SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
EXEMPTION FROM ENVIRONMENTAL REVIEW

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Case No.:	**2010.0787E**
Project Title:	**1875 Mission Street**
Zoning:	Mission Street Neighborhood Commercial Transit 40-X/65-X Height and Bulk District
Block/Lot:	3548/032
Lot Size:	8,400 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods
Project Sponsor:	David Silverman, Reuben and Junius, (415) 567-9000
Staff Contact:	Don Lewis – (415) 575-9095, don.lewis@sfgov.org

PROJECT DESCRIPTION:

The project site is located on the east side of Mission Street between 14th and 15th Streets in the Mission neighborhood. The project sponsor proposes the renovation of the existing 40-foot-tall, four-story, 43,695-square-foot, vacant industrial building with 23 off-street parking spaces. The existing structure was constructed in 1925. The project would also involve a change of use to the existing building. The 1st floor would be converted from industrial to commercial/residential while the 2nd floor, 3rd floor, and 4th floor would be converted from industrial to residential. The project involves no expansion of the existing building envelope. The finished building would contain 38 residential units (23 one-bedroom, 15 two-bedroom) with approximately 2,523 square feet of ground-floor retail. The 23 existing off-street parking spaces would remain at the ground-floor and no new spaces are proposed. A variance would be required for dwelling unit exposure.

EXEMPT STATUS:

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

REMARKS:

(See next page.)

DETERMINATION:

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

BILL WYCKO
Environmental Review Officer

October 14, 2010
Date

cc: David Silverman, Project Contact
Diego Sanchez, Neighborhood Planning Division
Virna Byrd, M.D.F.
Supervisor David Campos, District 9
Exemption/Exclusion File

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 1875 Mission 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 1875 Mission Street as necessary to determine if there would be significant impacts attributable to the proposed project. These studies examined that project's potential environmental effects associated with air quality and shadow.

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 1875 Mission 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 Area Plans were adopted, including a plan for the Mission in which the project site was located, in December 2008. The Eastern Neighborhoods Area Plans were 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 Plans also included changes to existing height and bulk districts in some areas, including the project site at 1875 Mission 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 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[1]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments.

The 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.

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 Mission Street Neighborhood Commercial Transit District (Mission Street NCT). This district is extremely well-served by transit, including regional-serving BART stations at 16th Street and 24th Street, major buses running along Mission Street, and both cross-town and local-serving buses intersecting Mission Street along the length of this district. Given the area's central location and accessibility to the City's transit network, accessory parking for residential uses is not required. New neighborhood-serving commercial development is encouraged mainly at the ground story. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts. Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot but by requirements to supply a high percentage of larger units and by physical envelope controls.

The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in this determination on page 4, under Land Use. The 1875 Mission 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 65 feet in height and containing both residential and commercial uses.

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[1] 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

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 1875 Mission 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 1875 Mission Street project, and identified the mitigation measures applicable to the 1875 Mission Street project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 1875 Mission 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 1875 Mission 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 1875 Mission 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. Topics for which the Final EIR identified a significant program-level impact are addressed in this Certification of Determination while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.[2] The following discussion demonstrates that the 1875 Mission 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, archeological resources, historic architectural resources, transportation, noise, air quality, greenhouse gases, and hazardous materials.

Land Use

The Eastern Neighborhoods Rezoning and Area Plans re-zoned land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern 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. The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods formerly zoned for industrial, warehousing, and commercial service use.

The Eastern Neighborhoods Final EIR evaluated three land use options "alternatives" and under each of these options the subject property was designated Mission Street Neighborhood Commercial Transit to encourage neighborhood-serving ground-floor commercial spaces, high-density housing, and transit use, and not permitting most PDR uses.

[2] San Francisco Planning Department, Community Plan Exemption Checklist, 1875 Mission Street, October 14, 2010. This document is on file and is available for review as part of Case File No. 2010.0787E at 1650 Mission Street, Suite 400, San Francisco, CA.

The proposed project would renovate the existing industrial building and would involve a change of use from industrial to residential with ground-floor commercial. The finished building would consist of 38 residential units with approximately 2,523 square feet of ground-floor retail. All of the existing 23 off-street parking spaces at the ground-floor would be retained. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted with the Mission NCT zoning controls of the site analyzed in the Eastern Neighborhoods Final EIR. Further, the project would not substantially impact upon the existing character of the vicinity and would not physically divide an established community.

The Eastern Neighborhoods Final EIR 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. Since the Mission Street NCT does not permit most industrial uses at the project site, and therefore the project site would not be an opportunity for PDR use, the proposed change of use from industrial to residential with ground-floor commercial would not contribute considerably to the impact resulting from the loss of PDR buildings and land.

