



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

*Case No.:* 2013.0312E  
*Project Address:* 777 Tennessee Street  
*Zoning:* Urban Mixed Use (UMU);  
Life Science and Medical Special Use District  
58-X Height and Bulk District  
*Block/Lot:* 4044/013  
*Lot Size:* 15,000 square feet  
*Plan Area:* Central Waterfront area of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Mitchell Benjamin, Sternberg Benjamin Architects Inc. (415)882-9783  
*Staff Contact:* Heidi Kline, (415)575-9043, Heidi.Kline@sfgov.org

### PROJECT DESCRIPTION:

The proposed project includes the demolition of an existing 15,500-square-foot, single-story with mezzanine level warehouse and the construction of a six-story over basement level, 58-foot-high multi-family residential building. The proposed 60-unit, 68,000-square-foot building would include 36 one-bedroom units and 24 two- and three-bedroom units on the upper five floors. The ground floor would contain a lobby, community room, bicycle parking, utility and trash room, and 14 automobile parking spaces. An additional 36 automobile parking spaces would be located in the basement level. The 15,000-square-foot project site is located on the northeast corner of 19th and Tennessee Streets on the block bounded by 19th, Tennessee, Third, and 18th Streets in the Potrero Hill neighborhood.

### EXEMPT STATUS:

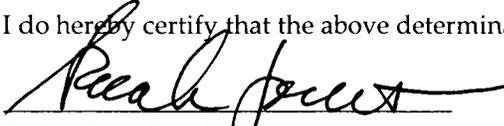
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### REMARKS:

(See next page.)

### DETERMINATION:

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

  
SARAH B. JONES  
Environmental Review Officer

July 21, 2014  
Date

cc: Mitchell Benjamin, Project Sponsor;  
Virna Byrd, M.D.F.

Supervisor Jane Kim, District 6  
Exemption/Exclusion File

### **Project Approval:**

The proposed project is subject to review by the Planning Commission pursuant to Section 329 of the Planning Code (Large Project Authorization). If approved, this would be the Approval Action for the project and would establish 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.

### **REMARKS:**

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

This determination evaluates the potential project-specific environmental effects peculiar to the 777 Tennessee Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" 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, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. In addition, this determination identifies mitigation measures contained in the FEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the FEIR as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.<sup>1</sup>

### **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

---

<sup>1</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0312E.

adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses.

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>2,3</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.

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.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District and Life Science and Medical Special Use District in the Central Waterfront area of the Eastern Neighborhoods Area Plan. The UMU District designation is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. Area within this designation is intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relationship to PDR land supply and cumulative land use effects is discussed further in CPE Checklist, under Land Use. The 777 Tennessee Street project site was designated as a site that would permit housing and mixed use in buildings up to 58 feet in height.

---

<sup>2</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>3</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.

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 project at 777 Tennessee 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 777 Tennessee Street project, and identified the mitigation measures applicable to the 777 Tennessee Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the 777 Tennessee 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.

### **PROJECT SETTING:**

The project site is within the block bounded by Tennessee, 18<sup>th</sup>, Third, and 19<sup>th</sup> Streets within the Potrero Hill neighborhood. Tennessee and Third Streets are north-south arterials and 18<sup>th</sup> and 19<sup>th</sup> Streets are east-west arterials. Tennessee, 18<sup>th</sup>, and 19<sup>th</sup> Streets are two-way streets with one travel lane and parking in both directions. Third Street is a two-way arterial with four travel lanes and parking on both sides. The SFMTA T-Third rail line is located in the center of Third Street. The area is generally flat and is located east of the steeper Potrero Hill area. The project site is a relatively flat corner lot having been graded at the time of construction of the existing building. The existing single-story with mezzanine level warehouse building and associated vehicle loading area are at an elevation several feet lower than the lowest elevation along the project site's 19<sup>th</sup> Street frontage. Tennessee Street along the project frontage has a 6 percent northerly slope and 19<sup>th</sup> Street has an approximately 10 percent easterly slope.

Existing land uses within a one-block area surrounding the project site include a mix of residential, commercial, and PDR uses. Buildings within the immediate area include a mix of various architectural styles ranging from one- and two-story Victorian residences, four-story contemporary multi-family residential buildings, and one- to two-story PDR buildings. The Mission Bay biotechnology and research area is located north of the project site with the new University of California at San Francisco (UCSF) campus located two blocks to the north of the project site at the intersection of Tennessee and Mariposa Streets. Esprit Park, a public park serving the Potrero Hill and Dogpatch neighborhoods, is located one block to the west of the project site. The Third Street corridor with its mix of new four- to five-story residential mixed-use buildings along the City's newest light rail corridor is located one block to the east of the project site. The Dogpatch Historic District is located one block to the south of the project site. Zoning in the vicinity of the project is UMU, similar to the project site. Property to the east of the project site and along Third Street is located in the 68-X height and bulk district with properties on the east side of Tennessee (including the project site) in the 58-X height and bulk district. On the west side of Tennessee Street the properties are designated with a 45-X height and bulk designation.

---

<sup>4</sup> Varat, Adam, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 777 Tennessee Street, September 13, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

<sup>5</sup> Joslin, Jeff San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 777 Tennessee Street, July 16, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

## 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 777 Tennessee 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 777 Tennessee 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.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods FEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The cumulative loss of PDR space was determined to be a significant and unavoidable land use impact in the Eastern Neighborhoods FEIR. The proposed project would contribute to this already identified land use impact due to the demolition of the existing 15,500-square-foot warehouse building currently occupied by a wholesale furniture use. Five study intersections within the Central Waterfront area in the Eastern Neighborhoods FEIR were projected to operate at an unacceptable level of service (LOS) as a result of the implementation of the Area Plan, resulting in significant and unavoidable transportation and circulation impacts. The project site is not within 1,500 feet of these five intersections and would therefore, not contribute to these significant and unavoidable transportation and circulation impacts. The proposed project would not directly involve or alter any historic resources and would not cause a significant adverse impact upon a potential historic district and therefore, it would not contribute to significant and unavoidable historic resource impacts identified in the EN Plan FEIR.

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 were identified for redevelopment with taller buildings. 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 development proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct a 58-foot-tall building within one block of the existing Espirit Park (under the jurisdiction of the SF Recreation and Park Commission); therefore, a shadow study was completed by Environmental Science Associates to evaluate whether the project would cast new shadow on the park.<sup>6</sup> The shadow study shows that the proposed project would cast 17,171 shadow foot hours

---

<sup>6</sup> Environmental Science Associates. *777 Tennessee Street – Section 295 Shadow Study for Espirit Park*, November 14, 2013. This document is available for review at San Francisco Planning Department at 1650 Mission Street, Suite 400 as part of Case File No. 2013.0312E.

(sfh)<sup>7</sup> on Espirit Park. The shadow would be cast on the northeast area of the park, a portion of the park covered by a walking trail and landscaped area. At this time of the day (sunrise), the use of the park is generally limited to dog walkers and runners/walkers. This area of the park has significant existing shadow due to the presence of mature trees along the park edge. The shadow generated by the proposed project would be cast on this portion of the park within one hour of sunrise between the first week of June and the first week of July and would last a maximum duration of 15 minutes. This additional early morning shadow would be added when use of the park is relatively low and would not substantially impact use of the trail during the morning hours due to the addition of this shadow in the northeast corner of the park. The park has an existing 10.58 percent shadow load baseline,<sup>8</sup> or 31,378,487 sfh, due to existing buildings, the elevated I-280 highway, and the natural topography of Potrero Hill. The proposed project would add 0.0058 percent, or 17,171 sfh, to the existing shadow load of the park.

Two other foreseeable projects in this immediate area, 650 and 800 Indiana (147,734 sfh and 633,212 sfh, respectively) have been identified that would also add shadow to Espirit Park. Together, both projects would add an additional 0.263 percent shadow load to the existing park. Therefore, with the proposed project and the other two foreseeable projects, there would be a cumulative increase of 0.269 percent shadow load added to the 10.58 percent baseline, resulting in a total shadow load of 10.849 percent for Espirit Park. The project's contribution to the shadow load increase would be 2.3 percent and would not be a cumulatively considerable contribution to the significant and unavoidable shadow impacts analyzed in the Eastern Neighborhoods FEIR.

