



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Case No.:* 2013.0977E  
*Project Address:* 980 Folsom Street  
*Zoning:* MUR (Mixed Use, Residential) District  
45-X/85-X Height and Bulk District  
South of Market Youth and Family Special Use District  
*Block/Lot:* 3732/028,035,152  
*Lot Size:* 6,864 square feet  
*Plan Area:* Eastern SoMa subarea of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* John Goldman, Goldman Architects, (415) 391-1339 ext. 104  
*Staff Contact:* Jenny Delumo, (415) 575-9146, Jenny.Delumo@sfgov.org

### PROJECT DESCRIPTION

The project site at 980 Folsom Street is comprised of three adjacent lots on Assessor's Block 3732: 980 Folsom Street (Lot 028), 976 Folsom Street (Lot 152), and 483 Clementina Street (Lot 035). The project site is on the block bounded by Folsom Street to the south, Clementina Street to the north, 6th Street to the west, and 5th Street to the east, and within the South of Market neighborhood and South of Market Youth and Family Special Use District. The project site is currently developed with an approximately 7,569 gross-square-foot (gsf), 21-foot-tall, single-story building. The existing building is occupied with an auto body repair and paint facility with 6,159 gsf of production, distribution and repair (PDR) space and 1,410 gsf of office space. The project site is served by two curb cuts: one on Folsom Street (approximately 16 feet wide) and one on Clementina Street (approximately 12-feet and six-inches wide) that continues another 12 feet and two inches in front of the adjacent building to the east. The proposed project would demolish the existing structure and construct an approximately 36,214 gsf residential development with ground-floor retail, and frontage on Folsom Street and Clementina Street.

(Continued on next page.)

### CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### DETERMINATION

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

  
Lisa M. Gibson  
Environmental Review Officer

7/14/17  
Date

cc: John Goldman, Project Sponsor; Supervisor Jane Kim, District 6; Ella Samonsky, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The portion of the proposed project that would front Folsom Street would be comprised of an eight-story, 85-foot-tall (with an additional 15 feet for the elevator and stair penthouses) building with approximately 31,464 gsf of residential space above 963 gsf of ground-floor retail space. The portion of the proposed project that would front Clementina Street would be comprised of a four-story, 45-foot-tall (with an additional 10 feet for the elevator and stair penthouses) building with approximately 3,362 gsf of residential space above a 3,787 gsf parking garage with space for 14 vehicles. A podium terrace would connect the two buildings on the second floor. The proposed project would provide up to 33 residential dwelling units, 34 Class I (secured) bicycle parking spaces, four Class II bicycle parking spaces, and 4,013 sf of common open space on the podium terrace and on a roof deck. The proposed project would remove both curb cuts and install a new nine-foot-wide curb cut on Clementina Street in order to access the proposed garage. Photovoltaic panels would be installed on the roofs of both buildings. Three new street trees would be planted on the portion of the sidewalk adjacent to the proposed project's Folsom Street frontage and one new street tree would be planted on the portion of the sidewalk adjacent to the proposed project's Clementina Street frontage. The proposed project would include excavation of approximately 210 cubic yards of material to a maximum depth of approximately four feet below grade to accommodate the vehicle parking lifts in the proposed garage.

## PROJECT APPROVAL

### Actions by the Planning Commission

The proposed project would require approval of a Large Project Authorization (LPA) by the Planning Commission pursuant to Planning Code Section 329. The proposed project requires an LPA for (1) new construction greater than 25,000 gross square feet and greater than 75 feet in height in the MUR (Mixed Use-Residential) District. Implementation of the proposed project would require exceptions from the following Planning Code requirements through the approval of a LPA, as discussed below:

- As proposed, the configuration of the rear yard of the project does not meet the requirements of Planning Code Section 134(g);
- Some of the proposed dwelling units do not meet the requirements of Planning Code Section 140 for dwelling unit exposure; and
- The proposed project includes more vehicle parking spaces than permitted per Planning Code Section 151.1.

Therefore, the project would, as part of the LPA process, require exceptions from these Planning Code requirements.

### Actions by other City Departments

- **Recreation and Park Commission.** Joint hearing with the Planning Commission that the project would have no adverse shadow impact on Gene Friend Recreation Center or other parks subject to Section 295 of the Planning Code.
- **Department of Building Inspection (DBI).** Approval of demolition, grading, building and occupancy permits for demolition of the existing structures and new construction.

