SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
EXEMPTION FROM ENVIRONMENTAL REVIEW

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Case No.:	**2012.0793E**
Project Title:	**346 Potrero Avenue**
Zoning:	UMU (Urban Mixed Use) District 85-X Height and Bulk District
Block/Lot:	3962/008
Lot Size:	11,250 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods Area Plan
Staff Contact:	Kei Zushi – (415) 575-9036 kei.zushi@sfgov.org

PROJECT DESCRIPTION:

The proposed project would demolish an existing 10-foot-tall, one-story, 1,500-square-foot (sf) car wash facility, and construct an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level), nine-story-over-basement, 84,300-sf mixed-use building. The proposed building would provide: 1) 72 dwelling units including one studio unit, 41 one-bedroom units, 28 two-bedroom units, and two three-bedroom units; 2) 1,900 sf of retail space on the ground floor level; 3) 860 sf of future retail space at the second floor mezzanine level; 4) 45 off-street parking spaces (43 in mechanical parking lifts and two handicap accessible surface spaces) on the ground floor and basement levels; and 5) 74 Class I bicycle parking spaces on the basement level and 8 Class II bicycle parking spaces along the project frontage.

EXEMPT STATUS:

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

REMARKS:

See next page.

DETERMINATION:

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

SARAH B. JONES
Environmental Review Officer

February 3, 2014
Date

cc: Christopher Davenport, Project Contact
Diego Sanchez, Current Planning Division
Virna Byrd, M.D.F.
Supervisor Malia Cohen, District 10
Exemption/Exclusion File

PROJECT DESCRIPTION (CONTINUED):

The project would include approximately 2,000 sf of common open space at the second floor level, 3,000 sf of common open space at the ninth floor level, and private decks for 10 dwelling units totaling 800 sf in area. Access to the parking garage on the ground floor level would be from Potrero Avenue. An existing billboard located on the southeastern corner of the project site would be removed as part of the proposed project.

The Planning Department's records indicate that the existing building on the project site was built in 1968. The project site was not evaluated as part of the Showplace Square / Northeast Mission Survey because the existing building is less than 50 years of age.[1] Based on this, the Planning Department's Environmental Planning Division has determined that the existing structure on the project site is not considered to be an historical resource under the California Environmental Quality Act (CEQA).

APPROVAL ACTION:

The Approval of Large Parcel Authorization (LPA) by the San Francisco Planning Commission is the Approval Action for the whole of the proposed project. The proposed project also requires the following approvals:

1. Planning Code Section 295 approval from the San Francisco Planning Commission concerning the potential shadow on Franklin Square that would be cast by the proposed building;

2. Approval for a Site Mitigation Plan (SMP) from the San Francisco Department of Public Health (DPH) prior to commencement of any excavation work;

3. Site Permit from the San Francisco Department of Building Inspection (DBI);

4. Building Permit from DBI concerning the demolition of the existing building on the project site; and

5. Building Permit from DBI concerning the construction of the proposed mixed-use building.

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[1] San Francisco Planning Department. Showplace Square / Northeast Mission Survey. Available online at: http://www.sf-planning.org/index.aspx?page=2666. Accessed May 21, 2013.

