



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

*Case No.:* 2009.0180E  
*Project Title:* 411 Valencia Street  
*Zoning/Plan Area:* Valencia Street NCT (Valencia Street Neighborhood Commercial District); 50-X Height and Bulk District, Additional 5' Allowed for Ground Floor Active Uses  
*Block/Lot:* 3554/027  
*Lot Size:* 4,996 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods  
*Project Sponsor:* Drake Gardner, Zone Design, (415) 408-3403  
*Staff Contact:* Chelsea Fordham – (415) 575-9071  
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### PROJECT DESCRIPTION:

The 4,996 square-foot project site is located on the east side of Valencia Street between 15<sup>th</sup> Street to the north and 16<sup>th</sup> Street to the south in San Francisco's Mission District. The project site is located on a through lot which is bordered by both Valencia and Caledonia Streets. The proposed project involves demolition of an existing 1,550 square-foot, 12-feet in height, vacant auto repair building and construction a new 14,450 square-foot, 55 feet in height, mixed-use building.

### EXEMPT STATUS:

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

### DETERMINATION:

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

Bill Wycko  
Environmental Review Officer

May 13, 2010

Date

cc: Patrick Stack, Project Sponsor  
Drake Gardener, Zone Design  
Diego Sanchez, Neighborhood Planning Division  
Sue Hestor

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

**PROJECT DESCRIPTION (Continued):**

The proposed new building would include 16 residential units, 1,370 square feet of ground floor commercial space, and eight off-street parking spaces. The 16 residential units for the proposed project would include a dwelling unit mix of 12 two-bedroom units and four one-bedroom units. The proposed parking garage area would be accessed from Caledonia Street and would include eight off-street parking spaces, including seven single spaces, one handicapped/commercial space, and 14 bicycle spaces. The proposed project would also provide 4,200 square feet of common open space and 200 square feet of private open space. The proposed commercial spaces and residential entry would be accessed from Valencia Street and would consist of two spaces that would be approximately 720 square feet and 650 square feet.

**REMARKS:**

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

This determination evaluates the potential project-specific environmental effects peculiar to the 411 Valencia Street mixed-use project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods Final EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 411 Valencia Street to determine if there would be significant impacts attributable to the proposed project. These studies examined that project's potential environmental effects on archeological resources, transportation, greenhouse gas emissions, shadow, and hazardous materials.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR. This determination does not identify new or additional information that would alter the conclusions of the

Eastern Neighborhoods Final EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods Final EIR that would be applicable to the proposed project at 411 Valencia Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects.

### **Background**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Final EIR was adopted in December 2008. The Eastern Neighborhoods Final EIR 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 Final EIR also included changes to existing height and bulk districts in some areas, including the project site at 411 Valencia Street.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 176591 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2</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 Final EIR 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 Final EIR.

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<sup>1</sup> *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: [http://www.sfgov.org/site/planning\\_index.asp?id=67762](http://www.sfgov.org/site/planning_index.asp?id=67762).

<sup>2</sup> San Francisco Planning Commission Motion 17659, August 7, 2008. [http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern\\_Neighborhoods/Draft\\_Resolution\\_Public%20Parcels\\_FINAL.pdf](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf)

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 Final EIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

The project site, as a result of the Eastern Neighborhoods, has been rezoned to Valencia NCT to encourage a pattern of large lots and businesses, as well as a sizable number of upper-story residential units. The zoning controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in this determination on page 5, under Land Use. The 411 Valencia Street site, which is located in the Mission Area of the Eastern Neighborhoods, was designated and envisioned as a site with a building up to 55 feet in height and containing both residential and commercial uses.

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 mixed-use project at 411 Valencia Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. Further, this determination finds that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 411 Valencia Street project, and identified the mitigation measures applicable to the 411 Valencia Street project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 411 Valencia Street project is necessary.

### **Potential Environmental Effects**

The Eastern Neighborhoods Final EIR 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 411 Valencia Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods Final EIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods Final EIR considered the incremental impacts of the proposed 411 Valencia 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 Final EIR. The following discussion demonstrates that the 411 Valencia Street project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods Final EIR, including project-specific impacts related to land use, aesthetics, archeological resources, historic architectural resources, transportation, noise, air quality, greenhouse gas emissions, shadow, and hazardous materials.

### Land Use

Planning Department staff has determined that the proposed project is consistent with the Eastern Neighborhoods Final EIR and satisfies the requirements of the General Plan and the Planning Code.<sup>3 4</sup>

The proposed project would replace an existing vacant auto repair business with a new mixed-use building with 16 dwelling units and 1,370 square feet of retail space. The proposed building is consistent with the height and bulk controls, and the proposed uses are permitted with the Valencia NCT zoning controls of the site analyzed in the Eastern Neighborhoods Final EIR. The new land uses would not have an effect on the character of the vicinity beyond what was identified in the FEIR. Further, the project is proposed on an infill site and would not result in a physical division of an established community.

The Eastern Neighborhoods identified an unavoidable significant land use impact due to the cumulative loss of PDR under Option C. Option C, which would result in less PDR-only land than Options A or B and would rezone more existing PDR land and displace more existing PDR uses than the other two options, would result in a clear mismatch between the supply of and demand for PDR land and building space, with neither adequate land nor adequate building space available with substantial changes in land use controls on Port land. The analysis also determined that a No-Project scenario would result in an unavoidable significant impact on the cumulative supply of land for PDR uses. Although the proposed project would result in the loss of 1,550 square-feet of PDR, the FEIR analyzed these impacts and determined that the loss of PDR along the Valencia Street is not a significant impact and the proposed project is consistent with the Valencia NCT zoning.

### Aesthetics

The proposed project would involve demolition of an existing 1,550 square-foot, 12-foot in height, vacant auto repair building and construction of a 55-foot-tall, 14,450 square-foot, mixed-use building constructed to the Valencia and Caledonia Streets property lines. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. Furthermore, the proposed building would not be substantially taller than the existing development in the project vicinity

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<sup>3</sup> David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 411 Valencia Street. This document is on file and available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>4</sup> Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 411 Valencia Street, December 16, 2009. This document is on file and available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

and thus, would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change. As described above, the proposed building envelope meets Planning Code requirements for the Valencia NCT zoning district.

