems (LEED prerequisite, EA p1)	Requires Fundamental Commissioning for New High-rise Residential, Commercial Interior, Commercial and Residential Alteration projects	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable	The proposed project would be subject to and would comply with this regulation.

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

Regulation	Requirements	Project Compliance	Discussion
(San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2, 13C.3 03.2.)	<p>within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.</p> <p>New large commercial and New high rise residential buildings must achieve a 30% reduction.</p> <p>Commercial interior, commercial alteration and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al.</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.</p>	<input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	regulation.
San Francisco Water Efficient Irrigation Ordinance	<p>Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption.</p> <p>Tier 1: 1,000 sf <= project landscape < 2,500 sf</p> <p>Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals.</p> <p>See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (San Francisco Building Code, Chapter 13C)	As of 2012, all new large commercial buildings are required to either generate 1% of energy on-site with renewables, or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6, or achieve an additional 10% beyond	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.

Regulation	Requirements	Project Compliance	Discussion
	<p>Title 24 2008.</p> <p>Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts.</p>		
Waste Reduction Sector			
<p>Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)</p>	<p>All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.</p> <p>Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)</p>	<p>Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
Environment/Conservation Sector			
<p>Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)</p>	<p>Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant one 24-inch box tree for every 20 feet along the property street frontage.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Light Pollution Reduction (San Francisco Building Code, Chapter 13C5.106.8)</p>	<p>For nonresidential projects, comply with lighting power requirements in CA Energy Code, CCR Part 6. Requires that lighting be contained within each source. No more than .01 horizontal lumen footcandles 15 feet beyond site, or meet LEED credit SSc8.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>

Regulation	Requirements	Project Compliance	Discussion
<p>Construction Site Runoff Pollution Prevention for New Construction</p> <p>(San Francisco Building Code, Chapter 13C)</p>	<p>Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems.</p> <p>Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1).</p> <p>Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP).</p> <p>See the SFPUC Web site for more information: www.sfwater.org/CleanWater</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Enhanced Refrigerant Management (San Francisco Building Code, Chapter 13C.5.508.1.2)</p>	<p>All new large commercial buildings must not install equipment that contains chlorofluorocarbons (CFCs) or halons.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)</p>	<p>If meeting a LEED Standard:</p> <p>Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)</p>	<p>If meeting a LEED Standard:</p> <p>Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Interior wall and ceiling paints must</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>

Regulation	Requirements	Project Compliance	Discussion
	meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.		
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	<p>If meeting a LEED Standard:</p> <p>Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	<p>If meeting a LEED Standard:</p> <p>Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure.</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.

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

contribute significantly to global climate change. The proposed project would be subject to and would comply with these requirements. In addition, the proposed project was determined to be consistent with San Francisco’s *Strategies to Address Greenhouse Gas Emissions*.⁸

For the above reasons, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to GHG emissions.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
9. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a discussion on Topic 9b, please see the Certificate of Determination.

FEIR

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Eastern Neighborhoods FEIR determined the rezoning and community plans would not result in a significant impact to wind because the Planning Department, in review of specific future projects, would continue to require analysis of wind impacts, where deemed necessary, to ensure that project-level wind impacts mitigated to a less-than-significant level. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed 50-foot-tall building (including parapet) would be similar in height to existing buildings in the area. For the above reasons, the proposed project is not anticipated to cause peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to wind.

⁸ San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist, June 4, 2012. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
10. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have a significant adverse effect on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would result in approximately eight new jobs on an existing surface parking lot. As discussed further in Population and Housing above, these eight new jobs would be among those anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to recreational resources.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
11. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would result in approximately eight new jobs. As discussed further in Population and Housing above, these eight new jobs would be among those anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to utility and service systems.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
12. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR. Impacts on parks and recreation are discussed under Topics 9 and 10.