The addition of the 15-minute-long early morning shadow during the period from June 1 through July 1 would not substantially affect the use of Espirit Park due to its limited extent and duration in an area of the park dedicated to passive uses. The additional shadow on Espirit Park is subject to review by the Recreation and Parks Department and a recommendation concerning its determination is made to the Planning Commission prior to its action on the project. Based on its limited extent and duration, the project's proposed shadow impacts on Espirit Park would not be individually or cumulatively considerable and would be less than significant.

The Eastern Neighborhoods FEIR identified feasible mitigation measures to address significant impacts related to: Noise (F-1, F-2, F-3, F-4, F-5, and F-6), Air Quality (G-1, G-2, G-3, and G-4), Archeological Resources (J-1, J-2, and J-3), Historical Resources (K-1, K-2, and K-3), Hazardous Materials (L-1), and Transportation (E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11).

As analyzed and discussed in the CPE Checklist, the following mitigation measures identified in the FEIR do not apply to the proposed project. Noise Mitigation Measures F-1, F-2, F-3, and F-5 do not apply to the project. Mitigation Measures F-1 and F-2 address construction techniques that generate excessive noise, such as pile-driving. The project would not involve pile-driving or other construction techniques generating excessive noise. Mitigation Measure F-3 does not apply to the project as it addresses interior noise levels for uses not subject to Title 24 noise insulation requirements and, multi-family residential buildings similar to the classification of the proposed residential building are subject to Title 24 requirements. Mitigation Measure F-6 prescribes requirements for noise-generating uses and is not applicable to the proposed residential use. Air quality mitigation measures identified in the Eastern Neighborhoods FEIR would not apply to the proposed project. Mitigation Measure G-1 has been

---

<sup>7</sup> Shadow foot hour is a quantitative term representing the time and area of a shadow.

<sup>8</sup> Shadow load baseline refers to the current total amount of time during which shadows are projected on a particular park. This baseline could increase over time if new structures are constructed which would generate additional shadows on the park.

superseded by the San Francisco Dust Control Ordinance. Mitigation Measure G-2 pertains to projects in an identified Air Pollutant Exposure Zone or projects less than 10 units in size and located in an area subject to Article 38 of the San Francisco Health Code. Mitigation Measures G-3 and G-4 apply to new commercial, industrial, or other large toxic air contaminants (TAC)-generating uses. Archeological mitigation measures J-1 and J-3 identify specific archeological measures to be undertaken by projects in specific locations other than the project site. Transportation Mitigation Measures E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11 include measures to be undertaken by the San Francisco Municipal Transportation Agency (SFMTA), rather than individual development projects such as 233-237 Shipley Street, to address systematic transportation and transit improvements. Historic Resources Mitigation Measures K-1, K-2, and K-3 provide interim standards for historic resources pending amendment of the San Francisco Planning Code (Planning Code) to adopt similar measures. These mitigation measures have already been incorporated into the Planning Code.

As discussed in the CPE Checklist, Eastern Neighborhoods Plan FEIR Mitigation Measures F-4 and F-6 (Noise) were found to be applicable to the proposed residential project at 777 Tennessee Street as these measures address noise levels inside residential units and in required open space areas. Archeological Mitigation Measure J-2 would apply to the proposed residential project and as specified in the mitigation measure, a preliminary archeological assessment has been completed for the project by the Department's archeologist. Hazardous materials Mitigation Measure L-1 applies to projects involving the demolition of older buildings and thus, would apply to the proposed project. Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures.

With implementation of these mitigation measures the proposed residential project at 777 Tennessee Street would not result in significant impacts beyond those analyzed in the FEIR.<sup>9</sup>

#### **Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on January 14, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. These comments include concerns related to inadequate parking, impacts on traffic and noise, preference for more retail space instead of residences, building height, shadow on private residences and Esprit Park, and the need for larger 3-bedroom units. Traffic impacts are discussed in Topic 4 – Transportation and Circulation, noise impacts are discussed in Topic 5 – Noise, land use and compliance with zoning standards are covered in Topic 1 – Land Use and Land Use Planning, and shadow impacts are discussed in Topic 8 – Wind and Shadow. A discussion of parking is provided in Topic 4 – Transportation and Circulation. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public.

#### **Conclusion**

The Eastern Neighborhoods Plan FEIR incorporated and adequately addressed all potential impacts of the proposed 777 Tennessee Street project. As described above, the proposed 777 Tennessee Street project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Eastern Neighborhoods Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Plan FEIR. Thus, the proposed project would not have any new significant effects on the environment not previously

---

<sup>9</sup> Please refer to the CPE Checklist for a complete discussion.

identified in the Eastern Neighborhoods Plan FEIR, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Plan FEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Community Plan Exemption Checklist

*Case No.:* 2013.0312E  
*Project Address:* 777 Tennessee Street  
*Zoning:* Urban Mixed Use (UMU);  
Life Science and Medical Special Use District  
58-X Height and Bulk District  
*Block/Lot:* 4044/013  
*Lot Size:* 15,000 square feet  
*Plan Area:* Central Waterfront area of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Mitchell Benjamin, Sternberg Benjamin Architects Inc. (415)882-9783  
*Staff Contact:* Heidi Kline, (415)575-9043, Heidi.Kline@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### Project Description:

The proposed project includes the demolition of an existing 15,500-square-foot, single-story with mezzanine level warehouse and the construction of a six-story over basement level, 58-foot-high multi-family residential building. The proposed 60-unit, 68,000-square-foot building would include 36 one-bedroom units and 24 two- and three-bedroom units on the upper five floors. The ground floor would contain a lobby, community room, bicycle parking, utility and trash room, and 14 automobile parking spaces. An additional 36 automobile parking spaces would be located in the basement level. The 15,000-square-foot project site is located on the northeast corner of 19th and Tennessee Streets on the block bounded by 19th, Tennessee, Third, and 18th Streets in the Potrero Hill neighborhood.

Figure 1 shows the location of the project site, which is within the Central Waterfront area of the Eastern Neighborhoods Area Plan. Figure 2 includes the proposed site plan for the project and Figures 3 to 6 show the floor plans and building elevations. Figure 7 includes a photosimulation of the proposed project.

The proposed 777 Tennessee Street project would require the following approvals:

### Actions by the Planning Commission

- Large project authorization under Section 329 of the Planning Code. Planning Code Section 329(d) allows projects to seek specific exceptions to the provisions of the Code. As proposed, the project requires modifications to the requirements for rear yard (See Planning Code Section 134), dwelling unit exposure (See Planning Code Section 140) and bay window dimensional and spacing requirements (See Planning Code Section 136).
- Approval of the project's shadow impact on Espirit Park pursuant to Section 295 of the Planning Code.

### Actions by other City Departments

- Recommendation by the Recreation and Parks Commission on the project's shadow impact on Espirit Park in accordance with Section 295.

- Demolition permit for the demolition of the existing building on the project site and building permit for the construction of the proposed 60-unit multi-family residential building from the Department of Building Inspection.
- Permit from the Bureau of Street Use and Mapping in the Department of Public Works (DPW) for any sidewalk and curb improvements within the public right-of-way.