The proposed project would be visible from some residential, mixed-use commercial buildings within the project site vicinity, and could create a shadow and increased shade on private property. Some reduced private views and increased shade on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

### **Cultural and Paleontological Resources**

#### *Archeological Resources*

Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, potential archeological impacts were identified in the Eastern Neighborhoods Final EIR. Additionally, the archeological review<sup>5</sup> conducted for the proposed project determined that the potential of the project to adversely affect significant archeological resources may be avoided by implementation of *Mitigation Measure J-3: Mission Dolores Archeological District*, which applies to any project within the Mission Dolores Archeological District involving installation of foundations; construction of a sub-grade or partial sub-grade structure including a garage, or basement; grading; soils remediation; installation of utilities; or any other activities resulting in soils disturbance of 2.5 feet or greater below existing grade. The project site is located within the Mission Dolores Archeological District and the 411 Valencia Street project would require excavation of up to six feet below grade for the elevator pit and mat foundation. Therefore, Eastern Neighborhoods *Mitigation Measure J-3* (see Project Mitigation Measure 1 on page 17 of this Certificate of Determination) shall be undertaken to reduce the potential significant impact from soils-disturbing activities on buried archeological resources to a less-than-significant level.

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<sup>5</sup> Randall Dean, San Francisco Planning Department, Preliminary Archeological Review, 411 Valencia Street, May 6, 2010. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

### Historic Architectural Resources

The proposed project would demolish an existing 1,550 square-foot, one-story, vacant auto repair building that was constructed in 1956 and construct a new 14,450 square-foot, 55 feet in height, mixed-use building. The Planning Department staff determined that the demolition of the existing structure would not result in a historic resources impact. A Historic Resource Evaluation Report was not required due to the age of the subject building<sup>6</sup> and preliminary results of the Inner Mission North Survey.<sup>7</sup> Additionally, the project site is not located in a known historic district. It is not anticipated that the project would result in any adverse effects on offsite historical architectural resources. Eastern Neighborhoods Final EIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* requires that projects involving new construction or alteration over 55 feet, or 10 feet taller than adjacent buildings built before 1963, shall be forwarded to the Historic Preservation Commission (HPC) for review and comment during a regularly scheduled hearing. Because the project involves construction that is 55 feet in height and is not 10 feet taller than the adjacent properties, *Mitigation Measure K-1* was not applicable to the proposed project.

### Transportation

#### Trip Generation

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>8</sup> The proposed project would generate about 356 person trips (inbound and outbound) on a weekday daily basis, consisting of 164 person trips by auto, 75 transit trips, 61 walk trips and 55 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 11 vehicle trips (accounting for vehicle occupancy data for this Census Tract 201).

The estimated 11 new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Available intersection LOS data from nearby intersections indicates that Valencia/15<sup>th</sup> Street intersection currently operates at LOS B during the weekday p.m. peak hour; Valencia St./Duboce Ave intersection currently operates at

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<sup>6</sup> The environmental application for 411 Valencia was originally submitted on September 14, 2005, when the subject property would have been 49 years of age, and therefore, not considered a potential historic resource. The project site has become of 50 years of age within the Planning Department and is therefore considered "grandfathered" and did not require further historical resource evaluation.

<sup>7</sup> Pilar Lavalley, San Francisco Planning Department, Memo, 411 – 415 Valencia Street, Request for Review per Eastern Neighborhoods Interim Review Procedures for Historic Resources, October 15, 2009. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>8</sup> Chelsea Fordham, San Francisco Planning Department, *Transportation Calculations*, March 24, 2010. These calculations are available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

LOS C: and that Valencia/16<sup>th</sup> Street intersection operates at LOS B.<sup>9</sup> Given that the proposed project would add approximately 11 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Mission Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of the above and other intersections in the area based on proposed development plan options of the Eastern Neighborhoods. The Valencia/15<sup>th</sup> Street intersection is anticipated to change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all Plan options; the Valencia/16<sup>th</sup> Street intersection (one block away) is anticipated to change from LOS B to LOS C under all Plan options; and the Valencia Street St/Duboce Ave intersection (two blocks away) would change from LOS C to LOS D under all Plan options. There were no significant impacts to any of these intersections identified in the Eastern Neighborhoods Final EIR. Therefore, the proposed projects 11 new p.m. peak hour trips would not contribute significantly to 2025 Cumulative conditions, and it would not have any significant cumulative traffic impacts.

#### Transit

As indicated above, the proposed project is estimated to add 75 daily transit person trips, of which 11 are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines 14, 14L, 33, and 49, and therefore, the additional p.m. peak hour trips would likely be accommodated on existing routes, and would result in a less-than-significant effect to transit services.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 11 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should they be approved. Since the proposed project

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<sup>9</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.



would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have a significant cumulative transit impact.

### Parking

The project site is currently a vacant auto repair shop. While the proposed project would not be required to provide off-street parking spaces pursuant to *Planning Code* Sections 843.09 and 843.10, the project includes eight off-street parking spaces. Based on the methodology presented in the 2002 *Transportation Guidelines*, on an average weekday, the demand for parking would be 31 parking spaces. Thus, the project would have an unmet parking demand of 23 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

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.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, 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 in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines 14, 14L, 33, and 49) and bike lanes (45, 33, and 40), which provide alternatives to auto travel.

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. Moreover, 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. Hence, any secondary environmental impacts which 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, reasonably addresses potential secondary effects.

#### Access

Vehicular access to and from the ground-floor parking garage would be on Caledonia Street. Vehicles would enter the building at grade and park in an assigned parking space. Pedestrian access would be on Valencia Street. Valencia Street is a three-lane, two-way street with parking on both sides while 15<sup>th</sup> Street is a two-lane, one-way street extending westerly at the project site. Emergency access to the project site would not be changed by the proposed project. There are no bus stops in front of the project site. Sidewalks and on-street parking are present on both sides of the street. The nearest transit preferential streets are Mission and 16<sup>th</sup> Streets.

#### Loading

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.03 truck-trips per hour. *Planning Code* Section 152 does not require off-street loading for residential development less than 100,000 square feet and for retail use less than 10,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 13,080 square feet of residential use and 1,370 square feet of retail use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along either Valencia or 15<sup>th</sup> Streets. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on either Valencia or 15<sup>th</sup> Streets.

#### Pedestrian and Bicycle Conditions

The proposed project would generate approximately 7 p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

There is an existing bike lane on Valencia Street directly adjacent to the project site. There are no new curb cuts proposed on Valencia Street that would result in any bicycle auto conflicts. In the vicinity of the project site, there are three major Citywide Bicycle Routes. Valencia Street comprises a portion of bicycle route #45, Harrison Street a portion of route #33, and 17<sup>th</sup> Street a portion of route #40. Bicycle traffic is heavier on Valencia Street than on surrounding streets. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

The recently amended (Board of Supervisors Ordinance No. 129-06) *Planning Code* Section 155.5 requires that residential projects of 50 dwelling units or less provide one bicycle space for every two dwelling units. The proposed project includes 16 dwelling units and thus would be required to provide eight bicycle parking spaces. The proposed project would provide 14 bicycle parking spaces inside the ground-floor parking garage, and would meet this requirement. In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

In summary, the project would not result in a significant effect with regard to transportation.