No Peculiar Impacts

The proposed project would result in approximately eight new jobs. As discussed further in Population and Housing above, these eight new jobs would be among those anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would

not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to public services.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
13. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods project area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Eastern Neighborhoods would largely consist of new construction of housing in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Eastern Neighborhoods FEIR concluded that the project would not result in any significant effects related to biological resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing project site is covered entirely by a surface parking lot. Similar to the rest of the Eastern Neighborhoods Area Plan, the project site does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat. No trees exist at or adjacent to the project site. Furthermore, the proposed project would be subject to and would comply with the City’s Standards for Bird-Safe Buildings so that new building would not include a feature-related hazard to birds. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to biological resources.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
14. GEOLOGY AND SOILS— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR concluded that the project would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The FEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and

construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the FEIR concluded that the project would not result in significant impacts to geology. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

A geotechnical investigation was prepared for the proposed project.⁹ The following discussion relies on the information provided in the geotechnical investigation.

The topography of the project site slopes slightly downward from the southwest corner (101 feet above sea level) to the northeast corner (99 feet above sea level). Geotechnical soil borings were excavated to a maximum depth of approximately 51.5 feet below ground surface (bgs). Based on the soil analysis of the borings, the soil profile was: top layer of pavement to approximately 10 – 16 inches bgs; second layer of previously placed filled soils to approximately 12 – 15 feet bgs; and a third layer of undifferentiated Quaternary Deposits to the maximum explored depth at 51.5 feet bgs, with a layer of dense sand found at approximately 20 feet bgs. Groundwater was encountered for the geotechnical borings at six to seven feet bgs and, based on reviewed data, groundwater levels in monitoring wells east of the project site generally range from four to seven feet bgs.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately 7.1 miles southwest from the project site. The proximity would likely result in strong earthquake shaking at the project site.

The project site is located near, but not within, a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on project site conditions, a quantitative liquefaction analysis was performed. The results of the analysis show that soils within the upper 20 feet are potentially susceptible to liquefaction. Deeper deposits were not considered liquefiable due to higher relative density values. Total potential liquefaction-induced settlement of unimproved project site soils is estimated to range between approximately 2.3 to 4.9 inches. Differential settlement resulting from soil liquefaction is estimated to be on the order of 2.5 inches over a horizontal distance of 40 feet.

The geotechnical investigation concluded localized loose near-surface materials may be subject to compressibility under proposed static loads. Underlying deposits below a depth of approximately 25 – 30 feet bgs were found to be dense to very dense.

⁹ Construction, Testing, and Engineering, Inc., “Preliminary Geotechnical Investigation, Proposed Audi Showroom Structure, 300 South Van Ness Avenue, San Francisco, California,” September 2, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

The geotechnical investigation concluded the potential hazard associated with lateral spreading, tsunami inundation, seiches, landsliding, and corrosive soils to not be significant at the project site.

The geotechnical investigation provided recommendations for the proposed project's construction. These recommendations include, but are not limited to, screw-in type deep pile support system to approximately 30 feet bgs, or a minimum embedment of three feet into dense to very dense underlying native materials, whichever is deeper. The deep support system would be intended to reduce potential liquefaction, differential settlement, and compressibility.

Based on the above-noted recommendations, the geotechnical investigation concluded that the project would not cause significant geology and soil impacts. The proposed project would be subject to and would comply with the recommendations of the geotechnical investigation by incorporating the recommendations into the final building design, including 55 screw-in type deep piles to approximately 30 feet bgs. Furthermore, the proposed project would be subject to the building permit review process. The Department of Building Inspection, through the process, reviews the geotechnical investigation to determine the adequacy of necessary engineering and design features to ensure compliance with all Building Code provisions regarding structure safety. Past geological and geotechnical investigation would be available for use by DBI during its review of building permits for the project site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to geology and soils.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
15. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing project site is completely covered by a surface parking lot. The proposed project would construct a new building on the entirety of the project site. Groundwater is relatively shallow throughout the project site, approximately six to seven feet below grade. The proposed project’s excavation has the potential to encounter groundwater, which could impact water quality. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City’s Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Although dewatering would be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources.

The proposed project would not increase the amount of impervious surface area on the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with Low Impact Design (LID) approaches and stormwater management systems to comply with the Stormwater Design Guidelines. Therefore, the proposed project would not adversely affect runoff and drainage. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hydrology and water quality.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
16. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

For a discussion on Topic 16C, please see the Certificate of Determination.