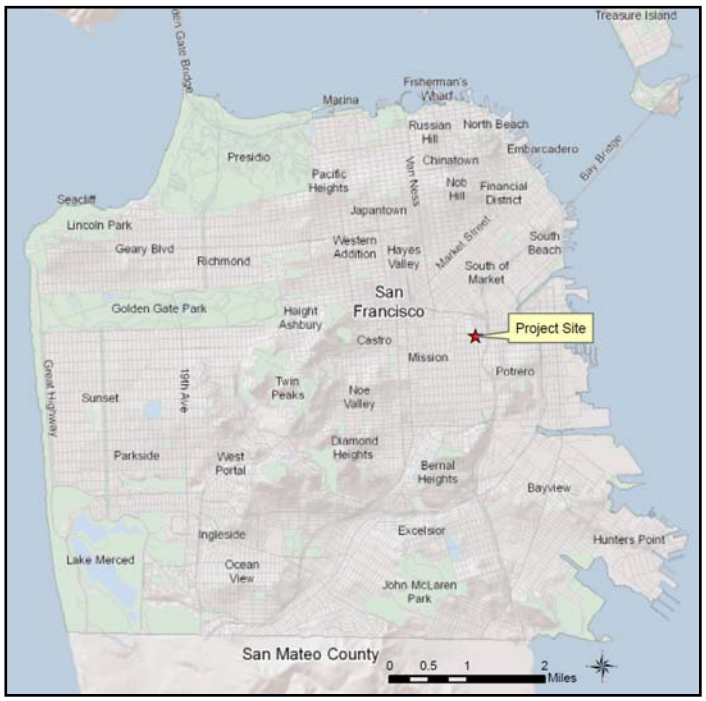

Figure 1. Location Map

Source: San Francisco Planning Department

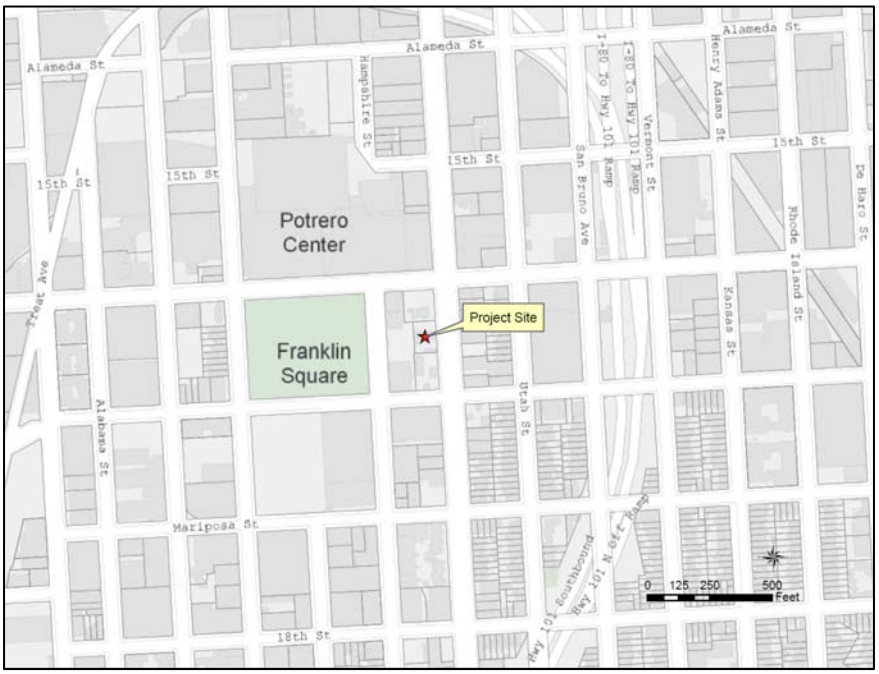

Figure 2. Vicinity Map

Source: San Francisco Planning Department

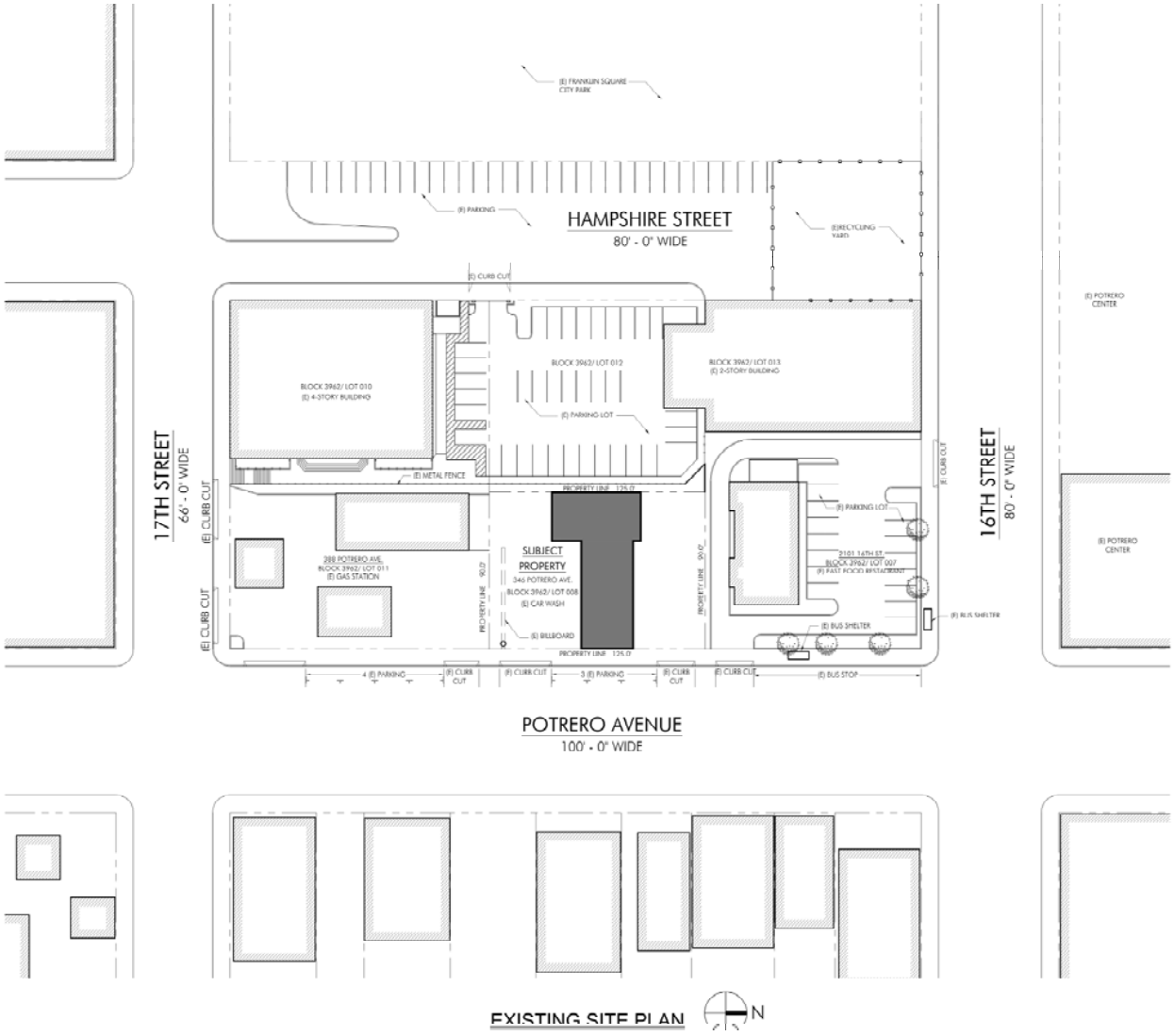

Figure 3. Existing Site Plan

Source: Forum Design Architects

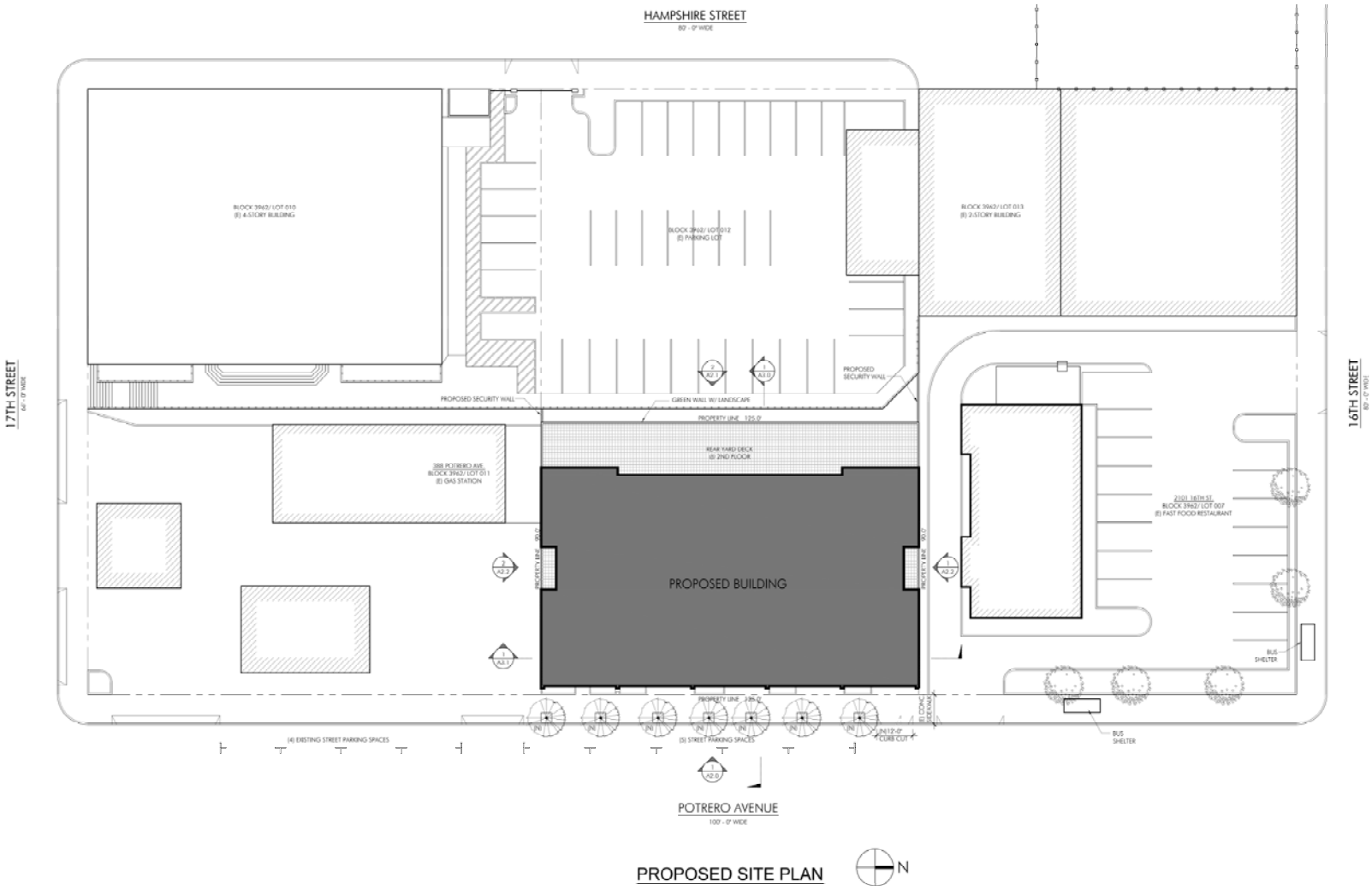