In addition, Citywide Planning and Neighborhood Planning have determined that the proposed project is consistent with the Mission Area Plan and satisfies the requirements of the General Plan and the Planning Code. Therefore, the project is eligible for a Community Plan exemption. [3,4]

Archeological Resources

The Eastern Neighborhoods Final EIR identified a significant impact related to archeological resources and determined that *Mitigation Measures J-1: Properties with Previous Studies*, *J-2: Properties With No Previous Studies*, and *J-3: Mission Dolores Archeological District* would reduce effects to a less-than-significant level. Since the project site is located outside Archeological Mitigation Zone A and B, and since no previous studies have been conducted on the project site, *Mitigation Measure J-2* applies to the proposed project. Pursuant to Mitigation Measure J-2, a Preliminary Archeological Sensitivity Study memorandum was prepared for the proposed project.[5] The memorandum states that with implementation of the Department's measures for accidental discovery, there is low potential to adversely affect archeological

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[3] David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 1875 Mission Street. This document is on file and available for review as part of Case File No. 2008.1395E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

[4] Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 1875 Mission Street. This document is on file and available for review as part of Case File No. 2008.1395E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

[5] Randall Dean, MEA archeologist, memorandum to Don Lewis, MEA planner, September 13, 2010. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0787E.

resources. In the event such resources are encountered during ground-disturbing activities, implementation of *Mitigation Measure J-2* would reduce potential effects to a less-than-significant level. Therefore, Eastern Neighborhoods *Mitigation Measure J-2* (see Project Mitigation Measure 1 on page 21 of this Certificate of Determination) shall be undertaken to reduce the potential significant impact to a less than significant level from soils-disturbing activities on buried archeological resources.

Historic Architectural Resources

The Planning Department determined in 2003 that the 1875 Mission Street building appears ineligible for individual listing in either the National Register, the California Register, or local listing as it lacks the historical or architectural significance for such listing identify source.[6] The project site is also located within the Mission Reconstruction Historic District and the Inner Mission Commercial Corridor Historic District. Since the proposed project involves interior alterations, which would not increase the envelope of the existing building, it is not anticipated that the project would result in any adverse effects on offsite historical 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. Since the project involves interior alterations, *Mitigation Measure K-1* does not apply.

Transportation

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.[7] The proposed project would generate about 743 person trips (inbound and outbound) on a weekday daily basis, consisting of 381 person trips by auto, 206 transit trips, 126 walk trips and 29 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 29 vehicle trips (accounting for vehicle occupancy data for this Census Tract). Thirteen of these p.m. peak hour vehicle trips are related to the proposed retail portion of the project. Due to the project's location near major transit routes, this is likely a conservative estimate of vehicle trips.

The estimated 29 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 the Mission Street/16th Street intersection currently operates at LOS C during the weekday p.m. peak hour; the Valencia Street/15th Street intersection operates at LOS B during the weekday p.m. peak hour; and the Mission Street/Otis Street/13th Street at

[6] San Francisco Planning Department, DPR 523A for 1875 Mission Street, September 10, 2003. This document is available for review as part of Case File No. 2010.0787E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

[7] Don Lewis, San Francisco Planning Department, *Transportation Calculations*, September 8, 2010. These calculations are available for review as part of Case File No. 2010.0787E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

LOS E during the weekday p.m. peak hour.[8] Given that the proposed project would add approximately 29 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 Mission Street/16th Street intersection (one block away) is anticipated to change from LOS C to LOS D under 2025 weekday p.m. peak hour conditions under all Plan options; the Valencia Street/15th Street intersection (two blocks away) is anticipated to change from LOS B to LOS C under all Plan options; and the Mission Street/Otis Street/13th Street intersection (three blocks away) would remain at LOS E under all Plan options.

The nearest Mission Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at South Van Ness Avenue/Howard Street/13th Street (four blocks to the northeast of the project site) which operated at LOS E under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under Plan Options B and C. The other nearby Mission Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at Folsom Street/13th Street (5 blocks to the northeast of the project site) which operated at LOS C under existing (baseline) conditions and would deteriorate to LOS E under 2025 weekday p.m. peak hour operating conditions under Plan Option B. It is likely these conditions would occur with or without the project, and the proposed project's contribution of 29 p.m. peak hour vehicle trips distributed among local intersections would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods Final EIR, specific mitigation measures were not proposed for either the South Van Ness Avenue/Howard Street/13th Street intersection or the Folsom Street/13th Street intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have any significant cumulative traffic impacts.

Transit

As indicated above, the proposed project is estimated to add 206 daily transit person trips, of which 32 are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines 14, 14L, 22, 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.

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[8] San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

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 32 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. This contribution would be within the additional ridership assumed in the EIR and would not be a significant impact peculiar to the project.

Parking

The project site is currently a vacant industrial building with 23 off-street parking spaces. Pursuant to Section 150 of the Planning Code, the project sponsor has elected to retain the existing 23 off-street parking spaces. Based on the methodology presented in the 2002 *Transportation Guidelines,* on an average weekday, the demand for parking would be 65 spaces. Thus, the project would have an unmet parking demand of 42 spaces.

