



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

*Case No.:* 2012.0147E  
*Project Title:* 1785 15<sup>th</sup> Street  
*Zoning:* RTO-M (Residential, Transit-Oriented - Mission Neighborhood) District  
55-X Height and Bulk District  
*Block/Lot:* 3555/036  
*Lot Size:* 2,883 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Toby Morris, Kerman Morris Architects, (415) 749-0302  
*Staff Contact:* Lisa Gibson – (415) 575-9037  
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### PROJECT DESCRIPTION:

The proposed project would involve: 1) demolition of an existing 18-foot-tall, single-story, 780-square-foot (sf) vacant, formerly industrial structure<sup>1,2,3</sup>; and 2) construction of a 55-foot-tall (plus approximately 10.5-foot-tall stair penthouse and 8-foot-tall elevator overrun above the roof level), 6-story, 9,200-sf  
(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

### REMARKS:

See next page.

### DETERMINATION:

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

J. Wise for  
SARAH B. JONES  
Environmental Review Officer

August 21<sup>st</sup>, 2014  
Date

cc: Toby Morris, Project Contact  
Erika Jackson, Current Planning Division  
Virna Byrd, M.D.F.

Supervisor Scott Wiener, District 8 (via Clerk of the Board)  
Exemption/Exclusion File

<sup>1</sup> Based on an email from Robert Huang at Kerman Morris Architects sent to Erika Jackson and Kei Zushi, staff planners, on January 3, 2013, the former use of the existing structure at the project site is an industrial warehouse (saw sharpening).

<sup>2</sup> The Environmental Evaluation Application (EEA) for this project states that the existing use of the project site is residential use. The Planning Department Current Planning Division has determined the existing use of the project site is industrial.

<sup>3</sup> Based on an email from Edward "Toby" Morris, Kerman/Morris Architects, Project Sponsor, sent to Kei Zushi, staff planner, on April 19, 2013, a 6-foot-tall, single-story, 134-sf metal storage shed located in the rear yard was demolished by squatters who were in the main structure on the project site at the end of 2012.

**PROJECT DESCRIPTION:**

residential building consisting of 9 residential units (four one-bedroom units, four two-bedroom units, and one three-bedroom unit).

The 2,883-square-foot (sf) project site is located on the south side of 15<sup>th</sup> Street between Guerrero Street to the west and Albion Street to the east in San Francisco's Mission District. No parking is proposed as part of this project. The project would include approximately 675 sf of common open space (to be shared by 5 units) at the ground level and four private decks, totaling 963 sf in size. The Planning Department's Environmental Planning Division has determined that the existing structure and the shed that was demolished in December 2012 are not considered historical resources under the California Environmental Quality Act (CEQA).<sup>4</sup> The project site is located in the northwestern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Area Plan.

**APPROVAL ACTION:**

The proposed project is subject to notification under Section 311 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by the Department of Building Inspection (DBI) is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code. The proposed project also requires the following approvals:

1. Approval for a Site Mitigation Plan (SMP) from the San Francisco Department of Public Health (DPH) prior to commencement of any excavation work;<sup>5</sup> and
2. Site Permit from the San Francisco Department of Building Inspection (DBI).

**REMARKS:**

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 significant 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

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<sup>4</sup> This analysis is summarized from emails (Doug Vu, Preservation Planner, to Kei Zushi, Environmental Planner, August 3, 2012), which are available for review as part of Case No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>5</sup> A SMP prepared for the proposed project has been approved by DPH. DPH. *Site Mitigation Plan Approval, 1785 15th Street, San Francisco, CA, DPH SMED 905*, dated May 7, 2013. This document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

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 determination evaluates the potential project-specific significant environmental effects peculiar to the 1785 15<sup>th</sup> Street residential project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR ("Eastern Neighborhoods FEIR") (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 1785 15<sup>th</sup> Street to determine if there would be significant impacts attributable to the proposed project.

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 also identifies mitigation measures contained in the Eastern Neighborhoods FEIR that would be applicable to the proposed project at 1785 15<sup>th</sup> Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods Rezoning and Area Plans is included below, as well as an evaluation of potential environmental effects.

### **Background**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods FEIR was adopted in December 2008. The Eastern Neighborhoods FEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods FEIR also included changes to existing height and bulk districts in some areas, including the project site at 1785 15<sup>th</sup> Street.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods FEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>6,7</sup> In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

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<sup>6</sup> San Francisco Planning Department. *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR)*, Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

<sup>7</sup> San Francisco Planning Department. *San Francisco Planning Commission Motion 17659*, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules>ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

The Eastern Neighborhoods FEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the FEIR.