## **Noise**

### **Ambient Noise Levels**

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA<sup>10</sup> should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Valencia Street are between 65.1 and 70.0 dBA, and are between 60.1 and 65.0 dBA on Caledonia and 15<sup>th</sup> Streets. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. DBI would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the 411 Valencia Street project, a multi-unit residential project with

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

ground-floor commercial use, is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* (see Project Mitigation Measure 3 on page 17 of this Certificate of Determination) applies to the proposed project. Therefore, noise studies within two blocks of the project site were conducted that included a 24-hour noise measurement and site survey of noise-generating uses. These two noise studies within two blocks of the project site were located at the intersection of 15<sup>th</sup> Street and South Van Ness and Julian and 15<sup>th</sup> Street<sup>11 12</sup>

The 24-hour noise measurement located at Julian Avenue and 15<sup>th</sup> Street (approximately one block from the project site) recorded a day-night noise average of 62.2 dBA (Ldn). This is slightly less noisy than forecast by noise modeling undertaken by the Department of Public Health, which predicts a street noise level of between 65.1 dBA to 70 dBA (Ldn) for the project block of Julian Avenue (and surrounding blocks). The site survey did not identify any land uses that generate unusual noise within two blocks of the project site. Among the more prominent noise-generating uses in the vicinity are several auto repair shops. However, most nearby properties are composed of residential uses above ground-floor retail shops and restaurants. Although the project site is within about one-and-one-half blocks of the elevated U.S. 101 freeway, observation indicates that the freeway is not a major noise source at the project site. Additionally, a noise study was conducted at South Van Ness Avenue and 15<sup>th</sup> Street (approximately two blocks from the project site). The 24-hour noise measurement recorded a day-night noise average of 71.9 dBA (Ldn). This is slightly less noisy than forecast by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 75 dBA and 79 dBA (Ldn) for the project block of South Van Ness Avenue (and surrounding blocks). The site survey for 15<sup>th</sup> Street and South Van Ness Avenue did not identify any land uses that generate unusual noise within two blocks of the project site.

Given the noise environment within the two block of the project site, the noise surveys concluded that it would appear that conventional residential construction, which would likely include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA (Ldn) as required by the San Francisco Building Code. Therefore, the noise studies demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project and no further acoustical analysis or engineering is required.

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<sup>11</sup> Karl Heisler, Environmental Science Associates, Email, RE: Noise Study for 1501 15<sup>th</sup> Street, March 18<sup>th</sup>, 2010. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>12</sup> Karl Heisler, Environmental Science Associates, Email, RE: Noise Study for 49 Julian Street, February 10, 2010. This document is on file and is available for review as part of Case File No2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed development does not propose residential and commercial uses that would be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

#### Construction Noise

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 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 14 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times 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, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* would reduce effects to a less-than-significant level. Since construction of the proposed project does not require pile driving, *Mitigation Measure F-1* is not applicable to the proposed project.

#### Air Quality

##### Construction Air Quality

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently,

the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced less than significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality and *Mitigation Measure G-1* is not applicable.

#### Toxic Air Contaminants

The Eastern Neighborhoods Final EIR identified a significant impact related to air quality for sensitive land uses and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. In response to this concern, Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5<sup>13</sup> concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m<sup>3</sup>).<sup>14</sup> Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m<sup>3</sup> threshold are required to install ventilation systems or otherwise redesign the project to reduce the PM 2.5 concentration for the habitable areas for the dwelling units to below the threshold. The project site is not located within the Potential Roadway Exposure Zone. Therefore, the project would have no significant air quality impacts on residents due to roadway emissions, and *Mitigation Measure G-2* does not apply.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit diesel particulate matter (DPM) and determined that *Mitigation Measure G-3: Siting of Uses that Emit DPM* would reduce these effects to a less-than-significant level. Since the proposed project would not be expected to be served by at least 100 trucks per day or 40 refrigerator trucks per day, the proposed project would not be expected to expose sensitive receptors to DPM and *Mitigation Measure G-3* is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit toxic air contaminants (TACs) as part of everyday operations and determined that *Mitigation Measure G-4: Siting of Uses that Emit Other TACs* would reduce these effects to a less-than-significant level. Since the proposed project, a mixed-use building with residential units above ground-floor commercial use, would not be expected to generate TACs as part of everyday operations, the 411 Valencia Street project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

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<sup>13</sup> PM 2.5 is a measure of smaller particles in the air. PM 10 has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

<sup>14</sup> See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

### Greenhouse Gas Emissions

The proposed project would replace a vacant auto repair building with a mixed-use building. The new building would include 16 dwelling units, approximately 1,370 square feet of ground-floor retail space and eight off-street parking spaces. The proposed project is expected to generate approximately 376 MTCO<sub>2</sub>E<sup>15</sup>/year net new greenhouse gases (GHG) emissions during annual operations.<sup>16</sup> The project would also generate 205 MTCO<sub>2</sub>E/year during construction. A recent evaluation of San Francisco's community-wide GHG emissions inventory indicates that in 2005 San Francisco emitted 7.09 million MTCO<sub>2</sub>E/year.<sup>17</sup> The proposed project's annual operations would represent an approximately 0.01 percent addition of GHG to San Francisco's community-wide emissions. Therefore, the project would not result in any significant impacts related to GHG emissions.

### Shadow

Planning Code Section 295 generally prohibits new buildings that would cast new shadow 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. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of the Recreation and Park Department.<sup>18</sup> The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

The proposed building could cast shadow on private residences or property. Some reduced private views and increased shade on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

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<sup>15</sup> MTCO<sub>2</sub>e stands for Metric Ton Carbon Dioxide Equivalent. This is the standard measurement of the amount of CO<sub>2</sub> emissions that are reduced or sequestered from our environment.

<sup>16</sup> Jessica Range, San Francisco Planning Department, Memorandum, *RE: Greenhouse Gas Calculations, 411 Valencia Street*, November 2, 2009. This document is on file and available for review as part of Case File No. 2009.0780E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA. These calculations were based on a larger commercial and residential space and therefore, overestimate the actual emissions.

<sup>17</sup> This inventory does not include waste-related emissions or emission from wastewater operations.

<sup>18</sup> San Francisco Planning Department, letter dated September 10, 2009 (Case No. 2005. 0888K), Shadow Analysis for 411 Valencia Street. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2009.0180K.

In light of the above, the project would not result in a significant effect with regard to shadow, nor would the project contribute to any potential cumulative shading impacts.