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, 22, 33, and 49) and bike lanes (30, 40, and 45), 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 existing parking garage would remain on Minna Street. Pedestrian access and commercial retailing would be on Mission Street. Mission Street is a four-lane, two-way major arterial street with parallel parking on both sides while Minna Street is a one-lane, one-way, southbound street with parallel parking on the east side. Emergency access to the project site would not be changed by the proposed project. There is a bus stop 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 Street and 16th Street. It is anticipated that garbage pickup would be on Minna Street.

Loading

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.14 truck-trips per hour. *Planning Code* Section 152.1 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 40,895 square feet of residential use and 2,523 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 Mission Street or Minna Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on either Mission Street or Minna Street.

Pedestrian and Bicycle Conditions

The proposed project would generate approximately 14 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 are no existing or proposed bike lanes on or adjacent to the project site, and no new curb cuts are proposed. In the vicinity of the project site, there are three major Citywide Bicycle Routes. Valencia Street comprises a portion of bicycle route #45, 17th Street a portion of route #40, and 14th Street a portion of route #30. 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 38 dwelling units and thus would be required to provide 19 bicycle parking spaces which would be provided inside the existing parking garage. In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

Noise

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[9] should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. In areas where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Mission Street are above 70 dBA. 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 a day-night average of 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 1875 Mission Street project, a multi-unit residential

[9] 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.

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 22 of this Certificate of Determination) applies to the proposed project. Pursuant to this measure, Illingworth and Rodkin were hired by the project sponsor to conduct a noise study that included a 24-hour noise measurement and site survey of noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site.[10]

The 24-hour noise measurement recorded a day-night noise average of 74 dBA (Ldn). Preliminary calculations suggest that the residential units nearest Mission Street would require sound rated windows ranging from Sound Transmission Class rating of 31 - 33 (74 – 31 = 43) to ensure that the interior average noise level of 45 dBA (Ldn) is met. Since interior noise levels would vary depending on the design of the building (relative window area to wall area) and construction material and methods, an acoustical analysis is required to be prepared during detailed design of the project and submitted to the Department of Building Inspection (DBI) prior to the issuance of a building permit. This analysis should describe the necessary noise insulation features that have been included in the design of the project to maintain interior noise levels at acceptable levels.

According to Illingworth and Rodkin's site survey, the only significant noise-generating uses within 900 feet of the site with a direct line-of-sight to the project site is an auto brake shop at 1900 Mission Street. The auto brake shop is located approximately 210 feet from the project site, across Mission Street and 15th Street. The brake shop conducts business during the day with a garage open, but all noise generating activities are performed within the interior of the garage. The auto body shop is not anticipated to increase day/night noise levels at the proposed residential receivers. No other noise-generating uses were identified within 900 feet of the site with a direct line-of-sight to the project site.

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 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)

[10] Illingworth and Rodkin, Inc., Noise Study for 1875 Mission Street, September 23, 2010. This document is on file and is available for review as part of Case File No. 2010.0787E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

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

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 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.

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[11] concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m3).[12] The project site is not located within the Potential Roadway Exposure Zone, and therefore, *Mitigation Measure G-2* does not apply to the proposed project.

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. As stated in the Eastern Neighborhoods Final EIR, to minimize potential exposure of sensitive receptors to DPM, for new development including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, the Planning Department shall require that such uses be located no less than 1,000 feet from residential units and other sensitive receptors. 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 1875 Market Street 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 1875 Mission Street project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

Greenhouse Gas Emissions

Greenhouse Gases. Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO2E).[13]

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[11] 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".

[12] See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

[13] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[14]

The California Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO2E (MMTCO2E), or about 535 million U.S. tons.[15] The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.[16] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36 percent of the Bay Area's 95.8 MMTCO2E emitted in 2007.[17] Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions followed by residential fuel usage at 7 percent, off-road equipment at 3 percent and agriculture at 1 percent.[18]

Senate Bill 97 (SB 97) requires the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. The Natural Resources Agency adopted OPR's CEQA guidelines on December 30, 2009, amending various sections of the guidelines to provide guidance for analyzing GHG emissions. Specifically, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs. OPR's amendments to the CEQA Guidelines have been incorporated into this analysis accordingly.

Project Greenhouse Gas Emissions. The most common GHGs resulting from human activity are CO2, CH4, and N2O.[19] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes and are therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by emitting GHGs during their construction and operational phases. Both direct and

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[14] California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: http://www.climatechange.ca.gov/publications/faqs.html. Accessed March 2, 2010.

[15] California Air Resources Board, "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

[16] Ibid.

[17] Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

[18] Ibid.