A major issue of discussion in the Eastern Neighborhoods rezoning 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 employment and businesses. Among other topics, the Eastern Neighborhoods FEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

The project site, as a result of the Eastern Neighborhoods rezoning process, has been rezoned to RTO-M (Residential, Transit-Oriented - Mission Neighborhood) Use District. The RTO-M Use District is intended to protect and enhance areas characterized by a mixture of houses and apartment buildings and to encourage transitional development patterns. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in this determination on page 5, under Land Use. The 1785 15<sup>th</sup> Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated and envisioned as a site with building up to 55 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential project at 1785 15th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods FEIR. This determination also finds that the Eastern Neighborhoods FEIR adequately anticipated and described the impacts of the proposed 1785 15th Street project, and identified the mitigation measures applicable to the 1785 15<sup>th</sup> Street project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 1785 15<sup>th</sup> Street project is required. In sum, the Eastern Neighborhoods FEIR and this Certificate of Exemption, for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

### **Potential Environmental Effects**

The Eastern Neighborhoods FEIR included analyses of environmental issues including: 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 1785 15<sup>th</sup> Street project 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 project analyzed in the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 1785 15<sup>th</sup> Street 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. Topics for which the FEIR identified a significant program-level impact are addressed in this Certification of Determination while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.<sup>8</sup> The following discussion demonstrates that the 1785 15<sup>th</sup> Street project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods FEIR, including project-specific impacts related to land use, archeological resources, historic architectural resources, transportation, noise, air quality, shadow, and hazards and hazardous materials. The FEIR did not include a discussion of greenhouse gas emissions, mineral and energy resources or agricultural and forest resources, so these topics are also considered in the Community Plan Exemption Checklist.<sup>9</sup>

#### Land Use

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

The Eastern Neighborhoods FEIR notes that three land use options were evaluated and under each of these options the zoning designation of the subject property was proposed to remain as RH-3 (Residential, House, Three-Family) District. Following publication of the Draft EIR, continued refinements to the proposed zoning and height maps occurred in early 2008. During the refinement process, the subject property was proposed to be zoned RTO-M (Residential, Transit-Oriented - Mission Neighborhood) District in which off-street parking for residential uses would not be required.<sup>10,11</sup>

The proposed project would replace an existing vacant, formerly industrial structure with a 55-foot-tall (plus approximately 10.5-foot-tall stair penthouse and 8-foot-tall elevator overrun above the roof level) building. The proposed building is consistent with the height and bulk controls and the proposed residential use is permitted within the RTO-M zoning controls. Further, the project is proposed on an in-

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<sup>8</sup> San Francisco Planning Department, Community Plan Exemption Checklist, 1785 15<sup>th</sup> Street, August 15, 2014. This document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>9</sup> San Francisco Planning Department, Community Plan Exemption Checklist, 1785 15<sup>th</sup> Street, August 15, 2014. This document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>10</sup> City and County of San Francisco. *Eastern Neighborhoods Rezoning and Area Plans Final EIR, Chapter VIII Comments and Responses, Pages C&R-5 through C&R-11*. This document is on file and available for review as part of Case File No. 2004.0160E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>11</sup> City and County of San Francisco. *Eastern Neighborhoods Rezoning and Area Plans Final EIR, Chapter VIII Comments and Responses, Figure C&R-1, Proposed Use Districts in Preferred Project*. This document is on file and available for review as part of Case File No. 2004.0160E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

fill site, and would not substantially impact upon the existing character of the vicinity and would not physically divide an established community.

The Eastern Neighborhoods FEIR identified an unavoidable significant land use impact due to the cumulative loss of PDR. The proposed project would contribute to this impact because the project would preclude an opportunity for PDR; however, the incremental loss in PDR opportunity is not considerable due to the size of the project site. In addition, Citywide Planning and Current Planning have both determined that the proposed project is consistent with the Eastern Neighborhoods FEIR and satisfies the requirements of the General Plan.<sup>12,13</sup>

As a result, the project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR with regard to land use, and no mitigation measures are necessary.

#### Archeological Resources

The Eastern Neighborhoods FEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than-significant-level. 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.

There is no archeological documentation specifically for the proposed project. The project site is outside any Hispanic Period Archeological Sensitivity (HPAS) Zone within the San Francisco Planning Department's Hispanic Period Archeo GIS layer. The project site is, however, approximately 100 feet away from HPAS Zone 4 which contains a number of features associated with the last mission including the neophyte adobe rancheria and a number of adobe structures that were re-adapted for residential use in the late 1830s and 1840s. To the south is the HPAS Zone 1, which is the conjectured and yet undocumented location of the first and second missions. Also, a prehistoric midden site, CA-SFR-19, is recorded a little over one block to the northeast of the project site, and redeposited prehistoric human remains of several individuals were discovered near 15<sup>th</sup> and Valencia Streets. It is known on

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<sup>12</sup> Adam Varat, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning, 1785 15<sup>th</sup> Street, June 6, 2014. This document is on file and available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>13</sup> Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, 1785 15<sup>th</sup> Street, June 13, 2014. This document is on file and available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

ethnohistoric grounds that the Ohlone "Chutchui" was located in the vicinity of the project site, and it is possible that SFR-16 corresponds to the site of Chutchui.<sup>14</sup>

The project site is located within an area subject to Mitigation Measure J-3 of the Eastern Neighborhoods FEIR, which requires archeological review by the Planning Department Archeologist for any project resulting in soils disturbance of 2.5 feet bgs or greater because of the sensitivity of the area for Hispanic period archeological resources. Based on the information above and scope of the proposed project, the Planning Department's archeologist has determined that the project would be subject to the Department's archeological testing mitigation measure as outlined on pages 20 through 23 of this Certificate. Implementation of the mitigation measure would reduce the project's impacts on archeological resources to a less-than-significant level.