Figure 1 - Location Map

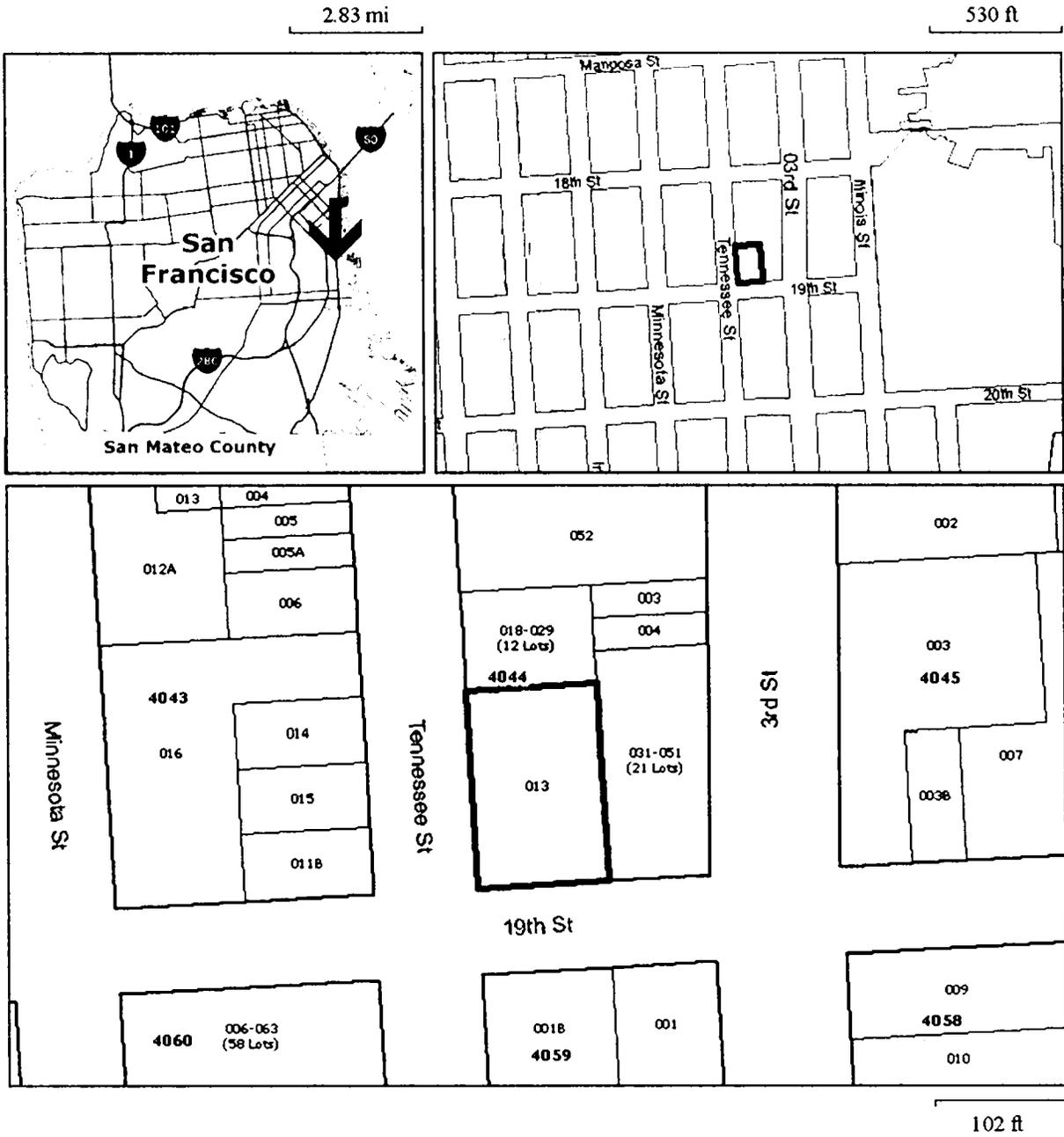
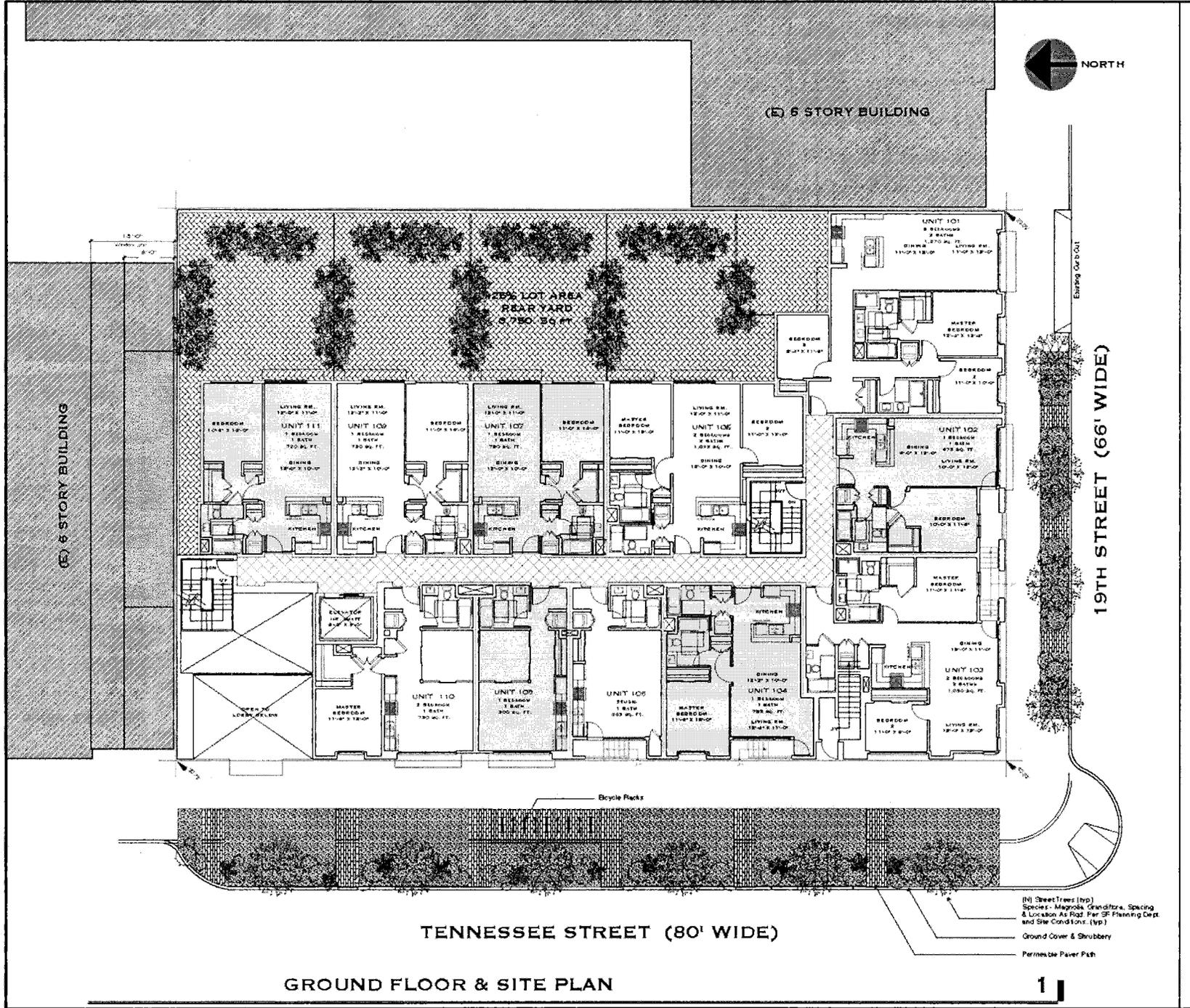


Figure 2 - Proposed Site Plan



GROUND FLOOR & SITE PLAN

(N) Street Trees (typ)  
Species: Magnolia Grandiflora, Spicing  
& Location At Right Per SF Planning Dept.  
and Site Conditions. (typ)  
Ground Cover & Shrubby  
Permeable Paver Path

Figure 3 - Proposed Floor Plans (Lower and Upper Garage Levels)