[19] Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review.* June 19, 2008. Available at http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf. Accessed March 3, 2010.

indirect GHG emissions are generated by project operations. Operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity on the project site by replacing the existing vacant industrial use with residential and ground-floor commercial. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and building operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

San Francisco has been actively pursuing cleaner energy, alternative transportation, and solid waste policies, many of which have been codified into the regulations listed above. In an independent review of San Francisco's community-wide emissions it was reported that San Francisco has achieved a 5 percent reduction in community-wide GHG emissions below the Kyoto Protocol 1990 baseline levels. The 1997 Kyoto Protocol sets a greenhouse gas reduction target of 7 percent below 1990 levels by 2012. The "community-wide inventory" includes greenhouse gas emissions generated by San Francisco by residents, businesses, and commuters, as well as municipal operations. The inventory also includes emissions from both transportation and building energy sources.[20]

As infill development, the proposed project would be constructed in an urban area with good transit access, reducing regional vehicle trips and vehicle miles traveled. Given that San Francisco has implemented binding and enforceable programs to reduce GHG emissions applicable to the proposed project and that San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels, the proposed project's GHG emissions would result in a less than significant impact.

Consistency with Applicable Plans. Both the State and the City of San Francisco have adopted programs for reducing greenhouse gas emissions, as discussed below.

Assembly Bill 32. In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500 et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires the ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, the ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[21]

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[20] *City and County of San Francisco: Community GHG Inventory Review.* August 1, 2008. IFC International, 394 Pacific Avenue, 2nd Floor, San Francisco, CA 94111. Prepared for City and County of San Francisco, Department of the Environment.

[21] ARB, California's Climate Plan: Fact Sheet. Available online at: http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

The Scoping Plan estimates a reduction of 174 million metric tons of CO2E (MMTCO2E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors (see table below). The ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[22] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

GHG Reductions from the AB 32 Scoping Plan

Reduction Measures	GHG Reductions (MMT CO2E)
Reduction Measures By Sector	
Transportation	62.3
Electricity and natural gas	49.7
Industry	1.4
Landfill methane control measure (discrete early action)	1
Forestry	5
High global warming potential GHGs	20.2
Additional reductions needed to achieve the GHG cap	34.4
Total	174
Other Recommended Measures	
Government operations	1-2
Agriculture - methane capture at large dairies	1
Methane capture at large dairies	1
Additional GHG Reduction Measures	
Water reduction measures	4.8
Green buildings measures	26
High recycling/zero waste measures: commercial recycling, composting, anaerobic digestion, extended producer responsibility, and environmentally preferable purchasing	9
Total	42.8-43.8

Source: ARB, California's Climate Plan: Fact Sheet, "Balanced and Comprehensive Mix of Measures."

AB 32 also anticipates that local government actions will result in reduced GHG emissions. The ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves, and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions. This is because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

[22] California Air Resources Board. AB 32 Scoping Plan. Available Online at: http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by the ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years, and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

City and County of San Francisco GHG Reduction Strategy. In addition to the State's GHG reduction strategy (AB 32), the City has developed its own strategy to address greenhouse gas emissions on a local level. The vision of the strategy is expressed in the City's Climate Action Plan, however implementation of the strategy is appropriately articulated within other citywide plans (General Plan, Sustainability Plan, etc.), policies (Transit-First Policy, Precautionary Principle Policy, etc.), and regulations (Green Building Ordinance, etc.). The following plans, policies, and regulations highlight some of the main components of San Francisco's GHG reduction strategy.

Overall GHG Reduction Sector

San Francisco Sustainability Plan. In July 1997 the Board of Supervisors approved the Sustainability Plan for the City of San Francisco establishing sustainable development as a fundamental goal of municipal public policy.

The Climate Action Plan for San Francisco. In February 2002, the San Francisco Board of Supervisors passed the Greenhouse Gas Emissions Reduction Resolution (Number 158-02) committing the City and County of San Francisco to a GHG emissions reduction goal of 20 percent below 1990 levels by the year 2012. In September 2004, the San Francisco Department of the Environment and the Public Utilities Commission published the Climate Action Plan for San Francisco: Local Actions to Reduce Greenhouse Emissions.[23] The Climate Action Plan provides the context of climate change in San Francisco and examines strategies to meet the 20 percent GHG reduction target. Although the Board of Supervisors has not formally committed the City to perform the actions addressed in the Plan, and many of the actions require further development and commitment of resources, the Plan serves as a blueprint for GHG emission reductions, and several actions have been implemented or are now in progress.