- **Department of Public Health (DPH).** Approval of a Site Mitigation Plan pursuant to the Maher Ordinance prior to the commencement of any excavation work, and approval of a Dust Control Plan prior to construction-period activities.
- **San Francisco Municipal Transportation Agency (SFMTA).** Approval of all proposed changes in curb cuts and parking zones pursuant to the SFMTA Color Curb Program. Coordination with the SFMTA Interdepartmental Staff Committee on Traffic and Transportation to coordinate temporary construction-related changes to the transportation network.
- **San Francisco Public Works Department (Public Works), Bureau of Streets and Mapping.** Approval of modifications to public sidewalks, street trees, curb cuts, and bulb out extensions.
- **San Francisco Public Utilities Commission (SFPUC).** Approval of a Stormwater Control Plan and an Erosion and Sediment Control Plan prior to commencing construction.

**Approval Action:** Approval of the LPA by the Planning Commission would be the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that 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, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, 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 of the 980 Folsom Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 980 Folsom Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR 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 PEIR 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 PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>4</sup>

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 PEIR 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 MUR District. The MUR District is intended to facilitate the development of high-density, mid-rise housing and encourage the expansion of retail, business service and commercial and cultural arts activities. It is also intended to serve as a buffer between high-density, predominately commercial areas near the Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of 6th Street. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Initial Study Checklist, under Land Use. The 980 Folsom Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess

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<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.

<sup>4</sup> Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

whether additional environmental review would be required. This determination concludes that the proposed project at 980 Folsom Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 980 Folsom Street project, and identified the mitigation measures applicable to the 980 Folsom 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>5,6</sup> Therefore, no further CEQA evaluation for the 980 Folsom Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

As previously discussed, the subject block is bounded by Folsom Street to the south, Clementina Street to the north, 6th Street to the west, and 5th Street to the east. Folsom Street is an eastbound four-lane, one-way street with parallel parking on both sides of the street and a protected bike lane on the south side of the street. Running north/south, 6th Street is a two-way, four-lane street with parallel parking on both sides of the street. Fifth Street is a two-way, four-lane street running north/south. Parallel parking spaces are provided on both sides of 5th street, with the exception of the west side of the street between Clementina and Folsom Streets. Class II bicycle facilities are located on Fifth Street as part of Citywide Bicycle Routes 19 and 30. Clementina Street is a westbound one-lane, one-way street. Parallel parking spaces are provided on either side of Clementina Street. The site vicinity contains a city-owned parking facility at 415 7th Street. Other off-street parking facilities in the vicinity of the project site primarily serve residents, and employees and patrons of private businesses.

The project site vicinity is characterized by a mix of residential, PDR, commercial, and recreational uses. With the exception of the lot on the corner of 6th and Clementina Streets, the majority of the subject block is zoned MUR (Mixed Use-Residential). The blocks north, south, and east of the project site are also zoned MUR. The lots fronting either side of 6th Street are zoned SoMa NCT (SoMa Neighborhood Commercial Transit), except for Gene Friend Recreation Center (located on the southwest corner of Folsom and 6th Streets), which is zoned P (Public). The blocks west of the project site are zoned MUG (Mixed Use-General) and RED (South of Market Residential Enclave). The southern half of the project site, along with lots fronting Folsom Street and the majority of 6th Street, are within an 85-X height and bulk district. The project vicinity includes 45-X height and bulk districts (on lots north of the project site fronting Clementina Street and Tehama Street), 65-X height and bulk districts (on lots on the west side of 6th Street between Howard and Folsom streets).

The project site vicinity features low- to mid-density scale of development. The buildings on Folsom Street are predominately two to three stories with an eight-story residential building at the northwest corner of Folsom and 5th Streets. The buildings on 5th Street range from one to six stories with one 14-story building at the southeast corner of Clementina and 5th Streets. One- to two-story commercial buildings and three- to four-story residential buildings front Clementina Street. The buildings on 6th Street range from two to three stories.

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<sup>5</sup> Adam Varat, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 980 Folsom Street, April 2, 2015. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0977E.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 980 Folsom Street, February 11, 2016.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR 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 Rezoning and Area Plans. The proposed 980 Folsom Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 980 Folsom 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 PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow.