The project sponsor has agreed to implement Project Mitigation Measure 1 as outlined on pages 20 through 23 of the Certificate. With implementation of the above mitigation measure, the project would not result in significant effects with regard to archeological resources that were not identified in the Eastern Neighborhoods FEIR.

#### **Historic Architectural Resources**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods FEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plan could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The FEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The Eastern Neighborhoods FEIR 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.

The Planning Department's Environmental Planning Division has determined that the existing structure and the shed that was demolished in December 2012 are not considered an historical resource under CEQA based on an Historic Resource Evaluation (HRE) prepared for the project site. The HRE concludes that the existing structure as it stands today has a utilitarian appearance with minimal ornamentation and that any semblance of the property's industrial history was removed.<sup>15,16</sup> In addition, the project site was evaluated as part of the Inner Mission North Survey and was determined not to be an eligible individual

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<sup>14</sup> Randall Dean, San Francisco Planning Department. *Environmental Planning Preliminary Archeological Review: Checklist, 1785 15<sup>th</sup> Street*, December 17, 2012. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>15</sup> Emails from Doug Vu, Preservation Planner, to Kei Zushi, Environmental Planner, August 3, 2012. These emails are available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>16</sup> Ver Planck Historic Preservation Consulting. *Historic Resource Evaluation (HRE), 1785 15<sup>th</sup> Street, San Francisco, CA*, January 30, 2012. This document is on file and available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

resource. Furthermore, the project site is not located within an identified historic district, and the proposed project would not result in any adverse effects on off-site historical architectural resources. As such, no additional historic preservation review is required for the proposed project.<sup>17</sup>

As a result, the proposed project would not result in significant effects with respect to historic architectural resources that were not identified in the Eastern Neighborhoods FEIR.

#### Transportation

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods FEIR.

However, 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 and the cumulative impacts on 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, the Community Plan Exemption Checklist topic 5c is not applicable.

#### *Trip Generation*

Trip generation of the proposed project was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>18</sup> The proposed project would generate about 80 person trips (inbound and outbound) on a weekday daily basis, consisting of 25 person trips by auto, 41 transit trips, 6 walk trips and 8 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 4 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

#### *Traffic*

The estimated 4 new p.m. peak hour 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. Given that the proposed project would add approximately 4 p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated

<sup>17</sup> Tina Tam, San Francisco Planning Department. *Email to Kei Zushi, San Francisco Planning Department, 1785 15<sup>th</sup> Street*, September 7, 2012. This email is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>18</sup> Kei Zushi, San Francisco Planning Department. *Transportation Calculations for 1785 15<sup>th</sup> Street*, May 28, 2014. These calculations are available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

that the proposed project would substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The proposed project is located in the Mission Subarea of the Eastern Neighborhoods. The Eastern Neighborhoods FEIR evaluated three land use options, and analyzed the following three conditions: baseline, 2025 project options, and 2025 no project option. The intersections located near the project site (within approximately 500 to 1,000 feet) that were analyzed in the Eastern Neighborhoods FEIR include the following three intersections: Guerrero Street/16<sup>th</sup> Street; Valencia Street/15<sup>th</sup> Street; and Valencia Street/16<sup>th</sup> Street. With the implementation of the Eastern Neighborhoods Rezoning and Area Plans, the Guerrero Street/16<sup>th</sup> Street intersection is anticipated to change from LOS C to LOS D under 2025 weekday p.m. peak hour conditions under all three Plan options as well as under the 2025 No Project option. The Valencia Street/16<sup>th</sup> Street intersection is anticipated to change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all three Plan options as well as under the 2025 No Project option. The Valencia Street/15<sup>th</sup> Street intersection is anticipated to change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all three Plan options, and remain as LOS B under the 2025 No Project option. Therefore, the FEIR concluded that the implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in a significant impact on the above intersections.

The nearest Mission Subarea intersection for which the Eastern Neighborhoods FEIR identified a significant impact under 2025 weekday p.m. peak hour was the South Van Ness Avenue/Howard Street/13<sup>th</sup> Street intersection (approximately 2,800 feet from the project site) which operated at LOS E under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under Plan Options B and C, and would remain as LOS E under 2025 weekday p.m. peak hour operating conditions under Plan Option A and under the 2025 No Project option. It is likely that these conditions would occur with or without the proposed project, and the proposed project's contribution of 4 p.m. peak hour vehicle trips would not be substantial proportion of the overall traffic volume or the new vehicle trips generated by the Eastern Neighborhoods Rezoning and Area Plans.