Figure 4. Proposed Site Plan
Source: Forum Design Architects

Figure 5. Proposed Elevation (East Facing, Potrero Avenue Side)
Source: Forum Design Architects

Figure 6. Proposed Elevation (West Facing, Hampshire Street Side)

Source: Forum Design Architects

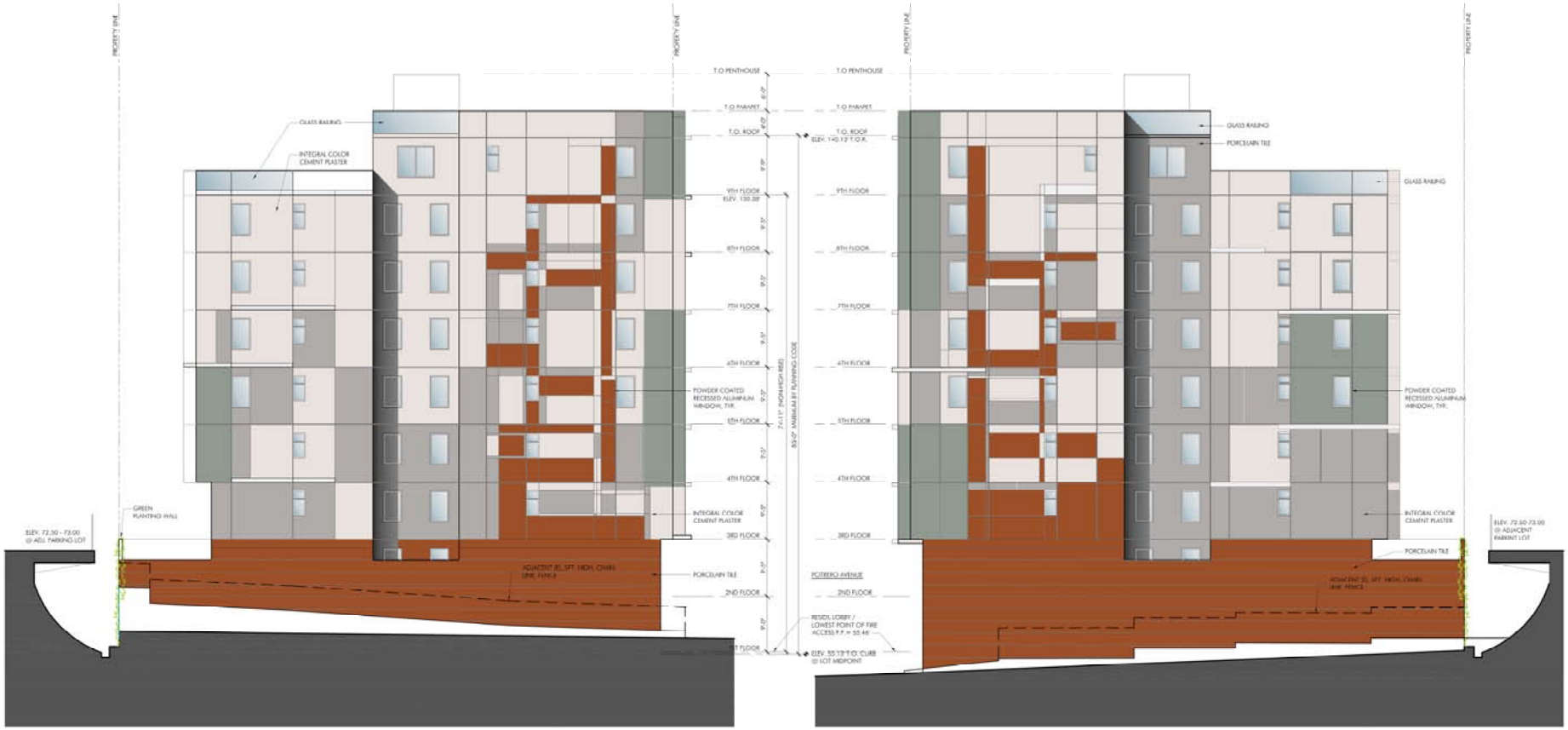

Figure 7. Proposed Elevations (Left, South Facing and Right, North Facing)

Source: Forum Design Architects

PROJECT SETTING:

The project site is located on the west side of Potrero Avenue between 16th Street to the north and 17th Street to the south in the Mission District, within the northeastern portion of the Mission Area Plan, which is one of the area plans adopted through the Eastern Neighborhoods Rezoning and Area Planning effort.