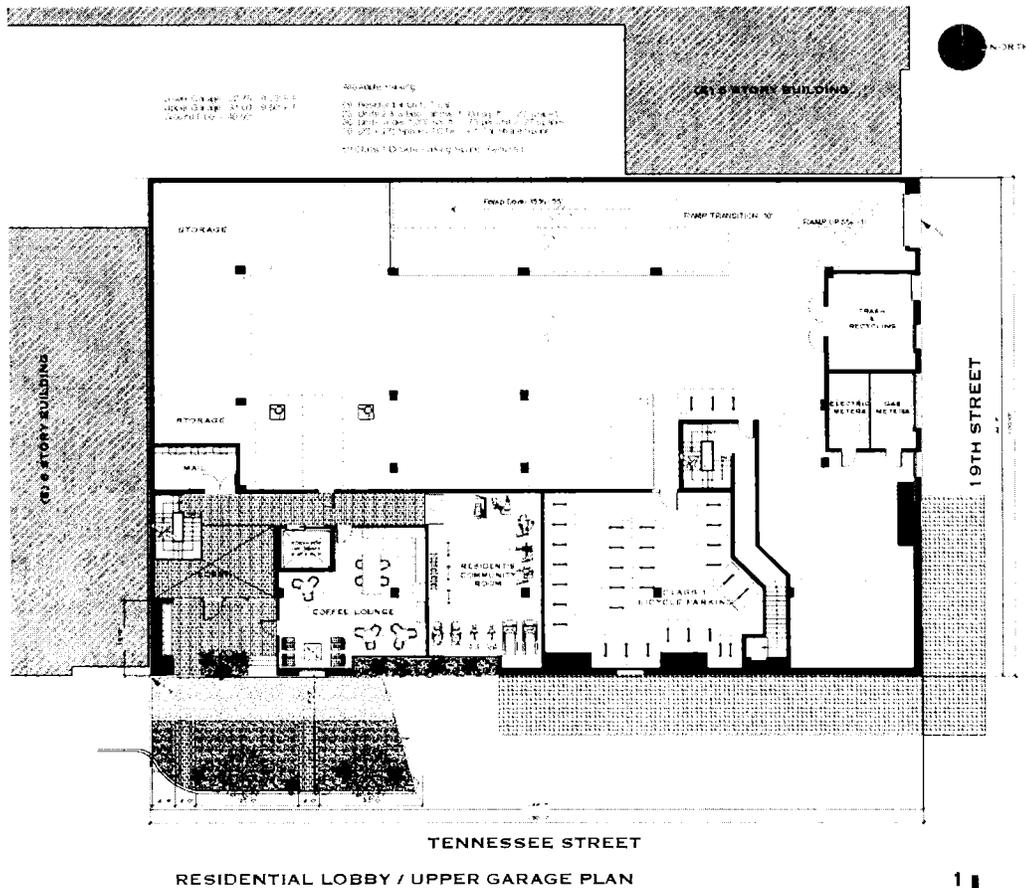
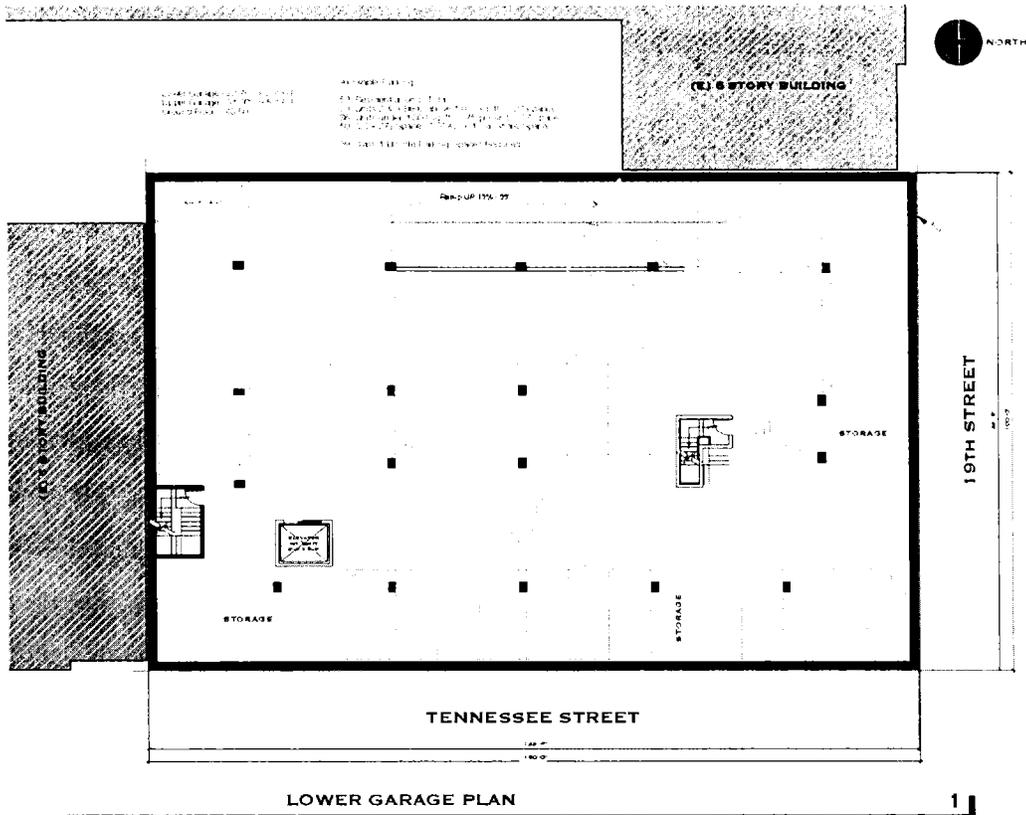


Figure 4 - Proposed Floor Plans (Ground, 2nd, 3rd, 4th, and 5th Floors)

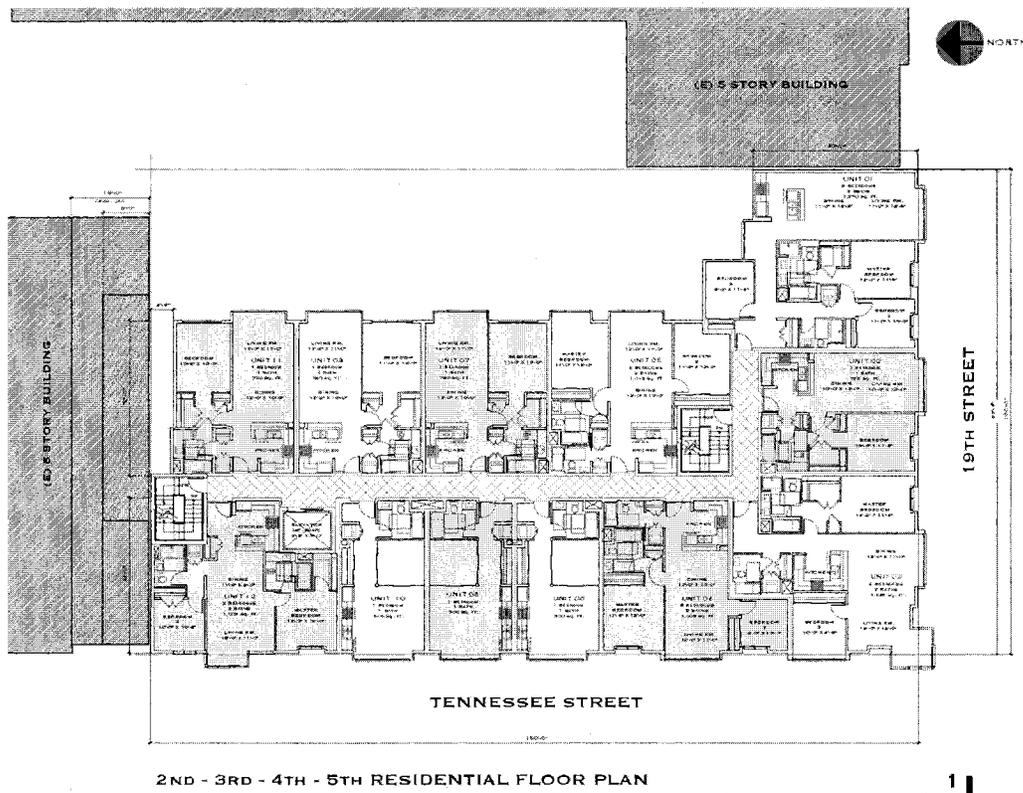
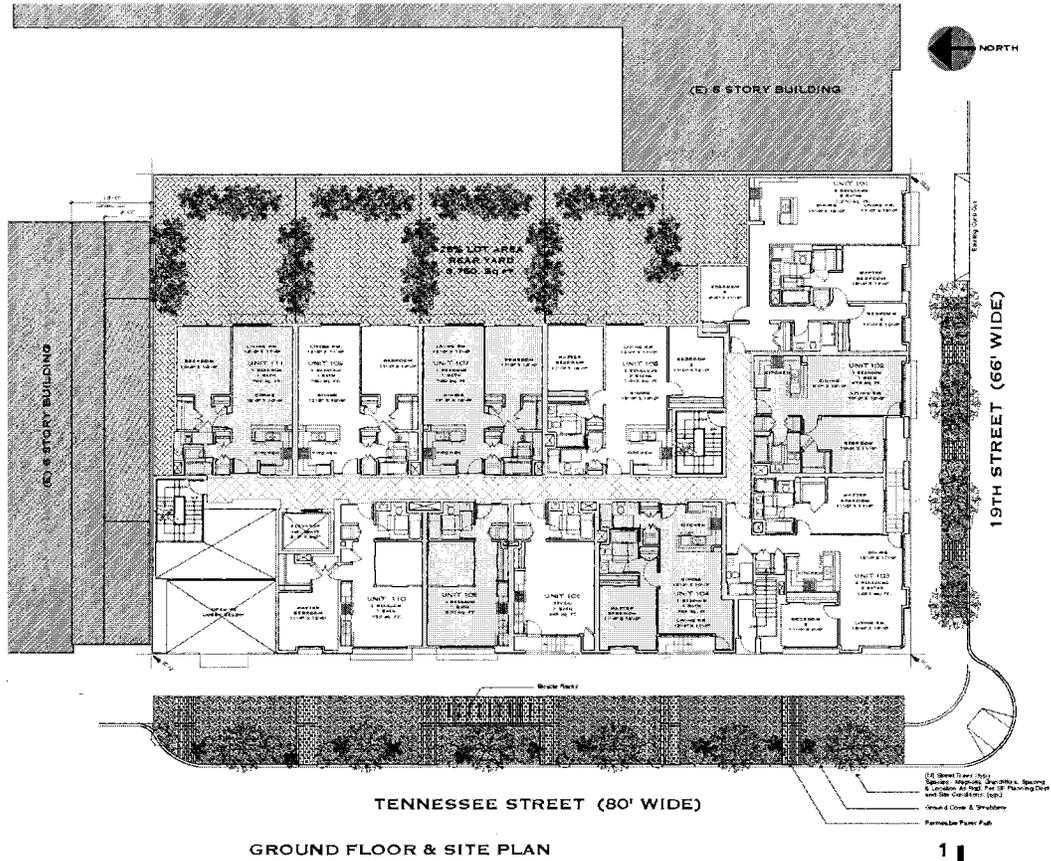