In the Eastern Neighborhoods FEIR, specific mitigation measures were not proposed for the South Van Ness Avenue/Howard Street/13<sup>th</sup> Street intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the FEIR Certification and the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. Since the proposed project would not contribute considerably to 2025 Cumulative conditions, it would therefore, not have any significant cumulative traffic impacts.

#### Transit

As indicated above, the proposed project is estimated to add 41 daily transit person trips, 7 of which are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines 14, 14L, 22, 26, 33, 49, and 53, and therefore the additional p.m. peak hour trips would likely be accommodated on existing routes, and would result in a less-than-significant effect on transit services. Transit trips to and from the proposed project would utilize the nearby Muni lines, and would transfer to and from other Muni lines. The addition of 7 p.m. peak hour transit trips would

increase Muni ridership, however, this net increase would not be substantial as existing transit lines have the capacity to accommodate these new trips. Additionally, the proposed project would not substantially interfere with any nearby transit routes. Therefore, the project would have a less-than-significant impact on transit services.

The Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership. Several mitigation measures were included to address these impacts, which included installation of traffic signals at several intersections; intelligent traffic management; strategies to enhance availability and use of funding; additional and enhanced Muni service; transit priority on certain streets; improvement of transportation demand management; establishment of a coordinated planning process to link land use planning and development in the Eastern Neighborhoods to transit and other alternative transportation mode planning in the eastern portion of the City. Even with mitigation, however, the cumulative impacts with respect to the following seven Muni lines, 9-San Bruno, 22-Fillmore, 26-Valencia, 27 Bryant, 33-Stanyan, 48-Quintara, and 49-Van Ness/ Mission, were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely that the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 7 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhoods Rezoning and Area Plans. Since the proposed project would not contribute considerably to the 2025 Cumulative conditions, it would therefore not have a significant cumulative transit impact.

#### Loading

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.01 truck-trips per hour. *Planning Code* Section 152.1 requires no off-street loading for residential development less than 100,000 sf in gross floor area. Therefore, no off-street loading spaces would be required for the proposed project, which would include 9,200 sf of residential use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along 15<sup>th</sup> Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on 15<sup>th</sup> Street.<sup>19</sup>

#### Pedestrian and Bicycle Conditions

The proposed project would generate approximately 1 p.m. peak-hour pedestrian trip. The proposed project would not cause a substantial amount of pedestrian and vehicle conflicts, as there are adequate sidewalk and crosswalk widths in the project site vicinity and the project would not add any new curb cuts. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

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<sup>19</sup> Edward "Toby" Morris, Kerman Morris Architects, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Loading: 1785 15th Street*, June 5, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

There are no existing or proposed bike lanes along the project site frontage on 15<sup>th</sup> Street. In the vicinity of the project site, there are two Citywide Bicycle Routes. Valencia Street comprises a portion of Bicycle Route #45 (Class II), and 14<sup>th</sup> Street a portion of Bicycle Route #30 (Class II). Bicycle traffic is heavier on Valencia Street than on surrounding streets. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

The recently amended *Planning Code* Section 155.5 (Board of Supervisors Ordinance No. 129-06) requires that residential projects of 50 dwelling units or less provide one bicycle space for every 2 dwelling units. The proposed project would include nine dwelling units and thus would be required to provide five bicycle parking spaces. Five vertical mounted lockable bike racks would be installed on the ground floor of the proposed building. In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

#### Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.<sup>20</sup> The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 12 spaces. The proposed project would not provide any off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 12 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project

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<sup>20</sup> San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 1785 15<sup>th</sup> Street*, June 2, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

#### Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noise-generating 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 Plans would incrementally increase traffic-generated noise levels on some streets in the Plan Area 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.

The Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particular noise construction procedures (including pile driving). Mitigation Measures F-1 is not applicable to the proposed project because the project would not involve pile driving activities.<sup>21</sup> Mitigation Measure F-2 is applicable to the proposed project because construction noise controls are necessary due to the nature of planned construction, which includes the use of a drilling rig (Case CX 350 mini excavator) to install piers that would support the proposed building.<sup>22</sup> and existing uses in the project site vicinity include noise-sensitive uses (including dwelling units at 307, 307, and 315 Guerrero Street). A noise memo has been prepared to assess whether or not the noise levels to be generated by the drilling rig could comply with the construction equipment noise limits outlined in Section 2907 of the San Francisco Police Code, which generally prohibits any person from operating any powered construction equipment that emits noise at level in excess of 80 dBA when measured at a distance of 100 feet from such equipment.<sup>23</sup> The memo found that the drilling rig would exceed the above noise limit. Given the above and the short-term duration of the drilling operations (five

<sup>21</sup> Edward "Toby" Morris, Kerman Morris Architects, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Construction Noise: Revised Project - 1785 15<sup>th</sup> St*, June 12, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>22</sup> Ibid.