The block on which the project site is located includes predominantly commercial uses including a fast food restaurant (Assessor's Block 3962, Lot 007) to the north of the project site, a gasoline service station (Assessor's Block 3962, Lot 011) to the south, a two-story religious facility (Assessor's Block 3962, Lot 013) to the northwest, a parking lot to the west (Assessor's Block 3962, Lots 012 and 014), and a four-story religious facility (Assessor's Block 3962, Lot 010) to the southwest. The immediately surrounding neighborhood is characterized by dense mixed-use development. The block on the north side of 16th Street directly across from the project block includes a shopping center. The blocks on the east side of Potrero Avenue directly across from the project block, to the northeast from the project site, and to the southeast from the project block primarily include one-to-three-story buildings providing commercial and residential (mostly one-, two- and, three-unit dwelling units) uses. The block on the south side of 17th Street directly across from the project block includes a variety of commercial uses. The block to the southwest from the project block contains a MUNI's storage facility.

The project site is located approximately 190 feet to the east of Franklin Square, which is under jurisdiction of the San Francisco Recreation and Park Department (SFRPD).

REMARKS:

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

This determination evaluates the potential project-specific significant environmental effects peculiar to the 346 Potrero Avenue project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR ("Eastern Neighborhoods FEIR") (Case No. 2004.0160E; State Clearinghouse No. 2005032048).

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater

severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods FEIR that would be applicable to the proposed project at 346 Potrero Avenue. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods Rezoning and Area Plans is included below, as well as an evaluation of potential environmental effects.

Background

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods FEIR was adopted in December 2008. The Eastern Neighborhoods FEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods FEIR also included changes to existing height and bulk districts in some areas, including the project site at 346 Potrero Avenue.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods FEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[2,3]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

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

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods FEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing

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

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

its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in this determination on page 5, under Land Use. The 346 Potrero Avenue site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential/commercial mixed-use project at 346 Potrero Avenue is consistent with and was encompassed within the analysis in the Eastern Neighborhoods FEIR. This determination also finds that the Eastern Neighborhoods FEIR adequately anticipated and described the impacts of the proposed 346 Potrero Avenue project, and identified the mitigation measures applicable to the 346 Potrero Avenue project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 346 Potrero Avenue project is required. In sum, the Eastern Neighborhoods FEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

Potential Environmental Effects

The Eastern Neighborhoods FEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed 346 Potrero Avenue project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods FEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 346 Potrero Avenue project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods FEIR. Topics for which the FEIR identified a significant program-level impact are addressed in this Certification of Determination while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.[4] The following discussion demonstrates that the 346 Potrero Avenue Street project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods FEIR, including project-specific impacts related to land use, archeological resources, historic architectural resources, transportation, noise, air quality, and shadow. The

[4] San Francisco Planning Department. *Community Plan Exemption Checklist, 346 Potrero Avenue*, January 31, 2014. This document is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

FEIR did not include a discussion of greenhouse gas emissions, mineral and energy resources or agricultural and forest resources, so these topics are also considered in the Community Plan Exemption Checklist.[5]

Land Use

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

The Eastern Neighborhoods FEIR notes that three land use options were evaluated and under each of these options the zoning designation of the subject property was proposed to be rezoned to a MUR (Mixed-Use Residential) Use District. Following publication of the Draft EIR, continued refinements to the proposed zoning and height maps occurred in early 2008. During the refinement process, the subject property was proposed to be rezoned to a UMU District.[6,7]

The proposed project would replace an existing car wash facility with an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level) residential/commercial mixed-use building. The proposed building is consistent with the height and bulk controls for the project site and the proposed residential use is permitted within the UMU zoning controls. Further, the project is proposed on an in-fill site, and would not substantially affect the existing character of the vicinity, nor physically divide an established community.

The Eastern Neighborhoods FEIR identified an unavoidable significant land use impact due to the cumulative loss of PDR. The proposed project would contribute to this impact because the project would preclude an opportunity for PDR; however, the incremental loss in PDR opportunity is not considerable due to the size of the project site. As a result, the project would not result in a significant effect with regard to land use, either individually or cumulatively. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to land use, either individually or cumulatively.

In addition, the Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is consistent with the density established through the Eastern

[5] Ibid.