Figure 5 - Proposed Building Elevations (Front and Right Side)

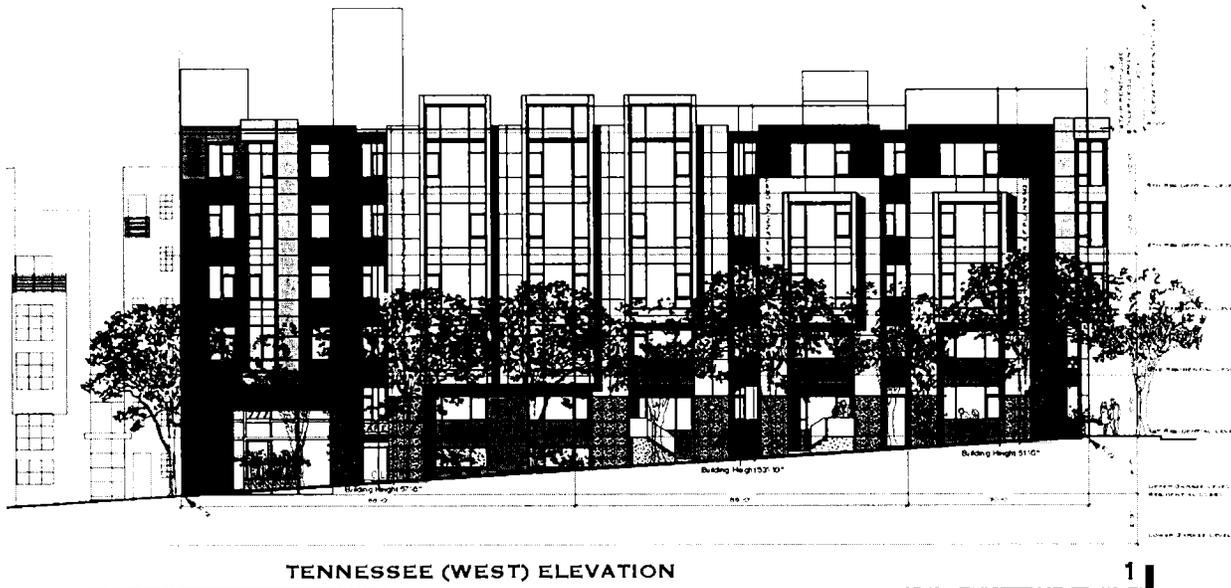
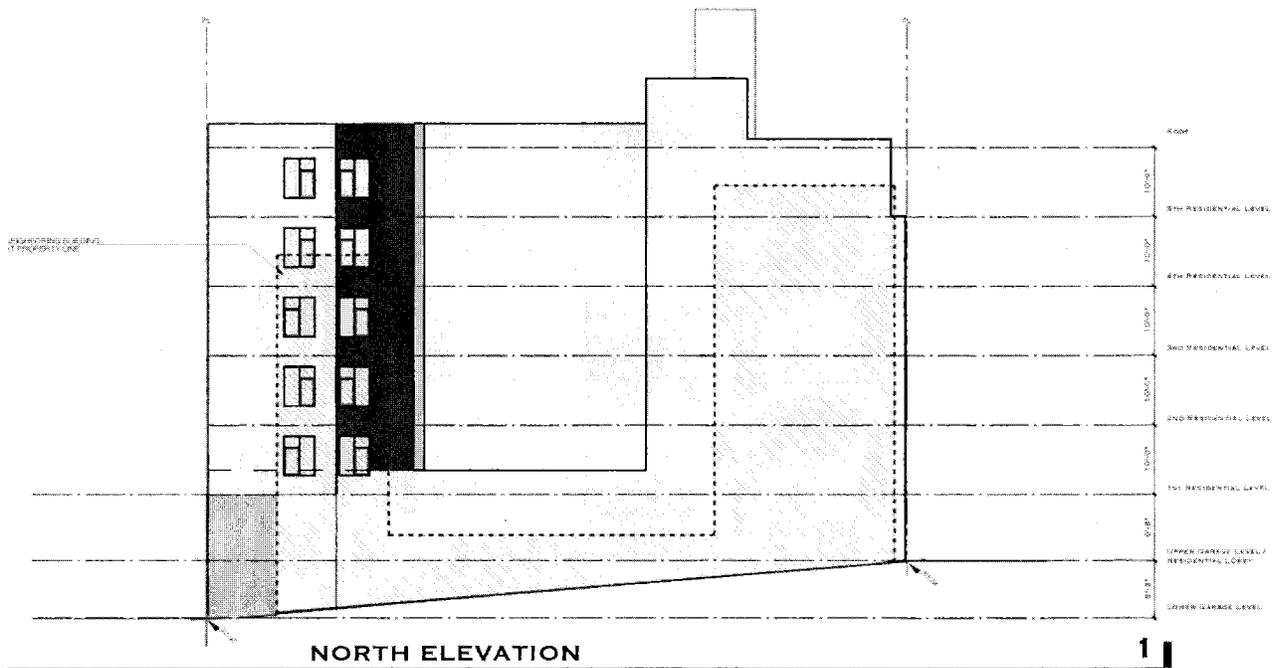


Figure 6 - Building Elevations (Left Side and Rear)



\*(Non-street elevation visible to 638 19<sup>th</sup> Street Multi-family residential building)



\*(Non-street elevation visible to 755 Tennessee Street Multi-family residential building)

Figure 7 - Photosimulation



**Evaluation of Environmental Effects:**

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the applicable programmatic FEIR (PEIR)<sup>10</sup> for the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).<sup>11</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, 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, and mitigation measures that are applicable to the proposed project are identified under each topic area and on p. 41.

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.

**AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT**

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 checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>12</sup> Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

---

<sup>10</sup> In this CPE Checklist, the acronyms FEIR and PEIR both refer to the Eastern Neighborhoods Plan FEIR and are used interchangeably.

<sup>11</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>12</sup> San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 777 Tennessee Street, April 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. 2013.0312E.

| <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>1. LAND USE AND LAND USE PLANNING—Would the project:</b>   |   |  |                                      |   |  |  |
| 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"/>            |
| 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"/>                       |

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. The proposed project would not construct a physical barrier to neighborhood access or remove an existing means of access. The proposed project would not alter the established street grid or permanently close any streets or sidewalks. Although portions of the sidewalk adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. As a result, the proposed project would not physically divide an established community.