### **Hazardous Materials**

The project site is a former auto repair business. A Phase I and Phase II Environmental Site Assessment (ESA) and a Geophysical Survey Report were prepared for the project site.<sup>19,20, 21</sup> The Phase I determined that there were two recognized environmental conditions (REC's), which indicates the presence or likely presence of hazardous substances or petroleum products. According to files reviewed at the San Francisco Fire Department (SFFD) a 1,000-gallon gasoline underground storage tank (UST) was installed in the sidewalk in 1957 and was confirmed in 1965. No further documentation of this tank was discovered during this site investigation. The lack of removal confirmation represents a significant concern, and any UST in place would require proper removal and soil sampling. Additionally, the project site has been occupied by an auto repair business since 1957. Hazardous materials and petroleum products have been utilized onsite throughout the time period. Storm drains were observed approximately 10 feet southeast of the auto repair building, which represent a potential conduit to the subsurface for any waste liquids spilled onsite or washed to the drains. These existing stormdrains represent another recognized environmental concern. The conclusion of the Phase 1 ESA concludes that ground-penetrating radar survey should be performed to investigate the presence of an abandoned UST. In response to the Phase 1 determinations, a Geophysical Survey Report was conducted to investigate the possible presence of an UST at 411 Valencia Street. Electromagnetic field (EMF), Reflective Induction (RI) and Ground Penetrating Radar (GPR) was used to scan the subject property at 411 Valencia Street. Based on the results of these investigations, no signatures suggestive of an UST were detected and marked.<sup>22</sup> Additionally, if any UST were discovered during project construction, the discovery of an unknown UST is regulated by the San Francisco Health Code (Article 21, Division III, Underground Storage Tank Permits), which would require a permit and inspection for removal of an UST if found at the project site, under the direction of the San Francisco Department of Public Health.<sup>23</sup>

The Phase II ESA conducted for the project site determined that the subject property had not been impacted by the release of hazardous materials or petroleum products from the historical onsite auto repair operations. The Phase II did detect TPH -mo, which indicates that groundwater is impacted; however, THH-mo was not detected in the soils. The concentrations of THP\_mo, TPH-d, ethlybenzene, and xylenes were relatively low and not uncommon in areas of San Francisco. Due to the low concentrations of detected in the groundwater, and lack of significant source in the soil, it is indicative

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<sup>19</sup> AEI Consultants., *Phase I Environmental Site Assessment, 411 Valencia Street, San Francisco, California*, May 27, 2005.

<sup>20</sup> AEI Consultants., *Phase II Subsurface Investigation, 411 Valencia Street, San Francisco, California*, July 12, 2005.

<sup>21</sup> AEI Consultants., *Geophysical Survey Findings, 411 Valencia Street, San Francisco, California*, June 14, 2005.

<sup>22</sup> Ibid, *Geophysical Survey Findings*

<sup>23</sup> Stephanie Cushing, Department of Public Health, Email, 411 Valencia Street, March 31<sup>st</sup>, 2009. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.



that there was not a major release at the project site.<sup>24</sup> Therefore, based on the lack of contaminants, no further investigation of potential hazardous materials was recommended for the project site.

The Eastern Neighborhoods identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials* would reduce effects to a less-than-significant level. The proposed project would demolish a 1,550 square-foot vacant auto repair building. Therefore, the following mitigation measure shall be undertaken to avoid any significant adverse effect from hazardous building materials.

### **Mitigation Measures**

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

#### **Project Mitigation Measure 1 – Archeological Resources (Mitigation Measure J-3 of the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

The Archeological Monitoring Program (AMP) shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;

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<sup>24</sup> *Ibid*, Phase II *Subsurface Investigation*

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

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

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological

consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

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

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

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 the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive 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.

**Project Mitigation Measure 2 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

New development with noise-sensitive uses require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of 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 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. Noise studies within a two block vicinity demonstrated that the proposed project can attain Title 24 standards. Therefore, Project Mitigation Measure 2 has already been implemented.

**Project Mitigation Measure 3 – Hazardous Building Materials (Mitigation Measure K-1: Hazardous Building Materials in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

The City shall condition future development approvals to require that any equipment containing PCB's 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 contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

**Public Notice and Comment**

A “Notification of Project Receiving Environmental Review” was mailed on September 21, 2009 to owners of properties within 300 feet of the project site and adjacent occupants. The Planning Department received several letters and telephone calls in response to the notice. Members of the public expressed their concerns related to the construction of market rate housing and support for the proposed project. Comments that do not pertain to physical environmental issues and comments regarding the merits of the proposed project were not addressed and are more appropriately directed to the decision-makers. The decision to approve or disapprove a proposed project is independent of the environmental review process. While local concerns or other planning considerations may be grounds for modification or denial of the project, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

**Conclusion**

The Eastern Neighborhoods Final EIR incorporated and adequately addressed all potential impacts of the proposed 411 Valencia Street project. As described above, the 411 Valencia Street project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods Final EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Final EIR. Thus, the proposed 411 Valencia Street project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Final EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code.

## Community Plan Exemption Checklist

*Case No.:* 2009.0180E  
*Project Title:* 411 Valencia Street  
*Zoning:* Valencia NCT (Valencia Street Neighborhood Commercial Transit District)  
50-X Height and Bulk District, Additional 5' Allowed for Ground Floor Active Uses  
*Block/Lot:* 3554/027  
*Lot Size:* 4,996 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods  
*Project Sponsor:* Drake Gardener, Zone Design, (415) 408-3403  
*Staff Contact:* Chelsea Fordham – (415) 575-9071, Chelsea.Fordham@sfgov.org

### A. PROJECT DESCRIPTION

The 4,996 square-foot project site is located on the east side of Valencia Street between 15<sup>th</sup> Street to the north and 16<sup>th</sup> Street to the south in San Francisco's Mission District. The project site is located on a through lot which is bordered by both Valencia and Caledonia Streets. The proposed project involves demolition of an existing 1,550 square-foot, 12-feet in height, vacant auto repair building and construction a new 14,450 square-foot, 55 feet in height, mixed-use building. The proposed new building would include 16 residential units, 1,370 square feet of ground floor commercial space, and eight off-street parking spaces. The 16 residential units for the proposed project would include a dwelling unit mix of 12 two-bedroom units and four one-bedroom units. The proposed parking garage area would be accessed from Caledonia Street and would include eight off-street parking spaces, which would include seven single spaces, one handicapped/commercial space, and 14 bicycle spaces. The proposed project would also provide 4,200 square feet of common open space and 200 square feet of private open space. The proposed commercial spaces would be accessed from Valencia Street and would consist of two spaces that would be approximately 720 square feet and 650 square feet.

### B. EVALUATION OF ENVIRONMENTAL EFFECTS

The following checklist identifies the potential environmental impacts of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area (i.e, the Eastern Neighborhoods Rezoning and Area Plans Final EIR).<sup>1</sup>

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such

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<sup>1</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area (i.e., the Eastern Neighborhoods Rezoning and Area Plans Final EIR).<sup>2</sup> Items checked "Sig. 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. If the analysis concludes that the proposed project would contribute to a significant impact identified in the PEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in PEIR." Mitigation measures identified in the PEIR applicable to the proposed project are identified in the text for each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR will be addressed in a separate Focused Initial Study or EIR.