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

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

Neighborhoods Plans and zoning for the project site and satisfies the requirements of the General Plan.[8,9] Therefore, the project is eligible for a Community Plan Exemption.

Archeological Resources

Potential archeological impacts were identified in the Eastern Neighborhoods Rezoning and Area Plans FEIR. The Planning Department's archeologist has determined that the proposed project would have no effect on the archeological resources.[10] Based on this, the project would not result in a significant effect with regard to archeological resources, either individually or cumulatively, and the project is not subject to the archeological mitigation measures in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to archeological resources, either individually or cumulatively.

Historic Architectural Resources

The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition or significant alteration of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Eastern Neighborhoods FEIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission). This mitigation measure is no longer applicable, because the Showplace Square / Northeast Mission Survey was completed and adopted by the Historic Preservation Commission on August 17, 2011.[11] *Mitigation Measures K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)* and *K-3*: *Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)* do not apply to the proposed project because the project site is not located within the South End or Dogpatch Historic Districts.

The Planning Department's records indicate that the existing building on the project site was built in 1968. The project site was not evaluated as part of the Showplace Square / Northeast Mission Survey because the existing building is less than 50 years of age.[12] Based on this, the Planning Department's Environmental

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[8] Adam Varat, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Citywide Planning, 346 Potrero Avenue*, May 31, 2013. This document is on file and available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[9] Jeff Joslin, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Current Planning, 346 Potrero Avenue*, May 22, 2013. This document is on file and available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[10] Randall Dean, San Francisco Planning Department. *Archeological Review Log*.

[11] Moses Corrette, San Francisco Planning Department. *Email to Kei Zushi, San Francisco Planning Department, Showplace Square / Northeast Mission Survey*, May 21, 2013. This email is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

[12] San Francisco Planning Department. Showplace Square / Northeast Mission Survey. Available online at: http://www.sf-planning.org/index.aspx?page=2666. Accessed May 21, 2013.

Planning Division has determined that the existing structure on the project site is not considered to be an historical resource under the California Environmental Quality Act (CEQA). Furthermore, the project site is not located within an identified historic district, and the proposed project would not result in any adverse effects on off-site historical architectural resources. As such, no additional historic preservation review is required for the proposed project.[13] As a result, the proposed project would not result in significant effects with respect to historic architectural resources, either individually or cumulatively. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to historic architectural resources, either individually or cumulatively.

Transportation

Transportation and Circulation

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

Trip Generation

The proposed project would demolish an existing 10-foot-tall, one-story, 1,500-sf self-service car wash facility, and construct an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level), nine-story-over-basement, 84,300-sf mixed-use building. The proposed building would provide: 1) 72 dwelling units including one studio unit, 41 one-bedroom units, 28 two-bedroom units, and two three-bedroom units; 2) 1,900 sf of retail space on the ground floor level; 3) 860 sf of future retail space at the second floor mezzanine level; 4) 45 off-street parking spaces (43 in mechanical parking lifts and two handicap accessible surface spaces) on the ground floor and basement levels; and 5) 82 bicycle parking spaces.

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.[14] The proposed project would generate an estimated 1,029 person trips (inbound and outbound) on a weekday daily basis, consisting of 351 person trips by auto, 358 transit trips, 210 walk trips and 110 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 38 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

Traffic

[13] Tina Tam, San Francisco Planning Department. *Memo, 346 Potrero Avenue,* September 7, 2012. This memo is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

[14] Kei Zushi, San Francisco Planning Department. *Transportation Calculations for 346 Potrero Ave.,* October 22, 2013. These calculations are available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

The proposed project's 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. The intersections near the project site (within approximately 1,500 feet) include the Potrero Avenue/16th Street, 10th Street/Division Street/Brannan Street/Potrero Avenue, and the Rhode Island Street/16th Street intersections. LOS data for these intersections show that during the weekday p.m. peak hour the Potrero Avenue/16th Street intersection operates at LOS B, the 10th Street/Division Street/Brannan Street/Potrero Avenue intersection operates at LOS E, and the Rhode Island Street/16th Street intersection operates at LOS C. The proposed project would generate an estimated 38 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday p.m. peak hour traffic conditions, with the Preferred Project having significant impacts at several intersections. Of those intersections, the project site is near the Potrero Avenue/16th Street intersection (approximately 125 feet to the northeast from the project site), the 10th Street/Division Street/Brannan Street/Potrero Avenue intersection (approximately 1,400 feet to the north of the project site), and the Rhode Island Street/16th Street intersection, which operated at LOS B, E, and C, respectively, under existing (baseline) conditions and would deteriorate to LOS F under cumulative weekday p.m. peak hour operating conditions. A mitigation measure, *Mitigation Measure E-1: Traffic Signal Installation*, was included in the FEIR for the Rhode Island Street/16th Street intersection to reduce this significant impact to a less-than-significant level.[15] The mitigation measure involves installation of a traffic signal, which would decrease the average vehicle delay and improve the intersection to operate at LOS A. Based on this, the FEIR concluded that the implementation of *Mitigation Measure E-1* would reduce the transportation impact on the intersection resulting from implementation of the Eastern Neighborhoods Rezoning and Area Plans to a less-than-significant level. Specific mitigation measures were not proposed for the Potrero Avenue/16th Street or 10th Street/Division Street/Brannan Street/Potrero Avenue intersections, but general mitigation measures were proposed for the entire Plan Area. These include intelligent traffic management, enhanced transportation funding, and parking management to discourage driving.