The project site is located in the northern portion of the Central Waterfront area of the Eastern Neighborhoods Area Plan in which housing and other land uses, commercial and PDR uses are encouraged. The project site is also within the Life Sciences and Medical Special Use District that is located at the northern end of the Central Waterfront area in close proximity to Mission Bay. The Eastern Neighborhoods Area Plan articulates a holistic vision for each neighborhood and establishes zoning controls for each of the four major land uses envisioned in the Plan: Mixed-use, PDR, Residential, and Special Use. The project site is located within the UMU (Urban Mixed Use) zoning district that includes area primarily between Mariposa, Third, and 22<sup>nd</sup> Streets and the I-280 freeway previously zoned for industrial uses. New development within this UMU district is intended to promote a vibrant mix of uses, including housing, retail, industrial, arts, and a limited amount of office. The proposed 60-unit multi-family residential building would be consistent with this objective. Additionally, the proposed 58-foot-high residential building would comply with the 58-X Height and Bulk District designation of the project site. Therefore, the proposed project has been determined to be consistent with the zoning controls and the provisions of the Planning Code applicable to the project site, as well as the vision for this area as implemented by the Eastern Neighborhoods Area Plan.<sup>13,14</sup>

<sup>13</sup> Varat, Adam, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 777 Tennessee Street, September 12, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

<sup>14</sup> Townes, Chris, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 777 Tennessee Street, July 16, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

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

The FEIR determined that the Eastern Neighborhoods Area Plan would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would contribute to this land use impact due to the demolition of the existing 15,500-square-foot building currently used by a PDR use (wholesale furniture reseller). The project site was rezoned to allow the conversion of the existing PDR use to other non-PDR residential and commercial uses and the loss of this PDR space was evaluated as part of the FEIR. Therefore, the proposed project would not result in a more severe impact resulting from the loss of PDR-zoned land than that evaluated in the FEIR.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and land use planning, and no mitigation measures are necessary. Given the 15,500-square-foot size of the project site’s contribution to the loss of PDR space, the proposed project would not have a cumulatively considerable contribution to this land use impact.

| 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>2. POPULATION AND HOUSING—<br/>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 Plan is to identify appropriate locations for housing in the City’s industrially zoned land to meet the 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 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 add 60 dwelling units to San Francisco’s housing stock. This minor growth from the provision of new housing would be partially offset by the demolition of the 15,500-square-foot warehouse and associated reduction in employee-related housing demand. The project would not result in the displacement or elimination of any existing residential 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 Area Plan 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.

| <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>3. 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 <i>Planning Code</i> ? | <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 checked="" type="checkbox"/>       | <input type="checkbox"/>                         | <input type="checkbox"/>                       |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?   | <input type="checkbox"/>  | <input 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 checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                         | <input type="checkbox"/>                       |

**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 project site was not identified as a known or potential historic resource in the assessment completed as part of the Eastern Neighborhoods FEIR.

The existing single-story reinforced concrete and wood-frame building was constructed in 1959 and is classified as a Category "B", or potential historic resource, in the Planning Department's records. A Category B rating indicates that additional information is necessary to make a determination as to whether the site is an historic resource or not. In order for a building to be deemed a historic resource for purposes of CEQA Section 21084.1, it must be listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), or included in a local register of historic resources.

Based on a historic resource evaluation (HRE) prepared by Architectural Resources Group<sup>15</sup> and subsequent evaluation by the Planning Department Preservation Planning staff,<sup>16</sup> the project site was determined to not be eligible for listing in the CRHR nor was it included on a local register of historic resources. In order for a project to be deemed eligible for listing in the CRHR, the project must be shown to meet any one of the National Register of Historic Places' four criteria: Criterion 1 (Events), Criterion 2 (Persons), Criterion 3 (Architecture), or Criterion 4 (Information Potential). Preservation Planning staff concurs with the findings of the HRE that the subject property is not eligible for individual listing in the California Register under any criteria, specifically: No known historic events occurred at the property (Criterion 1), none of the owners or occupants have been identified as important to history (Criterion 2), the building design does not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic merit (Criterion 3). Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Preservation Planning staff determined that the site is not eligible for listing individually.

The project site is located immediately adjacent to the Dogpatch Landmark District and the eligible Central Waterfront/ Third Street Industrial Historic District, across 19<sup>th</sup> and Tennessee Streets from the project site. Preservation Planning staff determined that the proposed project would not result in any adverse effects on off-site historical architectural resources given its spatial separation from the two historic districts, as well as the use of the materials and fenestration pattern indicative of the nearby industrial buildings. As a result, the proposed project would not result in significant effects with respect to historic architectural resources, either individually or cumulatively. For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods FEIR.

---

<sup>15</sup> Architectural Resources Group, *777 Tennessee Street Historical Resource Evaluation Report*, San Francisco, California. July 30, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

<sup>16</sup> Vanderslice, Allison, *Historic Resource Evaluation Response*. February 24, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

## Archeological Resources

The Eastern Neighborhoods FEIR determined that implementation of the Area Plan could result in significant impacts on archeological impacts 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.

No previous archeological studies have been conducted for the project site and, therefore Eastern Neighborhoods FEIR Mitigation Measure J-2. Mitigation Measure J-2 applies. The mitigation measure requires that any project resulting in soils disturbance shall be required to conduct a preliminary archeological sensitivity study prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology and a determination made as to whether additional measures are needed to reduce potential effects of a project on archeological resources to a less-than-significant level. The Planning Department's staff archeologist has conducted a preliminary archeological review of the project site in conformance with the study requirements of Mitigation Measure J-2 and made the determination that no further archeological study of the site is necessary as there is no probability that historic or prehistoric resources are present on the site.<sup>17</sup> In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1, as updated below. With compliance with Project Mitigation Measure 1, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to archeological resources.

### **Project Mitigation Measure 1 – Archeological Testing (Mitigation Measure J-2 of the Eastern Neighborhoods FEIR):**

A Preliminary Archeological Review (PAR), conducted by the Planning Department (PD) archeologist, or a Preliminary Archeological Sensitivity Study (PASS), prepared by a PD-qualified archeological consultant, must be prepared. The PAR will: first, determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc.; second, determine whether or not the project site is located in an area of archeological sensitivity; and third, determine what additional steps are necessary to identify and evaluate any potential archeological resources that may be affected by the project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the project along with the proposed foundation type and maximum depth of excavation. The PASS shall contain the following:

- 1) Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps;

---

<sup>17</sup> Vanderslice, Allison, Email to Heidi Kline - FW: Preliminary Archeological Review (PAR) - projects reviewed today. Dated May 12, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

- 2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR;
- 3) Determine if 19th or 20th century soils-disturbing activities may adversely affected the identified potential archeological resources;
- 4) Assess potential project effects in relation to the depth of any identified potential archeological resource;
- 5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action.

Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHP-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation for purposes of compliance with CEQA, in Preservation Planning Bulletin No. 5).

The proposed project would not result in significant impacts on archeological resources 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>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>   |   |  |                                      |   |  |  |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>  | <input 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"/>            |

| 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) |
|--|--|---|-------------------------------------|------------------------------------|---|---|
| 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 type="checkbox"/>                  | <input type="checkbox"/>                |

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 in the Eastern Neighborhoods Area Plan, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the 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 at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

**Trip Generation**

The project includes the construction of a 58-foot-high residential building with 60 one-, two-, and three-bedroom dwelling units. A total of 50 off-street automobile and 60 on-site bicycle parking spaces would be provided on the bottom two levels of the building (the ground floor and the basement level).

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 an estimated 505 person trips (inbound and outbound) on a weekday daily basis, consisting of 318 person trips by auto, 145 transit trips, 19 walk trips and 23 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 55 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

**Traffic**

Vehicle trips from the proposed project would travel through the surrounding intersections. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F

<sup>18</sup> San Francisco Planning Department, *Transportation Calculations for 777 Tennessee Street*, March 31, 2014. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0312E.