All items for which the PEIR identified a significant impact or the project would have a significant peculiar impact are also checked "Addressed Below," and are discussed.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</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 checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods Rezoning and Area Plans re-zoned the majority of the eastern neighborhoods in San Francisco land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern Neighborhood planning process were to reflect local values, increase housing, maintain some industrial land supply, and to improve the quality of all existing areas with future development.

<sup>2</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods currently zoned for industrial, warehousing, and commercial service use.

The Eastern Neighborhoods (FEIR) evaluated three land use options “alternatives” and under each of these options the subject property was designated Valencia Neighborhood Commercial Transit (Valencia NCT). The Valencia Street District has a pattern of large lots and businesses, as well as a sizable number of upper-story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story.

The proposed project would replace an existing vacant auto repair business with a new mixed-use building with 16 dwelling units and 1,370 square feet of retail space. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted with the Valencia NCT zoning controls of the site analyzed in the Eastern Neighborhoods Final EIR. The new land uses would not have an effect on the character of the vicinity beyond what was identified in the FEIR. Further, the project is proposed on an infill site and would not result in a physical division of an established community.

The Eastern Neighborhoods identified an unavoidable significant land use impact due to the cumulative loss of PDR under Option C. Option C, which would result in less PDR-only land than Options A or B and would rezone more existing PDR land and displace more existing PDR uses than the other two options, would result in a clear mismatch between the supply of and demand for PDR land and building space, with neither adequate land nor adequate building space available with substantial changes in land use controls on Port land. The analysis also determined that a No-Project scenario would result in an unavoidable significant impact on the cumulative supply of land for PDR uses. Although the proposed project would result in the loss of 1,550 square-feet of PDR, the FEIR analyzed these impacts and determined that the loss of PDR along the Valencia Street is not a significant impact and the proposed project is consistent with the Valencia NCT zoning.

In addition, Citywide Planning and Neighborhood Planning have determined that the proposed project is consistent with the Valencia NCT zoning and satisfies the requirements of the General Plan and the Planning Code. Therefore, the project is eligible for a Community Plan exemption.<sup>3 4</sup>

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<sup>3</sup> David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 411 Valencia Street. This document is on file and available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>4</sup> Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 411 Valencia Street, December 16, 2009. This document is on file and available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.



<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>2. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR evaluated three land use options “alternatives” and under each of these options, it was not anticipated that the Eastern Neighborhoods Rezoning and Area Plans would substantially damage scenic resources that contribute to a scenic public setting. As a proposed rezoning and planning process the project would not directly result in any physical damage. Rather, any changes in urban form and visual quality would be the secondary result of individual development projects that would occur subsequent to the adoption of changes in zoning and community plans.

With respect to views, the FEIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. New construction in the Project area would generate additional night lighting but not in amounts unusual in industrial zones and within developed urban areas in general. Thus, the FEIR concluded that light and glare impacts would be less than significant.

The proposed project would involve demolition of an existing 1,550 square-foot, 12-foot in height, vacant auto repair building and construct a 55-foot-tall, 14,450 square-foot, mixed-use building constructed to the Valencia and Caledonia Streets property lines. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. Furthermore, the proposed building would not be substantially taller than the existing development in the project vicinity and thus, would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change. As described above, the proposed building envelope meets Planning Code requirements for the Valencia NCT zoning district.

The proposed project would be visible from some residential, mixed-use commercial buildings within the project site vicinity, and could create a shadow and increased shade on private property. Some reduced private views and increased shade on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>3. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City’s industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply.

The proposed development includes 16 dwelling units and would result in an on-site population increase of approximately 31 residents.<sup>5</sup> The retail component of the proposed project would

<sup>5</sup> U.S Census Bureau Profile of Demographic Characteristics. 2000 Census Tract 103 has an average household population of 1.96 persons/household x 16 units = approximately 31 residents.

employ approximately four people using standard calculations.<sup>6</sup> This increase in population would not be expected to have an adverse physical environmental impact.

The proposed project is not anticipated to create a substantial demand for increased housing because it would provide a relatively small amount of retail space (1,370 gsf). Additionally, the proposed project would not displace any people because the project site is currently a vacant auto repair building. As such, construction of replacement housing would not be necessary.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Historic Architectural Resources**

The proposed project would demolish an existing 1,550 square-foot, one-story, vacant auto repair building that was constructed in 1956 and construct a new 14,450 square-foot, 55 feet in height, mixed-use building. The Planning Department staff determined that the demolition of the existing structure would not result in a historic resources impact. A Historic Resource Evaluation Report was not required due to the age of the subject building<sup>7</sup> and preliminary results of the Inner Mission North Survey.<sup>8</sup> Additionally, the project site is not located in a known historic district. It is not anticipated that the project would result in any adverse effects on offsite

<sup>6</sup> Based on the standard multiplier of 350 gsf per general retail employees, per San Francisco Planning Department Transportation Impact Analysis Guidelines for Environmental Review, October, 2002. (1,370/350 = 3.9 = 4 employees).

<sup>7</sup> The environmental application for 411 Valencia was originally submitted on September 14, 2005, when the subject property would have been 49 years of age, and therefore, not considered a potential historic resource. The project site has become of 50 years of age within the Planning Department and is therefore considered “grandfathered” and did not require further historical resource evaluation.

<sup>8</sup> Pilar Lavalley, San Francisco Planning Department, Memo, 411 – 415 Valencia Street, Request for Review per Eastern Neighborhoods Interim Review Procedures for Historic Resources, October 15, 2009. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

historical architectural resources. Eastern Neighborhoods Final EIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* requires that projects involving new construction or alteration over 55 feet, or 10 feet taller than adjacent buildings built before 1963, shall be forwarded to the Historic Preservation Commission (HPC) for review and comment during a regularly scheduled hearing. Because the project involves construction that is 55 feet in height and is not 10 feet taller than the adjacent properties, *Mitigation Measure K-1* was not applicable to the proposed project.

*Mitigation Measures K-2 and K-3* are not relevant to the 411 Valencia Street project since the project site is not located in either the East SoMa or Central Waterfront.

### **Archeological Resources**

Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, potential archeological impacts were identified in the Eastern Neighborhoods Final EIR. Additionally, the archeological review<sup>9</sup> conducted for the proposed project determined that the potential of the project to adversely affect significant archeological resources may be avoided by implementation of *Mitigation Measure J-3: Mission Dolores Archeological District*, which applies to any project within the Mission Dolores Archeological District involving installation of foundations; construction of a sub-grade or partial sub-grade structure including a garage, or basement; grading; soils remediation; installation of utilities; or any other activities resulting in soils disturbance of 2.5 feet or greater below existing grade. The project site is located within the Mission Dolores Archeological District and the 411 Valencia Street project would require excavation of up to six feet below grade for the elevator pit and mat foundation. Therefore, Eastern Neighborhoods *Mitigation Measure J-3* shall be undertaken to reduce the potential significant impact from soils-disturbing activities on buried archeological resources to a less-than-significant level.