FEIR

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would

result in the incremental replacement of some of the existing non-conforming business with development of these other land uses. This could result in exposure to the public or the environment to hazards, but existing regulations would reduce impacts to less-than-significant levels, with the exception of those hazardous materials and waste addressed in the Certificate of Determination. In addition, the FEIR determined that the rezoning and community plans would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires. Lastly, the FEIR determined that the project area is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the rezoning and community plans would have no adverse effects in terms of air safety.

No Peculiar Impacts

The project site was previously occupied by a retail gasoline station, followed by an auto repair shop known as Alioto's Garage. One underground storage tank storing gasoline and the associated pump island, piping, and dispensers were removed by previous property owners. In September 1994, San Francisco Department of Public Health (DPH) sent the property owner of the project site a letter indicating that the project site became a DPH Leaking Underground Fuel Tank (LUFT) site. The DPH sent the letter after reviewing records indicating that a release of petroleum hydrocarbons had occurred at the project site and that subsequent site investigation/remediation was conducted. After reviewing the subsequent site investigation information, including groundwater samples, conducted at the project site, DPH sent the property owner a letter confirming the completion of the site investigation and remedial action relative to the unauthorized release that occurred at the project site. The letter indicated that no further action related to the release was required at that time, but stated that if the present or proposed use of the project site changes, it would be the property owner's responsibility to notify the DPH.¹⁰

In January 2012, a letter from the DPH was sent to the current owners of the project site stating that although the LUFT case was closed, the project site is located on fill which presents an additional potential source of contamination. DPH requested the current owners apply to the Voluntary Remedial Action Program (VRAP), including a work plan for subsurface investigation to be prepared and submitted to the DPH to determine current project site conditions.¹¹ The current owners applied to the VRAP and conducted a site assessment to evaluate current soil and groundwater conditions beneath the project site. Based on the findings of the site assessment, soil containing lead exceeding 1,000 mg/kg was to be excavated and disposed as hazardous waste.¹² The excavation and disposal work was completed in October 2012. Subsequently, DPH

¹⁰ Construction Testing and Engineering, Inc., "Phase 1 Environmental Site Assessment, 300 S. Van Ness Avenue," January 25, 2012. These documents are on file and available for review as part of Case File No. 2011.0953E.

¹¹ *Ibid.*

¹² Construction Testing & Engineering, Inc., "Site Assessment Report, 300 South Van Ness Avenue, San Francisco, California, CTE Project No. 20-2278E" June 21, 2012. San Francisco Department of Public Health, Environmental Health, "Site Assessment Report Review, 300 South Van Ness Avenue, San Francisco, DPH SAM Project Number 855," July 17, 2012. These documents are on file and available for

granted VRAP case closure for the proposed project.¹³ Therefore, the proposed project would not create a significant impact related to hazardous materials. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

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17. MINERAL AND ENERGY RESOURCES— Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the project would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. The project area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods FEIR concluded that the project would not result in a significant impact to mineral and energy resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. The energy demand for the proposed project would be typical for such project and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulation enforced by the Department of Building Inspection. For the above reasons, the

public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File 2011.0520E.

¹³ San Francisco Department of Public Health, Environmental Health “Soil and Tank Removal Completion, No Further Action Needed, 300 South Van Ness Avenue, San Francisco, SMED 855,” November 20, 2012. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File 2011.0520E.

proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to mineral and energy resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<p>18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR.

The Eastern Neighborhoods FEIR did not analyze the effects on forest resources.

No Peculiar Impacts

The existing project site is a surface parking lot and is located within the Mission Area Plan analyzed under the Eastern Neighborhoods FEIR. Therefore, no agricultural uses, forest land, or timberland exist at the project site. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to agricultural resources.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections and transit impacts on seven Muni lines), cultural (demolition of historical resources), and shadow (impacts on parks).

No Peculiar Impacts

The proposed project would include construction of a new automobile sales dealership building. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods FEIR.

C. DETERMINATION

On the basis of this review, it can be determined that:

- The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.



Bill Wycko
Environmental Review Officer
for
John Rahaim, Planning Director

DATE November 29, 2017