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. Only one intersection for which p.m. peak hour LOS data is available, Mariposa Street at I-280 (LOS F), is within 1,500 feet of the project site. The proposed project would generate an estimated 55 p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at an unacceptable LOS.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday p.m. peak hour traffic conditions, with the Preferred Project having significant impacts at several intersections. Five intersections (Third/Cesar Chavez Streets, Third/Evans Streets, Cesar Chavez/Evans Street, Cesar Chavez/Pennsylvania Streets, and 25<sup>th</sup>/Indiana Streets) in the Central Waterfront area of the Eastern Neighborhoods Area Plan were anticipated to operate at an unacceptable LOS with implementation of the Area Plan. None of these intersections would be within 1,500 feet of the proposed 777 Tennessee Street project site and only a few of the project-generated vehicle trips would be anticipated to pass through these five intersections. Therefore, the proposed project would not have a considerable contribution to the significant cumulative impacts identified in the FEIR.

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

### **Transit**

The project site is located within a quarter mile of several local transit lines including the SFMTA's Muni lines 22 Fillmore, 48 Quintara/24<sup>th</sup> Street, T-Third, and 91-Owl. The proposed project would be expected to generate 145 daily transit trips, including 25 during the p.m. peak hour. Given the availability of nearby transit, the addition of 25 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

The Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on seven Muni lines. Of those lines, the project site is located within a quarter-mile of two: 22-Fillmore and 48 Quintara/24<sup>th</sup> Street. Mitigation measures were adopted for the SFMTA to implement to address these impacts, including pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval. The proposed project would add 25 p.m. peak hour transit trips though this amount of new trips would not contribute considerably to these conditions as they are a small proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods FEIR.

### **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>19</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 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 75 spaces. The proposed project would provide 50 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 25 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 would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Pursuant to Section 151.1 of the San Francisco Planning Code, no off-street parking spaces are required to be provided for residential projects in the Eastern Neighborhoods Mixed Use zoning districts. The project site is located within the UMU zoning district within the Eastern Neighborhoods Area Plan and would provide 50 off-street parking spaces. Therefore, the project would be in conformance with the parking requirements of the Planning Code.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. If no off-street parking spaces were to be provided as part of the project, this would not result in a significant impact on transportation and circulation resources.

---

<sup>19</sup> San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 777 Tennessee Street, April 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. 2013.0312E.

As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Polices, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

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.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

---

| 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>5. 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 checked="" type="checkbox"/> | <input type="checkbox"/>                  | <input type="checkbox"/>                |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>                                   | <input type="checkbox"/>                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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 type="checkbox"/>            | <input checked="" 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"/>                |

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods FEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the 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.

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 particularly noisy construction procedures (including pile-driving). The proposed project would utilize a grid mat building foundation that not necessitate the use of pile-driving or other construction practices generating excessive noise.

All construction activities for the proposed project (approximately twelve months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance

requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) 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 twelve 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 twelve months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

Eastern Neighborhoods Mitigation Measure F-3 includes interior noise requirements for projects not subject to Title 24, or California Noise Insulation Standards. The proposed multi-family residential building would be subject to Title 24 requirements and therefore, the mitigation measure would not apply to the proposed project.

Eastern Neighborhoods FEIR Mitigation Measures F-4 and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure F-4 requires 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 site to the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 can be attained.

In conformance with Mitigation Measure F-4, a noise assessment<sup>20</sup> has been completed for the proposed project concluding that feasible noise attenuation measures (Sound Transmission Coefficients (STC) - rated windows, doors, and wall assemblies) can be feasibly incorporated into the design of the proposed multi-family residential building that would achieve the maximum interior noise levels specified in the California Noise Insulation Standards in Title 24. The assessment includes the results of noise monitoring at the project site where the dominant noise was found to be transportation noise generated by vehicles on Tennessee and 19<sup>th</sup> Streets with additional noise from vehicles on the I-280 freeway and Third Street. Both long-term 24-hour noise measure and shorter measure found the project site had a range of 67 to 71 dBA Ldn ambient noise level. The noise study concluded that the outdoor ambient noise level was sufficiently high enough that in order to provide a maximum 45 Ldn interior noise level (Title 24 residential interior noise standard) the building would have to be designed so that the windows could remain closed, thereby necessitating mechanical ventilation be provided for each of the units. Minimum

---

<sup>20</sup> Charles Salter and Associates, *Environmental Noise Study, 777 Tennessee Street*, July 24, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case No. 2013.0312E.

35 STC ratings were recommended for the windows and interior finishes and wall assembly recommendations were provided in order to meet an interior maximum noise level of 45 dBA. All of the recommendations in the noise study were deemed feasible and agreed to by the project sponsor. The findings of this assessment have been incorporated into Project Mitigation Measure 2 as follows.

**Project Mitigation Measure 2 – Siting of Noise Sensitive Uses (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.

The Environmental Noise Report prepared by Charles Salter and Associates, July 24, 2013,<sup>21</sup> or other subsequent noise assessment consistent with the above-stated specifications, shall be submitted with the building permit plans submitted for review and approval by the Department of Building Inspection.

Mitigation Measure F-6 requires that open space required under the Planning Code for individual projects located in noisy areas be protected, to the maximum feasible extent, from existing ambient noise levels. The proposed project includes residential units with outdoor open space as required by the Planning Code. Therefore, Mitigation Measure F-6 would apply to the project as Project Mitigation Measure 3. As currently designed, the proposed outdoor open space area would be located at the rear of the building, shielding it from the dominant noise source (i.e., vehicular traffic on the adjacent streets) in compliance with this mitigation measure.

**Project Mitigation Measure 3—Open Space in Noisy Environments (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

---

<sup>21</sup> Ibid.

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.

Eastern Neighborhoods FEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would produce excessive noise. The project does not include any such land use and therefore, the mitigation measure is not applicable.

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, topics 12e and 12f from the CEQA Guidelines, Appendix G are not applicable.

With implementation of Project Mitigation Measures 2 and 3, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to noise. For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods FEIR.

| 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>6. 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 checked="" type="checkbox"/>       | <input type="checkbox"/>                |

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

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

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),<sup>22</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 assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("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; and
- (2) PM<sub>2.5</sub> concentrations from all sources including ambient >10µg/m<sup>3</sup>.

Sensitive receptors<sup>23</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.

Construction activities from the proposed project may result in dust, primarily from ground-disturbing activities outside the existing structures (e.g., modifications to curb cuts and driveways). The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project. Construction activities from the proposed project would also result in the emission of criteria air pollutants and DPM from equipment exhaust, construction-related vehicular activity, and construction

---

<sup>22</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011.

<sup>23</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.

worker automobile trips. Construction would last approximately twelve months. Diesel-generating equipment would be required for up to twelve months.

The project site is not located within an identified Air Pollutant Exposure Zone, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. The proposed project's construction activities would be temporary and variable in nature. Furthermore, the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors exposure to temporary and variable DPM emissions.<sup>24</sup> Therefore, the construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. In addition, the proposed project meets the construction screening criteria provided in the BAAQMD studies for construction-related criteria air pollutants. Therefore, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is not applicable to the proposed project.

Mitigation Measure G-2 requires new sensitive receptors near sources of TACs, including DPM, to include an analysis of air pollutant concentrations (PM<sub>2.5</sub>) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The proposed project would include new sensitive receptors. However, the project site is not located within an identified air pollution Air Pollutant Exposure Zone, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would not include any commercial uses and would not be served by 100 trucks per day or 40 refrigerator trucks per day. Furthermore, the project site is not located within an identified Air Pollutant Exposure Zone, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would not include any commercial uses, industrial, or other uses involving the emission of TACs and would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, items that would emit TACs as part of everyday operations. Furthermore, the project site is not located within an identified Air Pollutant Exposure Zone, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD CEQA Air Quality Guidelines (May 2011) for operational-related criteria air pollutants.

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

---

<sup>24</sup> California Code of Regulations, Title 13, Division 3, § 2485.

| Topics:   | <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. 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 Eastern Neighborhoods 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>25</sup> per service population,<sup>26</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.

<sup>25</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>26</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.

| Topics:  | <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. WIND AND SHADOW—Would the project:</b>   |   |  |                                      |   |  |  |
| a) Alter wind in a manner that substantially affects public areas?   | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>             | <input 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 type="checkbox"/>             | <input type="checkbox"/>                  | <input type="checkbox"/>                         | <input type="checkbox"/>                       |

**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 the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 58-foot-tall building would be taller than the immediately adjacent building to the south and west, it would be similar in height to existing buildings to the north and east, as well as others within the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind and shadow that were not identified in the Eastern Neighborhoods FEIR.