Greenhouse Gas Reduction Ordinance. In May 2008, the City of San Francisco adopted an ordinance amending the San Francisco Environment Code to establish City GHG emission targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings. The ordinance establishes the following GHG emission reduction limits for San Francisco and the target dates to achieve them:

Determine 1990 City GHG emissions by 2008, the baseline level with reference to which target reductions are set;

Reduce GHG emissions by 25 percent below 1990 levels by 2017;

Reduce GHG emissions by 45 percent below 1990 levels by 2025; and

Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The ordinance also specifies requirements for City departments to prepare departmental Climate Action Plans that assess, and report to the Department of the Environment, GHG emissions associated with their department's activities

23 San Francisco Department of the Environment and San Francisco Public Utilities Commission, Climate Action Plan for San Francisco, Local Actions to Reduce Greenhouse Emissions, September 2004.

and activities regulated by them, and prepare recommendations to reduce emissions. As part of this, the San Francisco Planning Department is required to: (1) update and amend the City's applicable General Plan elements to include the emissions reduction limits set forth in this ordinance and policies to achieve those targets; (2) consider a project's impact on the City's GHG reduction limits specified in this ordinance as part of its review under CEQA; and (3) work with other City departments to enhance the "transit first" policy to encourage a shift to sustainable modes of transportation thereby reducing emissions and helping to achieve the targets set forth by this ordinance.

Transportation Sector

Transit First Policy. In 1973 San Francisco instituted the Transit First Policy (Article 8A, Section 8A.115. of the City Charter) with the goal of reducing the City's reliance on freeways and meeting transportation needs by emphasizing mass transportation. The Transit First Policy gives priority to public transit investments; adopts street capacity and parking policies to discourage increased automobile traffic; and encourages the use of transit, bicycling and walking rather than use of single-occupant vehicles.

San Francisco Municipal Transportation Agency's Zero Emissions 2020 Plan. The SFMTA's Zero Emissions 2020 plan focuses on the purchase of cleaner transit buses including hybrid diesel-electric buses. Under this plan hybrid buses will replace the oldest diesel buses, some dating back to 1988. The hybrid buses emit 95 percent less particulate matter (PM, or soot) than the buses they replace, they produce 45 percent less oxides of nitrogen (NOx), and they reduce GHGs by 30 percent.

San Francisco Municipal Transportation Agency's Climate Action Plan. In November 2007 voters passed Proposition A, requiring the SFMTA to develop a plan to reach a 20 percent GHG reduction below 1990 levels by 2012 for the City's entire transportation sector, not merely in the SFMTA's internal operations. SFMTA has prepared a Draft Climate Action Plan outlining measures needed to achieve these targets.

Commuter Benefit Ordinance. The Commuter Benefit Ordinance (Environment Code, Section 421), effective January 19, 2009, requires all employers in San Francisco that have 20 or more employees to offer one of the following benefits: (1) A Pre-tax Transit Benefit, (2) Employer Paid Transit Benefits, or (3) Employer Provided Transit.

The City's Planning Code reflects the latest smart growth policies and includes: electric vehicle refueling stations in city parking garages, bicycle storage facilities for commercial and office buildings, and zoning that is supportive of high density mixed-use infill development. The City's more recent area plans, such as Rincon Hill and the Market and Octavia Area Plan, provide transit-oriented development policies. At the same time there is also a community-wide focus on ensuring San Francisco's neighborhoods as "livable" neighborhoods, including the Better Streets Plan that would improve San Francisco's streetscape, the Transit Effectiveness Plan, that aims to improve transit service, and the Bicycle Plan, all of which promote alternative transportation options.

Renewable Energy

The Electricity Resource Plan (Revised December 2002). San Francisco adopted the Electricity Resource Plan to help address growing environmental health concerns in San Francisco's southeast community, home of two power plants. The plan presents a framework for assuring a reliable, affordable, and renewable source of energy for the future of San Francisco.

Go Solar SF. On July 1, 2008, the San Francisco Public Utilities Commission (SFPUC) launched their "GoSolarSF" program to San Francisco's businesses and residents, offering incentives in the form of a rebate program that could pay for approximately half the cost of installation of a solar power system, and more to those qualifying as low-income residents. The San Francisco Planning Department and Department of Building Inspection have also developed a streamlining process for Solar Photovoltaic (PV) Permits and priority permitting mechanisms for projects pursuing LEED® Gold Certification.

Green Building

LEED® Silver for Municipal Buildings. In 2004, the City amended Chapter 7 of the Environment code, requiring all new

municipal construction and major renovation projects to achieve LEED® Silver Certification from the US Green Building Council.

City of San Francisco's Green Building Ordinance. On August 4, 2008, Mayor Gavin Newsom signed into law San Francisco's Green Building Ordinance for newly constructed residential and commercial buildings and renovations to existing buildings. The ordinance specifically requires newly constructed commercial buildings over 5,000 square feet (sq. ft.), residential buildings over 75 feet in height, and renovations on buildings over 25,000 sq. ft. to be subject to an unprecedented level of LEED® and green building certifications, which makes San Francisco the city with the most stringent green building requirements in the nation. Cumulative benefits of this ordinance includes reducing CO2 emissions by 60,000 tons, saving 220,000 megawatt hours of power, saving 100 million gallons of drinking water, reducing waste and stormwater by 90 million gallons of water, reducing construction and demolition waste by 700 million pounds, increasing the valuations of recycled materials by $200 million, reducing automobile trips by 545,000, and increasing green power generation by 37,000 megawatt hours.[24]

Waste Reduction

Zero Waste. In 2004, the City of San Francisco committed to a goal of diverting 75 percent of its' waste from landfills by 2010, with the ultimate goal of zero waste by 2020. San Francisco currently recovers 72 percent of discarded material.