The proposed project would not contribute considerably to these conditions as its contribution of an estimated 38 p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

[15] The Rhode Island Street/16th Street intersection has been signalized.

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

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 9, 9A, 9B, 9X, 14X, 22, 27, 33, 53 and 90. The proposed project would be expected to generate 358 daily transit trips, including 56 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 56 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 9, 22, 27, and 33. 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 the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 56 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

Pedestrian

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; conditions that can adversely affect pedestrians. The proposed project would remove two existing curb cuts on Potrero Avenue and would create a new 12-foot wide curb cut on Potrero Avenue to provide vehicular access to the garage. Potrero Avenue is not identified in the General Plan as a "Citywide Network Pedestrian Street," "Neighborhood Commercial Street," or "Neighborhood Network Connection Street" and the frequency of vehicles entering and exiting the project site from the proposed project would not be substantial enough to cause a hazard to pedestrians or otherwise interfere with pedestrian accessibility to the project site and adjoining areas. Pedestrian activity may increase as a result of the proposed project, but not to a degree that would result in substantial overcrowding on public sidewalks. For the above reasons, the proposed project would not result in significant impacts on pedestrian safety that were not identified in the Eastern Neighborhoods FEIR.

Bicycle

There is an existing bike lane, Bike Route #25, along the project site frontage on Potrero Avenue. In addition, there are two bike routes and one bike lane in the project site vicinity. 16th and 17th Streets comprise a portion of Bicycle Route #40, Henry Adams Street a portion of Bicycle Route #123, and Harrison Street a portion of Bike Route #33. 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.

By replacing the two existing curb cuts with a new curb cut on Potrero Avenue, the proposed project would reduce potential conflict points for bicyclists traveling on Potrero Avenue from vehicles entering and exiting the site. In addition, the frequency of vehicles entering and exiting the project site from Potrero Avenue would not be substantial enough to cause a hazard to bicyclists after the project is completed. For the above reasons, the proposed project would not result in significant impacts on bicycle safety that were not identified in the Eastern Neighborhoods FEIR.

Loading

Planning Code Section 152.1 requires no off-street loading for residential development less than 100,000 sf or retail use less than 10,000 sf in gross floor area. The proposed project includes 70,780 sf of residential use and 2,760 sf of retail space. Therefore, no off-street loading spaces would be required for the proposed project. As proposed, the project would provide 45 off-street parking spaces (mechanical parking lifts) on the ground floor and basement levels with no loading spaces; therefore, the proposed project would meet the loading requirements of the Planning Code.

Regarding loading demand, it is not anticipated that this type of use would require frequent loading. Vehicle loading into and retail units at the ground floor and the second floor mezzanine levels would occur at Potrero Avenue. Vehicle loading for the residential units would occur at Potrero Avenue or from the garage. For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to loading.

Emergency Access

The proposed project would not close off any existing streets or entrances to public uses. Therefore, the proposed project would not result in any significant impacts on emergency access that were not identified in the Eastern Neighborhoods FEIR.

Construction

The proposed project's construction activities would last approximately 18 months and would include below-ground surface construction and building construction.[16] Although construction activities would result in additional vehicle trips to and from the project site from workers and material and equipment deliveries,

[16] Alexis Pelosi, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Construction Period: 346 Potrero Ave,* November 14, 2013. This memo is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

these activities would be limited in duration. Therefore, the proposed project's construction would not result in significant impacts on transportation that were not identified in the Eastern Neighborhoods FEIR.