<sup>23</sup> Wilson Ihrig & Associates. *1785 15<sup>th</sup> Street Project*, San Francisco, July 28, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

days), the memo recommends that: 1) acoustical shielding be installed in the form of acoustical blankets shrouding the drill equipment; or 2) temporary, movable solid barriers such as plywood or acoustical blankets be erected around each drilling location. The project sponsor has agreed to implement either one of the above measures to ensure that the construction equipment complies with Section 2907 of the San Francisco Police Code.

With implementation of either one of the above construction equipment noise reduction measures, Mitigation Measure F-2 (Project Mitigation Measure 2) as outlined on page 23 of this Certificate would be satisfied. With implementation of the above mitigation measure, the project would not result in significant effects with regard to noise that were not identified in the Eastern Neighborhoods FEIR.

In addition, all construction activities for the proposed project (approximately 12 months) would be subject to and comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code, or 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<sup>24</sup> ( $L_{dn}$ <sup>25</sup>) 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 p.m. and 7:00 a.m., 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 a.m. to 5:00 p.m.). 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 12 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 significant impact of the proposed project because the construction noise would be temporary (approximately 12 months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the City's Noise Ordinance.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, F-5, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Since the proposed project would include noise-sensitive uses with sensitive receptors, Mitigation Measures F-3 and F-4 (Project Mitigation Measures 3 and 4, respectively), as outlined on page 23 and 24 of this Certificate, would apply to the proposed project.

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<sup>24</sup> The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

<sup>25</sup> The  $L_{dn}$  is the  $L_{eq}$ , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The  $L_{eq}$  is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

Pursuant to Eastern Neighborhoods FEIR Mitigation Measures F-3 and F-4, a noise study was conducted, including a 24-hour noise measurement and site survey of noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site.<sup>26</sup> An addendum to the noise study has been prepared for the project to reflect the changes to the proposed project made since the above noise study was prepared on January 25, 2013.<sup>27</sup> The addendum states that the recommendations provided in the January 25, 2013 noise study are applicable to the revised project, including the ninth unit.

The results of the noise study reveal that the existing noise level at the project façade is already consistently above 60 L<sub>dN</sub>. The noise study concluded that the implementation of the recommendation measures included in the noise report would ensure compliance with the maximum 45 L<sub>dN</sub> interior noise level required by Title 24 Standards. These measures include acoustical designs for glazing and window types, unit entrance doors, exterior walls, and supplemental ventilation systems. The noise study recommends that exterior windows facing 15<sup>th</sup> Street have the minimum sound isolation rating of Outdoor-Indoor Transmission Class (OITC) 23, or Sound Transmission Class (STC) 27, to comply with the minimum code requirements. The project sponsor has agreed to implement all of the recommended measures included in the noise study. DBI would ensure that the project comply with Title 24 standards during the building permit review process.

The noise study also notes that the visual review of the area shows no significant noise generators within 900 feet of the project site other than vehicular traffic along 15<sup>th</sup> Street and, to a lesser extent, Guerrero Street. The noise study further notes that two automobile service shops located on the east side of the project along 15<sup>th</sup> Street within 900 feet of the project site are not considered significant sources of noise, noting that detailed listening of the noise recordings gathered by the project site for a period of approximately two full days did not reveal loud noise events generated from these businesses, such as hammering impact noise, grinding, sawing, etc.

Eastern Neighborhoods FEIR Mitigation Measure F-5 addresses impacts related to 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. Since the proposed development does not propose a land use that would generate noise levels in excess of ambient noise in the vicinity of the project site, Mitigation Measure F-5 would not be applicable.

Eastern Neighborhoods FEIR Mitigation Measure F-6 addresses impacts related to open space areas of residential units and other noise-sensitive uses. Since the proposed development proposes a residential unit (with open space required by the Planning Code), Mitigation Measure F-6 (Project Mitigation Measure 5), as outlined on page 24 of this Certificate, would apply to the proposed project.