Construction and Demolition Debris Recovery Ordinance. In 2006 the City of San Francisco adopted Ordinance No. 27-06, requiring all construction and demolition debris to be transported to a registered facility that can divert a minimum of 65 percent of the material from landfills. This ordinance applies to all construction, demolition, and remodeling projects within the City.

Universal Recycling and Composting Ordinance. Signed into law on June 23, 2009, this ordinance requires all residential and commercial building owners to sign up for recycling and composting services. Any property owner or manager who fails to maintain and pay for adequate trash, recycling, and composting service is subject to liens, fines, and other fees.

The City has also passed ordinances to reduce waste from retail and commercial operations. Ordinance 295-06, the Food Waste Reduction Ordinance, prohibits the use of polystyrene foam disposable food service ware and requires biodegradable/compostable or recyclable food service ware by restaurants, retail food vendors, City Departments, and City contractors. Ordinance 81-07, the Plastic Bag Reduction Ordinance, requires many stores located within the City and County of San Francisco to use compostable plastic, recyclable paper and/or reusable checkout bags.

AB 32 contains a comprehensive approach for developing regulations to reduce statewide GHG emissions. The ARB acknowledges that decisions on how land is used will have large effects on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas sectors. Many of the measures in the Scoping Plan—such as implementation of increased fuel efficiency for vehicles (the "Pavley" standards), increased efficiency in utility operations, and development of more renewable energy sources—require statewide action by government, industry, or both.

Some of the Scoping Plan measures are at least partially applicable to development projects, such as increasing energy efficiency in new construction, installation of solar panels on individual building roofs, and a "green building" strategy. As evidenced above, the City has already implemented several of these measures that require local government action, such as the Green Building Ordinance, a zero waste strategy, the Construction and Demolition Debris Recovery Ordinance, and a solar energy generation subsidy program, to realize meaningful reductions in GHG emissions. These programs (and others not

24 These findings are contained within the final Green Building Ordinance, signed by the Mayor August 4, 2008.

listed) collectively comprise San Francisco's GHG reduction strategy and continue San Francisco's efforts to reduce the City's greenhouse gas emissions to 20 percent below 1990 levels by the year 2012, a goal outlined in the City's 2004 Climate Action Plan. The City's GHG reduction strategy also furthers the State's efforts to reduce statewide GHG emissions as mandated by AB 32.

The proposed project would be required to comply with GHG reduction regulations as discussed above, as well as applicable AB 32 Scoping Plan measures that are ultimately adopted and become effective during implementation of proposed project. Given that the City has adopted numerous GHG reduction strategies recommended in the AB 32 Scoping Plan; that the City's GHG reduction strategy includes binding, enforceable measures to be applied to development projects, such as the proposed project; and that the City's GHG reduction strategy has produced measurable reductions in GHG emissions, the proposed project would not conflict with either the state or local GHG reduction strategies. In addition, the proposed project would not conflict with any plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Therefore, the proposed project would have a less-than-significant impact with respect to GHG emissions.

In summary, the project proposes to replace the existing vacant industrial use with residential and ground-floor commercial uses. The proposed project would contribute to the cumulative effects of climate change by emitting greenhouse gases (GHGs) during construction and operational phases. Construction of the proposed project is estimated at approximately 14 months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations. The project site is located within the Mission area plan analyzed under the Eastern Neighborhoods Rezoning EIR. The Eastern Neighborhoods Rezoning EIR assessed the GHG emissions that could result from rezoning of the Mission area plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide equivalents (CO_2E)[25] per service population[26], respectively.[27] The Eastern Neighborhoods EIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods EIR adequately addressed greenhouse gas emissions and the resulting emissions were determined to be less than significant. Therefore, the project would not result in any significant impacts related to GHG emissions.

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[25] Greenhouse gas emissions are typically measured in CO_2E, or carbon dioxide equivalents. This common metric allows for the inclusion of the global warming potential of other greenhouse gases. Land use project's, such as this, may also include emissions from methane (CH_4) and nitrous oxide (N_2O), therefore greenhouse gas emissions are typically reported at CO_2E.

[26] SP= Service Population. Service population is the equivalent of total number of residents + employees.