### **Project Mitigation Measure 1 – Archeological Resources (Mitigation Measure J-3 of the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension

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<sup>9</sup> Randall Dean, San Francisco Planning Department, Preliminary Archeological Review, 411 Valencia Street, May 6, 2010. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

The Archeological Monitoring Program (AMP) shall minimally include the following provisions:

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

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

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

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

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

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 the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive 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.

*Mitigation Measures K-2 and K-3* are not relevant to the 411 Valencia Street project since the project site is not located in either the East SoMa or Central Waterfront.

In light of the above, the project would not result in a significant effect with regard to cultural resources.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>5. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (unless it is practical to achieve the standard through increased use of alternative transportation modes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity that could not be accommodated by alternative solutions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.), or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Trip Generation

Trip generation of the proposed project was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>10</sup> The proposed project would generate about 356 person trips (inbound and outbound) on a weekday daily basis, consisting of 164 person trips by auto, 75 transit trips, 61 walk trips and 55 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 11 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

The estimated 11 new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept

<sup>10</sup> Chelsea Fordham, San Francisco Planning Department, *Transportation Calculations*, March 24, 2010. These calculations are available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.



of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Available intersection LOS data from nearby intersections indicates that Valencia/15<sup>th</sup> Street intersection currently operates at LOS B during the weekday p.m. peak hour; Valencia St./Duboce Ave intersection currently operates at LOS C; and that Valencia/16<sup>th</sup> Street intersection operates at LOS B.<sup>11</sup> Given that the proposed project would add approximately 11 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Mission Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of the above and other intersections in the area based on proposed development plan options of the Eastern Neighborhoods. The Valencia/15<sup>th</sup> Street intersection is anticipated to change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all Plan options; the Valencia/16<sup>th</sup> Street intersection (one block away) is anticipated to change from LOS B to LOS C under all Plan options; and the Valencia Street St/Duboce Ave intersection (two blocks away) would change from LOS C to LOS D under all Plan options. There were no significant impacts to any of these intersections identified in the Eastern Neighborhoods Final EIR. Therefore, the proposed projects 11 new p.m. peak hour trips would not contribute significantly to 2025 Cumulative conditions, and it would not have any significant cumulative traffic impacts.

#### *Transit*

As indicated above, the proposed project is estimated to add 75 daily transit person trips, of which 11 are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines 14, 14L, 33, and 49, and therefore, the additional p.m. peak hour trips would likely be accommodated on existing routes, and would result in a less-than-significant effect to transit services.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing

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<sup>11</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 11 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should they be approved. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have a significant cumulative transit impact.

### *Parking*

The project site is currently a vacant auto repair shop. While the proposed project would not be required to provide off-street parking spaces pursuant to *Planning Code* Sections 843.09 and 843.10, the project includes eight off-street parking spaces. Based on the methodology presented in the 2002 *Transportation Guidelines*, on an average weekday, the demand for parking would be 31 parking spaces. Thus, the project would have an unmet parking demand of 23 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

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.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts,

or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, 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 in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines 14, 14L, 33, and 49) and bike lanes (45, 33, and 40), which provide alternatives to auto travel.

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. Moreover, 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. Hence, any secondary environmental impacts which 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, reasonably addresses potential secondary effects.

#### *Access*

Vehicular access to and from the ground-floor parking garage would be on Caledonia Street. Vehicles would enter the building at grade and park in an assigned parking space. Pedestrian access would be on Valencia Street. Valencia Street is a three-lane, two-way street with parking on both sides while 15<sup>th</sup> Street is a two-lane, one-way street extending westerly at the project site. Emergency access to the project site would not be changed by the proposed project. There are no bus stops in front of the project site. Sidewalks and on-street parking are present on both sides of the street. The nearest transit preferential streets are Mission and 16<sup>th</sup> Streets.

#### *Loading*

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.03 truck-trips per hour. *Planning Code* Section 152 does not require off-street loading for residential development less than 100,000 square feet and for retail use less than 10,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 13,080 square feet of residential use and 1,370 square feet of retail use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by

limiting all long-term and construction loading/staging operations to the existing on-street parking area along either Valencia or 15th Streets. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on either Valencia or 15<sup>th</sup> Streets.

*Pedestrian and Bicycle Conditions*

The proposed project would generate approximately 7 p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

There is an existing bike lane on Valencia Street directly adjacent to the project site. There are no new curb cuts proposed on Valencia Street that would result in any bicycle auto conflicts. In the vicinity of the project site, there are three major Citywide Bicycle Routes. Valencia Street comprises a portion of bicycle route #45, Harrison Street a portion of route #33, and 17<sup>th</sup> Street a portion of route #40. Bicycle traffic is heavier on Valencia Street than on surrounding streets. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

The recently amended (Board of Supervisors Ordinance No. 129-06) *Planning Code* Section 155.5 requires that residential projects of 50 dwelling units or less provide one bicycle space for every two dwelling units. The proposed project includes 16 dwelling units and thus would be required to provide eight bicycle parking spaces. The proposed project would provide 14 bicycle parking spaces inside the ground-floor parking garage, and would meet this requirement. In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

In summary, the project would not result in a significant effect with regard to transportation.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>6. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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"/>
g) Be substantially affected by existing noise levels?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### *Ambient Noise Levels*

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA<sup>12</sup> should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Valencia Street are between 65.1 and 70.0 dBA, and are between 60.1 and 65.0 dBA on Caledonia and 15<sup>th</sup> Streets. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. DBI would

<sup>12</sup> The dBA, or A weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the 411 Valencia Street project, a multi-unit residential project with ground-floor commercial use, is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* (see Project Mitigation Measure 3 on page 17 of this Certificate of Determination) applies to the proposed project. Therefore, noise studies within two blocks of the project site were conducted that included a 24-hour noise measurement and site survey of noise-generating uses. These two noise studies within two blocks of the project site were located at the intersection of 15<sup>th</sup> Street and South Van Ness and Julian and 15<sup>th</sup> Street<sup>13 14</sup>