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<sup>26</sup> Wilson Ihrig & Associates. CCR Title 24, Noise Study Report, 1785 15<sup>th</sup> Street, San Francisco, California, January 25, 2013. This report is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>27</sup> Pablo A. Daroux, Wilson Ihrig & Associates. Addendum to 1/25/2013 CCR 24 Noise Study Report, 1785 15<sup>th</sup> Street Multi-Family Project, San Francisco, June 2, 2014. This document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

As for Mitigation Measure F-6, the noise study prepared for this project notes that the private roof deck areas behind the proposed building on the third and fourth floors and common rear yard area would be shielded by the proposed building to such a degree that noise exposures at the building façade of the courtyard would be below 60 L<sub>dB</sub>. Based on this, the noise study concluded that none of the windows at the rear of the building would need to be acoustically rated. The noise study states that the level of exterior noise projected at the private decks on the fifth and six floors (Units 8 and 9) facing 15<sup>th</sup> Street exceeds the upper limit of the "Satisfactory" General Plan land use compatibility range for residences, which is 60 L<sub>dB</sub>. Based on this, the noise study recommends that the noise exposure be limited to 60 L<sub>dB</sub> through the construction of a solid 3 lb/ft<sup>2</sup> minimum surface density wall at least 5 feet tall relative to the roof deck along the north edge of the building, and wing walls on the east and west sides for a minimum of 6 feet in length. The project sponsor has agreed to construct these noise reduction walls at the private decks for Units 8 and 9 as recommended in the noise study. The final design of these noise reduction walls would be subject to review by the Planning Department as part of the building permit review process for this project.

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, the Community Plan Exemption Checklist topics 6e and 6f are not applicable.

In conclusion, with the implementation of Project Mitigation Measures 2, 3, 4 and 5 as outlined on pages 23 and 24 of this Certificate, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods FEIR.

### Air Quality

The Eastern Neighborhoods FEIR identified 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. These significant impacts would conflict with the applicable air quality plan at the time, the Bay Area 2005 Ozone Strategy. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD CEQA Air Quality Guidelines ("Air Quality Guidelines"),<sup>28</sup> 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

<sup>28</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011.

assessment of the 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 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. Therefore, operation of the proposed project would result in a less-than-significant impact related to 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 in which there are additional health risks for affected populations ("Air Pollutant Exposure Zone"). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Excess cancer risk from all sources > 100 per one million persons; and
- (2) PM<sub>2.5</sub><sup>29</sup> concentrations from all sources including ambient >10µg/m<sup>3</sup>.<sup>30</sup>

Sensitive receptors<sup>31</sup> within the Air Pollutant Exposure Zone are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside the Air Pollutant Exposure Zone. These locations (i.e., within the Air Pollutant Exposure Zone) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

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 onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). 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 and the project site is not

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<sup>29</sup> PM<sub>2.5</sub> is defined as particulate matter less than 2.5 micrometers in diameter, often called "fine" particles.

<sup>30</sup> A microgram per cubic meter ( $\mu\text{g}/\text{m}^3$ ) is a derived System International measurement unit of density—measuring volume in cubic meters—used to estimate weight or mass in micrograms.

<sup>31</sup> 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.

located within an Air Pollutant Exposure Zone, therefore Mitigation Measure G-1 would not apply to the proposed project.

The proposed project would include development of residential uses and is considered a sensitive land use for the purpose of air quality evaluation. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Eastern Neighborhoods FEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project. Furthermore, the proposed residential land uses are not uses that would emit substantial levels of DPM or other TACs<sup>32</sup> and Eastern Neighborhoods Mitigation Measures G-3 and G-4 are similarly not applicable.

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

### **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., parks that are under jurisdiction by departments other than the Recreation and Parks Department [RPD] or are 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 construction an approximately 55-foot-tall building (plus approximately 10.5-foot-tall stair penthouse and 8-foot-tall elevator overrun above the roof level). Therefore, a preliminary shadow fan analysis was prepared by Planning Department to determine whether the project would have the potential to cast new shadow on nearby parks.<sup>33</sup> This analysis found that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of, or designated to be acquired by, RPD.

The proposed project would add new shade to portions of adjacent residences, properties, sidewalks, and streets. However, the height of the proposed building would not be substantially taller than surrounding buildings, and the new shadows would not exceed levels commonly expected in urban areas. Due to the dense urban fabric of the project vicinity, the loss of sunlight on private residences and property is rarely

<sup>32</sup> Toby Morris, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Air Quality: Revised Project - 1785 15<sup>th</sup> Street*, June 13, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<sup>33</sup> Erika Jackson, San Francisco Planning Department. *Shadow Analysis for 1785 15<sup>th</sup> Street*, June 20, 2014. A copy of this document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

In light of the above, the proposed project would not result in significant shadow impacts that were not identified in the Eastern Neighborhoods FEIR.

### Hazards and Hazardous Materials

The Eastern Neighborhoods FEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the Plan Area. The FEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the Plan Area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the FEIR found that existing regulations for facility closure, underground storage tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

### Hazardous Building Materials

The Eastern Neighborhoods FEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the FEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods FEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that Mitigation Measure L-1 would reduce effects to a less-than-significant level. As the project involves demolition or renovation of any existing buildings, Mitigation Measure L-1 (Project Mitigation Measure 6), as outlined on page 25 of this Certificate, would apply to the project.

### Soil and Groundwater Contamination

The proposed project is located in a Maher area. The proposed project would involve excavation of up to 300 cubic yards of soil.<sup>34</sup> Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH).