As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

**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 were identified for redevelopment with taller buildings. 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 development proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct a 58-foot-tall building within one block of the existing Espirit Park (under the jurisdiction of the SF Recreation and Park Commission); therefore, a shadow study was completed by Environmental Science Associates to evaluate whether the project would cast new shadow

on the park.<sup>27</sup> The shadow study shows that the proposed project would cast 17,171 shadow foot hours (sfh)<sup>28</sup> on Espirit Park. The shadow would be cast on the northeast area of the park, a portion of the park covered by a walking trail and landscaped area. At this time of the day (sunrise), the use of the park is generally limited to dog walkers and runners/walkers. This area of the park has significant existing shadow due to the presence of mature trees along the park edge. The shadow generated by the proposed project would be cast on this portion of the park within one hour of sunrise between the first week of June and the first week of July and would last a maximum duration of 15 minutes. This additional early morning shadow would be added when use of the park is relatively low and would not substantially impact use of the trail during the morning hours due to the addition of this shadow in the northeast corner of the park. The park has an existing 10.58 percent shadow load baseline,<sup>29</sup> or 31,378,487 sfh, due to existing buildings, the elevated I-280 highway, and the natural topography of Potrero Hill. The proposed project would add 0.0058 percent, or 17,171 sfh, to the existing shadow load of the park.

Two other foreseeable projects in this immediate area, 650 and 800 Indiana (147,734 sfh and 633,212 sfh, respectively) have been identified that would also add shadow to Espirit Park. Together, both projects would add an additional 0.263 percent shadow load to the existing park. Therefore, with the proposed project and the other two foreseeable projects, there would be a cumulative increase of 0.269 percent shadow load added to the 10.58 percent baseline, resulting in a total shadow load of 10.849 percent for Espirit Park. The project’s contribution to the shadow load increase would be 2.3 percent and would not be a cumulatively considerable contribution to the significant and unavoidable shadow impacts analyzed in the Eastern Neighborhoods FEIR.

The addition of the 15-minute-long early morning shadow during the period from June 1 through July 1 would not substantially affect the use of Espirit Park due to its limited extent and duration in an area of the park dedicated to passive uses. The additional shadow on Espirit Park is subject to review by the Recreation and Parks Department and a recommendation concerning its determination is made to the Planning Commission prior to its action on the project. Based on its limited extent and duration, the project’s proposed shadow impacts on Espirit Park would not be individually or cumulatively considerable and would be less than significant.

| <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>9. 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"/>            |

<sup>27</sup> Environmental Science Associates. 777 Tennessee Street – Section 295 Shadow Study for Espirit Park, November 14, 2013. This document is available for review at San Francisco Planning Department at 1650 Mission Street, Suite 400 as part of Case File No. 2013.0312E.

<sup>28</sup> Shadow foot hour is a quantitative term representing the time and area of a shadow.

<sup>29</sup> Shadow load baseline refers to the current total amount of time during which shadows are projected on a particular park. This baseline could increase over time if new structures are constructed which would generate additional shadows on the park.

| <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) 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 implementation of 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 discussed in Topic 9 – Wind and Shadow, the project would generate a 15-minute-long shadow in a limited portion of the northeast corner of Espirit Park from June 1 through July 1. This corner of the park is used primarily for passive recreational activities, i.e. dog walking. The proposed project would have a less-than-significant impact on the use of this portion of Espirit Park and would not physically degrade this recreational resource. The proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on 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>10. 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"/>            |

| <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) 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"/>            |
| 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>11. 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>12. BIOLOGICAL RESOURCES—<br/>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"/>            |
| 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.

| <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. 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) 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"/>            |

| <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) 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 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>14. 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"/>            |

| <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) 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"/>            |
| 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 FEIR.

The existing lot is entirely covered by impervious surfaces and the proposed project would reduce the amount of impervious surface utilizing landscaping within the rear yard. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage.

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>15. 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 type="checkbox"/>             | <input type="checkbox"/>                  | <input type="checkbox"/>                         | <input checked="" type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                         | <input type="checkbox"/>                       |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>             | <input 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"/>            |

| Topics:   | <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"/>            |

The Eastern Neighborhoods FEIR noted that implementation of any of the proposed project’s rezoning options would encourage construction of new development within the project area. The FEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project 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, Under 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 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 that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1 would apply to the proposed project.

**Project Mitigation Measure 4 – 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.

**Soil and Groundwater Contamination**

The proposed project would require the excavation and off-haul of approximately 50 cubic yards (cy) of soil and bedrock from the project site and the project site is located within the designated Maher area. 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). 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.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I and/or Phase II Environmental Site Assessment (ESA), Soil Characterization Study, etc. has been prepared to assess the potential for site contamination. A Phase 1<sup>30</sup> prepared for the project site did not find any recognized environmental concerns (RECs) and recommended that additional soil and groundwater testing for hazardous materials be performed on the property prior to construction.

If any contamination from hazardous materials is encountered during any subsequent testing that may be required by DPH, the soil and/or groundwater contamination would be required to be remediated in accordance with Article 22A of the Health Code.

Therefore, the proposed project would not result in any significant impacts related to hazards and hazardous materials 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. 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 determined 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

<sup>30</sup> John Carver Consulting, *Phase 1 Environmental Site Assessment at 777 Tennessee Street*, February 25, 2013. A copy of this document is available for public review at the San Francisco Planning Department at 1650 Mission Street, Suite 400 as part of Case File No. 2013.0312E.

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 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 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>17. 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.— <b>Would the project:</b> |   |  |                                      |   |  |  |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>             | <input 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 community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR. The Eastern Neighborhoods FEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest 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. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:</b>   |   |  |                                      |   |  |  |
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                      | <input checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                         | <input type="checkbox"/>                       |
| b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                      | <input checked="" type="checkbox"/>  | <input type="checkbox"/>                  | <input checked="" type="checkbox"/>              | <input type="checkbox"/>                       |
| c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/>  | <input checked="" type="checkbox"/>                      | <input checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                         | <input type="checkbox"/>                       |

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

The proposed project would include the demolition of an existing 15,500-square-foot warehouse and the construction of a six-story over basement, 58-foot-high residential building. The proposed building would include 60 one-, two-, and three-bedroom units. A total of 50 vehicle parking spaces would be provided in the bottom two levels of the building. As discussed in this document, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR.

**Mitigation Measures****Project Mitigation Measure 1 – Archeological Testing (Mitigation Measure J-2 of the Eastern Neighborhoods FEIR):**

A Preliminary Archeological Review (PAR), conducted by the Planning Department (PD) archeologist, or a Preliminary Archeological Sensitivity Study (PASS), prepared by a PD-qualified archeological consultant, must be prepared. The PAR will: first, determine what type of soils disturbance/modifications would result from the proposed project, such as excavation, installation of foundations, soils improvements, site remediation, etc.; second, determine whether or not the project site is located in an area of archeological sensitivity; and third, determine what additional steps are necessary to identify and evaluate any potential archeological resources that may be affected by the project. Helpful to the PAR process is the availability of geotechnical or soils characterization studies prepared for the project along with the proposed foundation type and maximum depth of excavation.

The PASS shall contain the following:

- 1) Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps;
- 2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR;
- 3) Determine if 19th or 20th century soils-disturbing activities may adversely affected the identified potential archeological resources;
- 4) Assess potential project effects in relation to the depth of any identified potential archeological resource;
- 5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action.

Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHP-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation for purposes of compliance with CEQA, in Preservation Planning Bulletin No. 5).

**Project Mitigation Measure 2 – Siting of Noise Sensitive Uses (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.

The project shall be designed to adhere to the recommendations as specified in the Environmental Noise Report prepared by Charles Salter and Associates, July 24, 2013<sup>31</sup> or other subsequent noise assessment prepared to comply with this mitigation measure and approved by the Department of Building Inspection.

**Project Mitigation Measure 3 – Open Space in Noisy Environments (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 4 – 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.

---

<sup>31</sup> Charles Salter and Associates, *Environmental Noise Study 777 Tennessee Streets*, July 24, 2013. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case No. 2013.0312E.