The 24-hour noise measurement located at Julian Avenue and 15<sup>th</sup> Street (approximately one block from the project site) recorded a day-night noise average of 62.2 dBA (Ldn). This is slightly less noisy than forecast by noise modeling undertaken by the Department of Public Health, which predicts a street noise level of between 65.1 dBA to 70 dBA (Ldn) for the project block of Julian Avenue (and surrounding blocks). The site survey did not identify any land uses that generate unusual noise within two blocks of the project site. Among the more prominent noise-generating uses in the vicinity are several auto repair shops. However, most nearby properties are composed of residential uses above ground-floor retail shops and restaurants. Although the project site is within about one-and-one-half blocks of the elevated U.S. 101 freeway, observation indicates that the freeway is not a major noise source at the project site. Additionally, a noise study was conducted at South Van Ness Avenue and 15<sup>th</sup> Street (approximately two blocks from the project site). The 24-hour noise measurement recorded a day-night noise average of 71.9 dBA (Ldn). This is slightly less noisy than forecast by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 75 dBA and 79 dBA (Ldn) for the project block of South Van Ness Avenue (and surrounding blocks). The site survey for 15<sup>th</sup> Street

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<sup>13</sup> Karl Heisler, Environmental Science Associates, Email, RE: Noise Study for 1501 15<sup>th</sup> Street, March 18<sup>th</sup>, 2010. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>14</sup> Karl Heisler, Environmental Science Associates, Email, RE: Noise Study for 49 Julian Street, February 10, 2010. This document is on file and is available for review as part of Case File No2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

and South Van Ness Avenue did not identify any land uses that generate unusual noise within two blocks of the project site.

Given the noise environment within the two block of the project site, the noise survey's concluded that it would appear that conventional residential construction, which would likely include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA (Ldn) as required by the San Francisco Building Code. Therefore, the noise studies demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project and no further acoustical analysis or engineering is required.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed development does not propose residential and commercial uses that would be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

#### *Construction Noise*

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 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 14 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times 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, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* would reduce effects to a less-than-significant level. Since construction of the proposed project does not require pile driving, *Mitigation Measure F-1* is not applicable to the proposed project.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>7. AIR QUALITY</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Construction Air Quality*

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced less than significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result



in a significant impact related to construction air quality and *Mitigation Measure G-1* is not applicable.

#### *Toxic Air Contaminants*

The Eastern Neighborhoods Final EIR identified a significant impact related to air quality for sensitive land uses and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. In response to this concern, Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5<sup>15</sup> concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m<sup>3</sup>).<sup>16</sup> Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m<sup>3</sup> threshold are required to install ventilation systems or otherwise redesign the project to reduce the PM 2.5 concentration for the habitable areas for the dwelling units to below the threshold. The project site is not located within the Potential Roadway Exposure Zone. Therefore, the project would have no significant air quality impacts on residents due to roadway emissions, and *Mitigation Measure G-2* does not apply.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit diesel particulate matter (DPM) and determined that *Mitigation Measure G-3: Siting of Uses that Emit DPM* would reduce these effects to a less-than-significant level. Since the proposed project would not be expected to be served by at least 100 trucks per day or 40 refrigerator trucks per day, the proposed project would not be expected to expose sensitive receptors to DPM and *Mitigation Measure G-3* is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit toxic air contaminants (TACs) as part of everyday operations and determined that *Mitigation Measure G-4: Siting of Uses that Emit Other TACs* would reduce these effects to a less-than-significant level. Since the proposed project, a mixed-use building with residential units above ground-floor commercial use, would not be expected to generate TACs as part of everyday operations, the 411 Valencia Street project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

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<sup>15</sup> PM 2.5 is a measure of smaller particles in the air. PM 10 has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

<sup>16</sup> See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>8. GREENHOUSE GAS EMISSIONS—Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would replace a vacant auto repair building with a mixed-use building. The new building would include 16 dwelling units, approximately 1,370 square feet of ground-floor retail space and eight off-street parking spaces. The proposed project is expected to generate approximately 376 MTCO<sub>2</sub>E<sup>17</sup>/year net new greenhouse gases (GHG) emissions during annual operations.<sup>18</sup> The project would also generate 205 MTCO<sub>2</sub>E/year during construction. A recent evaluation of San Francisco's community-wide GHG emissions inventory indicates that in 2005 San Francisco emitted 7.09 million MTCO<sub>2</sub>E/year.<sup>19</sup> The proposed project's annual operations would represent an approximately 0.01 percent addition of GHG to San Francisco's community-wide emissions. Therefore, the project would not result in any significant impacts related to GHG emissions.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>9. 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 checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>17</sup> MTCO<sub>2</sub>e stands for Metric Ton Carbon Dioxide Equivalent. This is the standard measurement of the amount of CO<sub>2</sub> emissions that are reduced or sequestered from our environment.

<sup>18</sup> Jessica Range, San Francisco Planning Department, Memorandum, *RE: Greenhouse Gas Calculations, 411 Valencia Street*, November 2, 2009. This document is on file and available for review as part of Case File No. 2009.0780E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA. These calculations were based on a larger commercial and residential space and therefore, overestimate the actual emissions.

<sup>19</sup> This inventory does not include waste-related emissions or emission from wastewater operations.

### *Wind*

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by building oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. In general, projects less than approximately 80 to 100 feet in height are unlikely to result in substantial adverse effects on ground-level winds such that pedestrians would be uncomfortable. Based on consideration of the height and location of the proposed 55-foot-tall building, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. As a result, the proposed project would not have any significant wind impacts.

### *Shadow*

Planning Code Section 295 generally prohibits new buildings that would cast new shadow 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. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of the Recreation and Park Department.<sup>20</sup> The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

The proposed building could cast shadow on private residences or property. Some reduced private views and increased shade on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those private views would not constitute a significant impact under CEQA.

In light of the above, the project would not result in a significant effect with regard to shadow, nor would the project contribute to any potential cumulative shading impacts.

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<sup>20</sup> San Francisco Planning Department, letter dated September 10, 2009 (Case No. 2005.0888K), Shadow Analysis for 411 Valencia Street. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2009.0180K.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>10. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project location is served by the following existing parks: Mission Playground, Jose Coronado Playground, and Mission Dolores Park. Additionally, the proposed project would provide on-site open space for passive recreational use for project residents through a combination of a private decks and a common second floor open space. The provision of private and common open space would provide recreation and outdoor opportunities on the site, reducing the impacts of the project on surrounding recreation areas. With the projected addition of 31 new residents to the area, the proposed project would not require the construction or expansion of offsite recreation facilities. The increase in demand would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use and therefore, the proposed project would not result in substantial physical deterioration of existing recreational resources nor require the construction or expansion of public recreation facilities. The impact on recreational facilities would, therefore, be less than significant.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</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 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 checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project would not require substantial expansion of wastewater/stormwater treatment facilities or an extension of a sewer trunk line because the site is currently served by existing facilities. The proposed project water supply demand would be within SFPUC's Urban Water Management Plan (UWMP) projections and the project would not exceed the UWMP's water supply projections. The projects solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would not result in a significant solid waste generation impact. Therefore, the proposed projects utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>12. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project currently receives emergency services from the San Francisco Fire Department (SFFD) and the San Francisco Police Department. Additionally, the proposed project would not necessitate construction of new school facilities in San Francisco. Although the

proposed project would create additional demand for fire suppression and police service in the area, the proposed project would not result in any peculiar impacts to public services.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>13. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