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<sup>34</sup> Toby Morris, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, 1785 15<sup>th</sup> Street - Foundation*, May 29, 2014. This document is available for review as part of Case File No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

In compliance with the Maher Ordinance, the project sponsor has submitted a Phase I ESA, Work Plan, Phase II Environmental Soil Investigation, and Site Mitigation Plan (SMP) to DPH for review and the SMP has been approved by DPH.<sup>35</sup> Based on the Phase I ESA, the site was developed with residences in the late 1800s and a commercial use was established on the project site by 1914. Previous uses of the project site include a crank shaft grinding shop and an auto repair shop, both of which occurred during the 1960s. The results of the Phase II Environmental Soil Investigation reveal no detectable concentrations in soil or groundwater for Total Petroleum Hydrocarbons as diesel (TPHd), Total Petroleum Hydrocarbons as gasoline (TPHg), Total Recoverable Petroleum Hydrocarbons (TRPH), or volatile organic compounds (VOC). Chromium, lead, and nickel were detected at elevated concentrations in some samples, which would be removed and disposed of during construction excavation following the procedures described in the SMP.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

### **Mitigation Measures**

In accordance with Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement the following mitigation measures.

#### **Project Mitigation Measure 1 – Archeological Resources (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 rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the QACL. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological 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,

<sup>35</sup> DPH. *Site Mitigation Plan Approval, 1785 15<sup>th</sup> Street, San Francisco, CA, DPH SMED 905*, dated May 7, 2013. This document is available for review as part of Case File No. 2012.0147E at 1650 Mission Street, Suite 400, San Francisco, CA.

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 site<sup>36</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative<sup>37</sup> 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. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. 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:

- 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.

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<sup>36</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>37</sup> 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. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

*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.

**Project Mitigation Measure 2 – Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR)**

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

**Project Mitigation Measure 3 – Noise (Mitigation Measure F-3 of the Eastern Neighborhoods FEIR)**

For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.

**Project Mitigation Measure 4 – Noise (Mitigation Measure F-4 of the Eastern Neighborhoods FEIR)**

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and

including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

**Project Mitigation Measure 5 – Noise (Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)**

To minimize effects on development in noisy areas, for new development including noise sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

**Project Mitigation Measure 6 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)**

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

**Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on June 18, 2014 to owners of properties within 300 feet of the project site and adjacent occupants. One individual submitted his concerns related to potential shadow impacts that may result from the project. Shadow is discussed on pages 17 and 18 of this Certificate under the "Shadow" section.

Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no

substantial evidence that the proposed project could have a significant effect on the environment as addressed in this Categorical Exemption Certificate.

**Conclusion**

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed 1785 15<sup>th</sup> Street project. As described above, the 1785 15<sup>th</sup> Street 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 1785 15<sup>th</sup> Street project would not have any new significant, peculiar effects on the environment not previously identified in the Eastern FEIR, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods 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, the proposed project is exempt from environmental review under Section 15183 of the CEQA Guidelines and Section 21083.3 of the California Public Resources Code.

The Eastern Neighborhoods FEIR and this Certificate of Exemption comprise the full and complete CEQA evaluation necessary for the proposed project.



## **Attachment A**

### **Community Plan Exemption Checklist**

*Case No.:* **2012.0147E**  
*Project Title:* **1785 15<sup>th</sup> Street**  
*Zoning:* RTO-M (Residential, Transit-Oriented - Mission Neighborhood) District  
55-X Height and Bulk District  
*Block/Lot:* 3555/036  
*Lot Size:* 2,883 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Toby Morris, Kerman Morris Architects, (415) 749-0302  
*Staff Contact:* Lisa Gibson – (415) 575-9036  
 [lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org)

#### **A. PROJECT DESCRIPTION**

The 2,883-square-foot (sf) project site is located on the south side of 15<sup>th</sup> Street between Guerrero Street to the west and Albion Street to the east in San Francisco's Mission District. The project site is located in the northwestern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Planning effort.

The proposed project would involve: 1) demolition of an existing 18-foot-tall, single-story, 780-sf vacant, formerly industrial structure<sup>1,2,3</sup>; and 2) construction of a 55-foot-tall (plus approximately 10.5-foot-tall stair penthouse and 8-foot-tall elevator overrun above the roof level), 6-story, 9,200-sf residential building consisting of 9 residential units (four one-bedroom units, four two-bedroom units, and one three bedroom unit). No parking is proposed as part of this project. The project would include approximately 675 sf of common open space (to be shared by 5 units) at the ground level and four private decks, totaling 963 sf in size. The Planning Department's Environmental Planning Division has determined that the existing structure and the shed that was demolished in December 2012 are not considered historical resources under the California Environmental Quality Act (CEQA).<sup>4</sup>

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<sup>1</sup> According to an email from Robert Huang at Kerman Morris Architects sent to Erika Jackson and Kei Zushi, staff planners, on January 3, 2013, the former use of the existing structure at the project site is an industrial warehouse (saw sharpening) and changes have been made to both the Assessor's Office records and demolition permit application (2012-1024-2073).