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

Hazardous Materials

JJ Blake Technical Services conducted a Phase I Environmental Site Assessment (ESA) at the project site.[28] This assessment was performed to provide a record of the conditions at the subject property and to evaluate what, if any, environmental issues exist at the site. The ESA assessed the potential for adverse environmental impacts from the current and historical practices on the site and the surrounding area.

The past use of the subject site consists of a junk sales company, furniture warehouse, and wine warehouse, and thus the past use of the subject site did not involve the apparent use, treatment, storage, disposal, or generation of hazardous substances or petroleum products. Past and current uses of the adjoining properties and the surrounding area consists of residential and commercial, and impacts to the subject site from the apparent past uses of the adjacent properties is considered unlikely. The Phase I ESA revealed no Underground Storage Tank (UST) at the subject site nor did the site contact have knowledge of a current or previous UST at the subject site. In addition, the site reconnaissance did not observe any visual markers that would indicate the past presence of a UST. The Phase I ESA revealed no evidence of recognized environmental condition(s) in connection with the subject 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. Since the project would renovate the existing building at 1875 Mission Street, *Mitigation Measure L-1* applies to the project (see Project Mitigation Measure 3 on page 23 of this Certificate of Determination).

Mitigation Measures

The project sponsor has agreed to implement the following mitigation measures identified in the Eastern Neighborhoods Final EIR.

Project Mitigation Measure 1 – Archeological Resources (J-2: Properties With No Previous Studies in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

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[28] JJ Blake Technical Services, *"Phase I Environmental Site Assessment, Mission Street Building, 1867-1875 Mission Street/1380 Minna Street, San Francisco, California,"* January 21, 2000. This document is available for review at 1650 Mission Street, Suite 400 in Case File No. 2010.0787E.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

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 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall 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.

Illingworth and Rodkin's 24-hour noise measurement recorded a day-night noise average of 74 dBA (Ldn). Preliminary calculations suggest that the residential units nearest Mission Street would require sound rated windows ranging from Sound Transmission Class rating of 31 - 33 (74 – 31 = 43) to ensure that the interior average noise level of 45 dBA (Ldn) is met. Since interior noise levels would vary depending on the design of the building (relative window area to wall area) and construction material and methods, an acoustical analysis is required to be prepared during detailed design of the project and submitted to the Department of Building Inspection (DBI) prior to the issuance of a building permit. This analysis should describe the necessary noise insulation features that have been included in the design of the project to maintain interior noise levels at acceptable levels.

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

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

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on September 21, 2010 to owners of properties within 300 feet of the project site and adjacent occupants. No comments were received.

Conclusion

The Eastern Neighborhoods Final EIR incorporated and adequately addressed all potential impacts of the proposed 1875 Mission Street project. As described above, the 1875 Mission 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 1875 Mission 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

Date:	October 6, 2010
Case No.:	**2010.0787E**
Project Title:	**1875 Mission Street**
Zoning:	Mission Street Neighborhood Commercial Transit 40-X/65-X Height and Bulk District
Block/Lot:	3548/032
Lot Size:	8,400 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods
Project Sponsor:	David Silverman, Reuben and Junius, (415) 567-9000
Staff Contact:	Don Lewis – (415) 575-9095, don.lewis@sfgov.org

A. PROJECT DESCRIPTION

The project site is located on the east side of Mission Street between 14th and 15th Streets in the Mission neighborhood. The project sponsor proposes the renovation of the existing 40-foot-tall, four-story, 43,695-square-foot, vacant industrial building with 23 off-street parking spaces. The existing structure was constructed in 1925. The project would also involve a change of use to the existing building. The 1st floor would be converted from industrial to commercial/residential while the 2nd floor, 3rd floor, and 4th floor would be converted from industrial to residential. The finished building would be a 40-foot-tall, four-story, 43,695-square-foot, mixed-use building consisting of 38 residential units (23 one-bedroom, 15 two-bedroom) with approximately 2,523 square feet of ground-floor retail. The 23 existing off-street parking spaces would remain at the ground-floor and no new spaces are proposed. A variance would be required for dwelling unit exposure.

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.

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area (i.e., the Eastern Neighborhoods Rezoning and Area Plans Final EIR).[1] 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.

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

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.

Topics for which the PEIR identified a significant program-level impact are addressed in the CPE Certification of Determination. Project impacts for all other topics are discussed in the CPE Checklist.

Topics:	*Sig. Impact Identified in PEIR*	*Project Contributes to Sig. Impact Identified in PEIR*	*Project Has Sig. Peculiar Impact*	*Addressed Below*
1. LAND USE AND LAND USE PLANNING—Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Have a substantial impact upon the existing character of the vicinity?	☒	☐	☐	☒

Please see Certificate of Determination for discussion of this topic.