The proposed project would not contribute to significant and unavoidable impacts on historic resources, transportation and circulation, and shadow. The existing building on the project site was not found to be a historic resource, nor is the project site located in or adjacent to an identified historic district. As such, the proposed project would not result in a significant adverse impact on historic resources, and therefore would not contribute to any significant and unavoidable impacts to historic resources. In regards to significant and unavoidable transportation impacts related to traffic and transit, the proposed project would not contribute considerably to project-specific and cumulative traffic and transit impacts identified in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR determined that projects developed in the South of Market neighborhood on lots adjacent to and near the Gene Friend Recreation Center<sup>7</sup> could result in significant and unavoidable shadow impacts. However, shadow on Gene Friend Recreation Center generated by the proposed project would not be expected to substantially affect the use and enjoyment of the park as the shade would primarily occur in the early morning and would be of short duration, and would not combine with shadows from other reasonably foreseeable development projects. Therefore, the proposed project would not contribute considerably to shadow impacts identified in the Eastern Neighborhoods PEIR.

The proposed project would contribute to significant and unavoidable impacts on land use with respect to PDR land supply. The existing building on the project site is zoned MUR, which allows for light industrial uses such as those typically characterized as PDR. The existing building is occupied by an auto repair shop with approximately 6,159 gsf dedicated to PDR uses and 1,410 gsf dedicated to office uses. Thus the proposed project would remove approximately 6,159 gsf of existing PDR use. The PEIR considers the presence of PDR businesses and activities and how they may operate as PDR clusters. As noted in the PEIR, auto body repair PDR clusters exist in East SoMa, predominately in the area west of 5th Street which includes the project site. The existing PDR business at the project site would be required to relocate and may not be able to relocate as a result of the proposed project near other similar PDR businesses. This effect of the project, combined with the loss of approximately 6,159 gsf of PDR space would contribute considerably to the significant and unavoidable land use impacts identified in the PEIR.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and

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<sup>7</sup> Gene Friend Recreation Center is referred to as the South of Market Recreation Center/Eugene Friend Recreation Center in the Eastern Neighborhoods PEIR.

transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Eastern Neighborhoods PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Applicable: pile driving could be required.	The project sponsor has agreed to pre-drill piles wherever feasible, to use sonic or vibratory sheet pile drivers instead of impact drivers wherever sheet piles are needed, and to schedule pile driving activities during times of day that would minimize disturbance to neighbors (see Project Mitigation Measure 2).
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of construction noise attenuation measures under Project Mitigation Measure 3.
F-3: Interior Noise Levels	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site.	Not Applicable
F-4: Siting of Noise-Sensitive Uses	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site.	Not Applicable
F-5: Siting of Noise-Generating Uses	Not Applicable: the proposed project would not include noise-generating uses.	Not Applicable
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of existing environmental conditions on a proposed	Not Applicable

Mitigation Measure	Applicability	Compliance
	project's future users if the project would not exacerbate those environmental conditions	
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable: the proposed project would include construction within the Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan to reduce construction emissions under Project Mitigation Measure 4.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: this mitigation measure has been superseded by Health Code Article 38, and the project sponsor has enrolled with the Department of Public Health in the Article 38 program.	Not Applicable
G-3: Siting of Uses that Emit DPM	Applicable: the proposed project would include a backup generator.	The project sponsor has agreed to utilize the Best Available Control Technology for Diesel Generators under Project Mitigation Measure 5
G-4: Siting of Uses that Emit other TACs	Applicable: the proposed project would include a backup generator.	The project sponsor has agreed to utilize the Best Available Control Technology for Diesel Generators under Project Mitigation Measure 5.
<b>J. Archeological Resources</b>		Not Applicable
J-1: Properties with Previous Studies	Not Applicable: the project site was not evaluated in any previous studies.	Not Applicable
J-2: Properties with no Previous Studies	Applicable: the project site is located in an area with no previous studies. Project would implement Accidental Discovery mitigation measure based on the PAR	The project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #1 (Accidental Discovery) in compliance with this mitigation measure under Project Mitigation Measure 1.
J-3: Mission Dolores Archeological District	Not Applicable: the project site is not located within the Mission Dolores Archeological	Not Applicable