<sup>2</sup> The Environmental Evaluation Application (EEA) for this project states that the existing use of the project site is residential use. The Planning Department Current Planning Division has determined that the existing use of the project site is industrial.

<sup>3</sup> Based on an email from Edward "Toby" Morris, Kerman/Morris Architects, Project Sponsor, sent to Kei Zushi, staff planner, on April 19, 2013, a 6-foot-tall, single-story, 134-sf metal storage shed located in the rear yard was demolished by squatters who were in the main structure on the project site at the end of 2012.

<sup>4</sup> Emails from Doug Vu, Preservation Planner, to Kei Zushi, Environmental Planner, August 3, 2012. These are available for review as part of Case No. 2012.0147E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

## 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 programmatic environmental impact report (PEIR), in this case the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).<sup>5,6</sup> Items checked "Project-Specific Significant Impact Not Identified in PEIR" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR are addressed in the CPE Checklist below.

Items checked "Significant Unavoidable Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, these topics are addressed in the CPE Certificate and the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. Mitigation measures identified in the PEIR are discussed under each topic area in the CPE Certificate, and mitigation measures that are applicable to the proposed project are identified under each topic area.

For any topic that was found to result in less-than-significant (LTS) impacts in the PEIR and for the proposed project, or would have no impacts, the topic is marked "No Significant Impact (Project or PEIR)" and is discussed in the CPE Checklist below.

Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>5</sup> In this CPE Checklist, the acronyms "FEIR" and "PEIR" both refer to the Eastern Neighborhoods Plan FEIR and are used interchangeably.

<sup>6</sup> San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sfgov.net/planning/index.aspx?page=1893>, accessed August 17, 2012.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill

site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria, thus this checklist does not consider aesthetics in determining whether the project has the potential to result in significant environmental impacts under CEQA.<sup>7</sup>

Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
<b>3. POPULATION AND HOUSING – Would the project:</b>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide demand for additional housing. The Eastern Neighborhoods FEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any

<sup>7</sup> San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 1785 15<sup>th</sup> Street*, June, 2, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2013.0147E.

population increase would not, in itself, result in adverse physical effects, but would serve to advance 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 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.

The proposed project would increase the population on site by constructing nine new dwelling units. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans, and evaluated in the Eastern Neighborhoods FEIR.

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods FEIR.

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

Please see Certificate of Determination for discussion of this topic.

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

Please see Certificate of Determination for discussion of this topic.

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

Please see Certificate of Determination for discussion of this topic.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>7. AIR QUALITY:</b> 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. — <b>Would the project:</b>						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>8. GREENHOUSE GAS EMISSIONS—Would the project:</b>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the East SoMa 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 CO<sub>2</sub>E<sup>8</sup> per service population,<sup>9</sup> respectively. 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. No mitigation measures were identified in the FEIR.

Regulations outlined in San Francisco's Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>8</sup> CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

<sup>9</sup> 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 (equivalent of total number of residents and employees) metric.

## Wind

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods FEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods FEIR.

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. Based on the height and location of the proposed 55-foot-tall (plus approximately 10.5-foot-tall stair penthouse and 8-foot-tall elevator overrun above the roof level) building, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. As a result, the proposed project would not cause significant wind impacts that were not identified in the Eastern Neighborhoods FEIR.

## Shadow

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>10. RECREATION—Would the project:</b>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR concluded that the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods FEIR.

As the proposed project does not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area plans, there would be no additional recreation beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods FEIR.

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

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.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>13. BIOLOGICAL RESOURCES—Would the project:</b>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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, 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Eastern Neighborhoods FEIR, the Eastern Neighborhoods Plan Area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the FEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on biological resources beyond those analyzed in the Eastern Neighborhoods FEIR.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>14. GEOLOGY AND SOILS—Would the project:</b>						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, 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 risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the FEIR concluded that the implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods FEIR.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>15. HYDROLOGY AND WATER QUALITY—Would the project:</b>						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<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 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 or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on hydrology and water quality beyond those analyzed in the Eastern Neighborhoods FEIR.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>17. MINERAL AND ENERGY RESOURCES—Would the project:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR concluded that the Area Plan 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 a wasteful manner or 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 DBI. The Plan 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 implementation of the Area Plan

would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the Eastern Neighborhoods FEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts with respect to mineral and energy resources beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. —Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and Area Plan would have no effect on agricultural resources. No mitigation measure were identified in the FEIR. The Eastern Neighborhoods FEIR did not analyze the effect on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area plans, there would be no additional impacts on agricultural and forest resources beyond those analyzed in the Eastern Neighborhoods FEIR.

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### 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.

J. Wise for  
Sarah B. Jones  
Environmental Review Officer  
for  
John Rahaim, Planning Director

DATE

August 21<sup>st</sup>, 2014