Topics:	*Sig. Impact Identified in PEIR*	*Project Contributes to Sig. Impact Identified in PEIR*	*Project Has Sig. Peculiar Impact*	*Addressed Below*
2. AESTHETICS—Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
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?	☐	☐	☐	☐

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
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?	☐	☐	☐	☐

The Eastern Neighborhoods Final EIR evaluated three land use options "alternatives" and under each of these options, it was not anticipated that the proposed project 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 Eastern Neighborhoods Final EIR 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 Final EIR concluded that light and glare impacts would be less than significant.

The project sponsor proposes the interior renovation of the existing 40-foot-tall, four-story, industrial building and the change of use from industrial to residential with ground-floor retail. The proposed project would not change the envelope of the existing building, and the finished building would remain 40 feet tall with four stories. Therefore, the proposed project would not change the visual appearance of the site, and it would not substantially degrade its visual character or quality.

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

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 project would increase the population on site by constructing 38 new dwelling units. 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 (2,523 gsf). Additionally, the proposed project would not displace substantial numbers of people because the project site is currently a vacant building. As such, construction of replacement housing would not be necessary.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☒	☒	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☒	☐	☒

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Please see Certificate of Determination for discussion of this topic.

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
5.	**TRANSPORTATION AND CIRCULATION— Would the project:**				
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)?	☒	☐	☐	☒
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)?	☒	☐	☐	☒
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?	☐	☐	☐	☐
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☐
e)	Result in inadequate emergency access?	☐	☐	☐	☒
f)	Result in inadequate parking capacity that could not be accommodated by alternative solutions?	☐	☐	☐	☒
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?	☒	☐	☐	☒

Please see Certificate of Determination for discussion of this topic.

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
6.	**NOISE—Would the project:**				
a)	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☒	☐	☒
b)	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☒
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☒
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☒
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
g)	Be substantially affected by existing noise levels?	☒	☒	☐	☒

Please see Certificate of Determination for discussion of this topic.

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
7.	**AIR QUALITY** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☒
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)?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
d) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐

Please see Certificate of Determination for discussion of this topic.

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

Please see Certificate of Determination for discussion of this topic.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
9. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒

Wind

The project proposes interior alterations that would not alter the envelope of the existing building, and therefore 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. The project proposes interior alterations that would not alter the envelope of the existing building. Therefore, the proposed project does not have the potential to cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission. In addition, the proposed project does not have the potential to cast new shadow on private residences or property.

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.

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

The proposed project would provide roof-top common outdoor open space for passive recreational use for project residents. The project location is served by the following existing parks: Franklin Square and the Mission Dolores Park. With the projected addition of 38 dwelling units, the proposed project would be expected to generate minimal additional demand for recreational 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. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities.

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
11.	**UTILITIES AND SERVICE SYSTEMS—Would the project:**				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. The proposed project would have sufficient water supply available from existing entitlement, and 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. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

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

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
13. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
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?	☐	☐	☐	☐

The project site is entirely covered by the existing building that is located in a developed urban area which does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. Accordingly, the proposed project would result in no impact on sensitive species, special status species, native or migratory fish species, or wildlife species. 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.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
14. GEOLOGY AND SOILS— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐
iv) Landslides?	☐	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
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?	☐	☐	☐	☐
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☐

The project as proposed would not require ground disturbance or foundation work. Final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the 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 building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. At that time, DBI may require a geotechnical investigation 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 DBI's 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.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
15. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐
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)?	☐	☐	☐	☐

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
f)	Otherwise substantially degrade water quality?	☐	☐	☐	☐
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?	☐	☐	☐	☐
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐
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?	☐	☐	☐	☐
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐

The project site is completely covered by an existing building and would remain completely covered by the existing 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.

Topics:		Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
16.	**HAZARDS AND HAZARDOUS MATERIALS Would the project:**				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
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?	☒	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☐

Please see Certificate of Determination for discussion of this topic.

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

The proposed project would not result in a significant physical environmental effect with respect to mineral and energy resources.

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

The project site does not contain agricultural uses and is not zoned for such uses. Therefore, the proposed project would not result in any significant impacts related to agricultural resources.

Topics:	Sig. Impact Identified in PEIR	Project Contributes to Sig. Impact Identified in PEIR	Project Has Sig. Peculiar Impact	Addressed Below
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
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.)	☒	☐	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

The project sponsor proposes the renovation of the existing 40-foot-tall, four-story, 43,695-square-foot, vacant industrial building. The finished building would be a 40-foot-tall, four-story, 43,695-square-foot, mixed-use building consisting of 38 residential units with approximately 2,523 square feet of ground-floor retail. The 23 existing off-street parking spaces would remain and no new spaces are proposed. The project would provide approximately 4,043 square feet of common roof-top outdoor space. As discussed in this document and in the Certificate of Determination, 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.

C. DETERMINATION

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

☒ The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**

☒ All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.

DATE October 14, 2010

Bill Wycko
Environmental Review Officer
for
John Rahaim, Planning Director