Mitigation Measure	Applicability	Compliance
	District.	
<b>K. Historical Resources</b>		Not Applicable
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	Not Applicable
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	Not Applicable
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	Not Applicable
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: the project involves the demolition of existing buildings.	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to demolishing the existing buildings under Project Mitigation Measure 6.
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	Not Applicable
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	Not Applicable

Mitigation Measure	Applicability	Compliance
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	Not Applicable
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	Not Applicable

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 project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

## PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on May 11, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, 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. Respondents requested copies of all environmental notices and determinations and shared their concerns about the impact of additional housing in the Eastern SoMa area of the Eastern Neighborhood Area Plan and the proposed project’s potential to shadow the Gene Friend Recreation Center. Concerns regarding the analysis of housing and population are addressed in Initial Study Checklist topic 2, Population and Housing. The proposed project would cast a shadow on Gene Friend Recreation Center prior to the when the park typically opens (9:00 a.m.). This is further discussed in Initial Study Checklist topic 8, Wind and Shadow.

Other comments about the merits of the proposed project were also provided. However, comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the project-specific initial study<sup>8</sup>:

<sup>8</sup> The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0977E.

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

**Attachment A:  
 MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL**

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR</b>				
<p><b>PMM 1: Properties with No Previous Studies (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</b> The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The</p>	<p>Project sponsor, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department's Environmental Review Officer.</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction.</p>	<p>Sponsor, contractor(s), sponsor's archeologist (if applicable), Environmental Review Officer.</p>	<p>Considered complete upon ERO's approval of FARR, if required. Otherwise considered complete upon submittal of signed affidavit and completion of construction activities.</p>

<b>Attachment A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>				
<b>MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p>archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and</p>				

<b>Attachment A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>				
<b>MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p>the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD; three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p><b>PMM 2: Construction Noise from Pile Driving (Mitigation Measure F-1 of the Eastern Neighborhoods PEIR).</b> For development projects within proximity to noise-sensitive uses that would include pile-driving, individual project sponsors shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Individual project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.</p>	Project sponsor, contractor(s).	During construction activities.	Project sponsor, contractor(s).	Considered complete upon receipt of final monitoring report at completion of construction.
<p><b>PMM 3: Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of</p>	Project sponsor, contractor(s).	Prior to and during construction activities.	Project sponsor, contractor(s).	Considered complete upon receipt of final monitoring report at

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<p>Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around the construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>• Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>				completion of construction.
<p><b>Project Mitigation Measure 4: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</b> The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p><i>A. Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control</li> </ol>	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

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<p>Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <ol style="list-style-type: none"> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions).</li> <li>4. The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</li> </ol> <p><i>B. Waivers</i></p> <ol style="list-style-type: none"> <li>1. The Planning Department's Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</li> </ol>				



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<p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.</p> <p><b>Table – Off-Road Equipment Compliance Step-down Schedule</b></p> <table border="1" data-bbox="197 898 842 1081"> <thead> <tr> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO</p>	Engine Emission Standard	Emissions Control	Tier 2	ARB Level 2 VDECS	Tier 2	ARB Level 1 VDECS	Tier 2	Alternative Fuel*				
Engine Emission Standard	Emissions Control											
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<p>for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> <li>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</li> <li>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</li> <li>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours</li> </ol>				

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<p>and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p><i>D. Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				
<p><b>PMM 5: Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)</b> For new development including commercial, industrial or other uses that would be expected to generate toxic air contaminants (TACs) as part of everyday operations, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, prior to the first project approval action. This measure shall be applicable, at a minimum, to the following uses: dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops; metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers; and any use served by at least 100 trucks per day.</p>	Project sponsor, contractor(s).	Prior to approval of a permit for a diesel generator.	Project sponsor, Planning Department, Department of Public Health, Bay Area Air Quality Management District.	Upon determination that backup diesel generator complies with BAAQMD New Source Review permitting process

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<p><b>PMM 6: Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall 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.</p>	<p>Project sponsor, contractor(s).</p>	<p>Prior to demolition of structures.</p>	<p>Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.</p>	<p>Considered complete when equipment containing PCBs or DEHP or other hazardous materials is properly disposed.</p>