The majority of the area of project site is covered with impermeable surfaces and structures and other impermeable surfaces, and within a developed urban area. The project site is not located within or near any riparian habitat, sensitive natural community, federally protected wetlands, or adopted conservation plan. The project site is in a developed urban area and does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat. Accordingly, the proposed project would not result in any impacts on sensitive species, special status species, native or migratory fish species, or wildlife species. Additionally, the project sponsor would be required to get a permit from the Department of Public Works to remove any

protected trees.<sup>21</sup> The project would not result in any significant effect with regard to biology, nor would the project contribute to any potential cumulative effects on biological resources.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>14. GEOLOGY AND SOILS— Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Soil disturbing activities would be required for the foundation system and excavation for the proposed elevator. It is anticipated that the building would be constructed on a fully tied strip/raft footing and would require excavation to a depth of approximately six feet below grade. The completed project would not alter the overall topography of the site.

<sup>21</sup> San Francisco Planning Department, Director's Bulletin No. 2006-01, May 5, 2006, Planning Department Implementation of Tree Protection Legislation, page 2, [http://www.sfgov.org/site/uploadedfiles/planning/projects\\_reports/db2006\\_01treedisclosuredirector.pdf](http://www.sfgov.org/site/uploadedfiles/planning/projects_reports/db2006_01treedisclosuredirector.pdf)

A geotechnical investigation has been performed for the proposed project.<sup>22</sup> The project site is underlain by of medium dense/dense dune sand that was encountered throughout the borings to depths of 16 feet to 6 inches. The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all *Building Code* provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

The proposed project would not result in a significant effect related to geology, either individually or cumulatively.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>15. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>22</sup> P. Whitehead and Associates Consulting Engineers, "Soil Report, 411 Valencia Street, San Francisco, California," July 6, 2005. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Project File No. 2009.0180E.



<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is completely covered by an existing vacant auto repair building and asphalt surface parking lot and other improvements related and would be completely covered by the proposed mixed-use building. The proposed project would not change the amount of impervious surface area on the site and runoff and drainage would not be adversely affected. Effects related to water resources would not be significant, either individually or cumulatively.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b> <b>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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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"/>
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"/>
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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is a former auto repair business. A Phase I and Phase II Environmental Site Assessment (ESA) and a Geophysical Survey Report were prepared for the project site.<sup>23,24, 25</sup> The Phase I determined that there were two recognized environmental conditions (REC's), which indicates the presence or likely presence of hazardous substances or petroleum products. According to files reviewed at the San Francisco Fire Department (SFFD) a 1,000-gallon gasoline underground storage tank (UST) was installed in the sidewalk in 1957 and was confirmed in 1965. No further documentation of this tank was discovered during this site investigation. The lack of removal confirmation represents a significant concern, and any UST in place would require proper removal and soil sampling. Additionally, the project site has been occupied by an auto repair business since 1957. Hazardous materials and petroleum products have been utilized onsite throughout the time period. Storm drains were observed approximately 10 feet southeast of the auto repair building, which represent a potential conduit to the subsurface for any waste liquids spilled onsite or washed to the drains. These existing stormdrains represent another recognized environmental concern. The conclusion of the Phase 1 ESA concludes that ground-penetrating radar survey should be performed to investigate the presence of an abandoned UST. In response to the Phase 1 determinations, a Geophysical Survey Report was conducted to

<sup>23</sup> AEI Consultants., *Phase I Environmental Site Assessment, 411 Valencia Street, San Francisco, California*, May 27, 2005.

<sup>24</sup> AEI Consultants., *Phase II Subsurface Investigation, 411 Valencia Street, San Francisco, California*, July 12, 2005.

<sup>25</sup> AEI Consultants., *Geophysical Survey Findings, 411 Valencia Street, San Francisco, California*, June 14, 2005.

investigate the possible presence of an UST at 411 Valencia Street. Electromagnetic field (EMF), Reflective Induction (RI) and Ground Penetrating Radar (GPR) was used to scan the subject property at 411 Valencia Street. Based on the results of these investigations, no signatures suggestive of an UST were detected and marked. <sup>26</sup>Additionally, if any UST were discovered during project construction, the discovery of an unknown UST is regulated by the San Francisco Health Code (Article 21, Division III, Underground Storage Tank Permits), which would require a permit and inspection for removal of an UST if found at the project site, under the direction of the San Francisco Department of Public Health.<sup>27</sup>

The Phase II ESA conducted for the project site determined that the subject property had not been impacted by the release of hazardous materials or petroleum products from the historical onsite auto repair operations. The Phase II did detect TPH –mo, which indicates that groundwater is impacted; however, THH-mo was not detected in the soils. The concentrations of THP\_mo, TPH-d, ethylbenzene, and xylenes were relatively low and not uncommon in areas of San Francisco. Due to the low concentrations of detected in the groundwater, and lack of significant source in the soil, it is indicative that there was not a major release at the project site.<sup>28</sup> Therefore, based on the lack of contaminants, no further investigation of potential hazardous materials was recommended for the project site.

The Eastern Neighborhoods identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials* would reduce effects to a less-than-significant level. The proposed project would demolish a 1,550 square-foot vacant auto repair building. Therefore, the following mitigation measure shall be undertaken to avoid any significant adverse effect from hazardous building materials.

The City shall condition future development approvals to require that any equipment containing PCB's 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 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.

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<sup>26</sup> Ibid, *Geophysical Survey Findings*

<sup>27</sup> Stephanie Cushing, Department of Public Health, Email, 411 Valencia Street, March 31<sup>st</sup>, 2009. This document is on file and is available for review as part of Case File No. 2009.0180E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>28</sup> Ibid, *Phase II Subsurface Investigation*

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>17. MINERAL AND ENERGY RESOURCES— Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The energy demand for the proposed project would be typical for such projects and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. Therefore, the proposed project would not result in any impacts to energy resources.

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
<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 checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the site as *Urban and Built-Up Land*, which is defined as “... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.” Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson contract, nor would it involve any changes to the environment that could result in the conversion of farmland. Therefore, the proposed project would have no impacts to agricultural resources nor result in any peculiar agriculture impacts .

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would replace a vacant 1,550 square-foot auto repair building with a new mixed-use building. The new building would include 16 dwelling units, approximately 1,370 square feet of ground-floor commercial space, eight off-street parking spaces, and 14 bicycle parking spaces. The building would be 55 feet in height. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods Final EIR.

#### D. DETERMINATION

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

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

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 Bill Wycko  
 Environmental Review Officer  
 for  
 John Rahaim, Planning Director

DATE \_\_\_\_\_