Parking

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

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

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.[17] The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

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

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

[17] San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 346 Potrero Avenue*, January 31, 2014. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

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

The parking demand for the new residential and retail uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the demand for parking would be for 99 spaces. The proposed project would provide 45 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 54 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Further, the project site is located in the UMU zoning district, where under Section 151.1 of the *Planning Code*, the proposed project would not be required to provide any off-street parking spaces.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 99 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

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

Noise

The Eastern Neighborhoods FEIR noted that the implementation of Eastern Neighborhoods Rezoning and Area Plans would potentially expose some new residential units and other noise sensitive uses in the project area to higher-than-desirable noise levels. In addition, the Eastern Neighborhoods FEIR found that implementation of the Plans would indirectly generate traffic that would incrementally increase traffic-generated noise levels on some streets in the project area. However, with the implementation of *Mitigation Measures F-3: Interior Noise Levels, F-4: Siting of Noise-Noise Sensitive Uses, F-5: Siting of Noise-Generating Uses, and F-6: Open Space in Noisy Environment* included in the Eastern Neighborhoods FEIR, it was concluded that these impacts would be reduced to a less-than-significant level.

The Eastern Neighborhoods FEIR *Mitigation Measures F-1: Construction Noise and F-2*: *Construction Noise*, which require noise controls on the use of pile driving equipment and other construction equipment, would not be applicable to the proposed project because project construction would not involve pile driving and would not create noise levels that could substantially affect any nearby sensitive receptors, including residences, hospitals, nursing homes, senior citizen centers, schools, churches, and libraries.[18]

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[19] 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 FEIR, noise levels along the project site frontage on Potrero Avenue 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.

[18] Christopher Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Loading & Construction Noise: 346 Potrero Ave.*, May 21, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[19] 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.

The Eastern Neighborhoods FEIR 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 (L_{dn}[20]), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the proposed project would be subject to Title 24, *Mitigation Measure F-3* in the Eastern Neighborhoods FEIR would not be applicable. Since the proposed project would include noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4*, as outlined below, would apply to the proposed project.

> ***Project Mitigation Measure 1 – Noise (Mitigation Measure F-4 of the Eastern Neighborhoods FEIR)***
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> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Pursuant to the above mitigation measure, a noise study was conducted, including a 24-hour noise measurement and site survey of noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site.[21] The results of the noise study reveal that the existing noise level at the location of the project façade is already consistently above 60 L_{dn}. The noise study concluded that the implementation of the recommendation measures included in the noise report would be necessary to ensure compliance with the maximum 45 L_{dn} interior noise level required by Title 24 Standards. These measures include acoustical designs for glazing and window types, exterior doors, exterior walls, and supplemental ventilation systems. The noise study recommends that exterior windows facing Potrero Avenue have the minimum sound isolation rating of Sound Transmission Class (STC) ranging from 31 to 40, to comply with the minimum code requirements. The project sponsor has agreed to implement all of the recommended measures included in the noise study.[22] DBI would ensure that the project comply with Title 24 standards during the building permit review process.

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

[21] Charles M. Salter Associates, Inc. *Environmental Noise Study, 346 Potrero Avenue, San Francisco, California, CSA Project Number: 13-0024*, January 4, 2014. This report is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

[22] Chris Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Noise Study: 346 Potrero Ave (Case No. 2012.0793E),* January 7, 2014. This email is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

The noise study also notes that the visual survey of the project site vicinity (within 900 feet of the project site) identified potential noise-generating uses. These uses include six auto shops, three nightclubs, three bars, two restaurants, a soccer field, a shopping center, a MUNI service center, and a church. The noise study notes that the noise from these uses would not be above the measured ambient noise sources (bus pass-bys, truck pass-bys, motorcycle pass-bys, emergency vehicles, etc.) and would not substantially contribute to the noise environment of the project site due to shielding and distance.

The Eastern Neighborhoods FEIR identified a significant impact of Plan implementation related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5* would reduce effects to a less-than-significant level. *Mitigation Measure F-5* requires that the Planning Department require the preparation of a noise analysis for new development including commercial, industrial, or other uses that would be expected to generated noise levels in excess of ambient noise. Since the proposed residential and retail development does not include a land use that would generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* would not be applicable.

The Eastern Neighborhoods FEIR identified a significant impact related to noise impacts associated with open space areas of residential units and other noise-sensitive uses and determined that *Mitigation Measures F-6 in Noise Environments* would reduce effects to a less-than-significant level. Since the proposed development includes residential units (with open space required by the Planning Code), *Mitigation Measure F-6*, as outlined below, would apply to the proposed project.

Project Mitigation Measure 2 – Noise (Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)

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

The noise study prepared for this project notes that the acoustical shielding provided for the proposed open spaces on the west side of the proposed building (on the rear yard side) by the proposed building itself would be sufficient to meet the above mitigation measure. As for the proposed residential decks on the east side of the building (facing towards Potrero Avenue), the noise study found that the proposed acoustical shielding for decks at fifth floor or higher is sufficient to meet the above mitigation measure. The proposed decks on the third and fourth floors would be subject to noise levels that are typical in areas near major transportation corridors (i.e., Highway 101) and arterial streets (i.e., Potrero Avenue). The noise study found that noise reduction measures to achieve substantial acoustical shielding would eliminate the benefits of these private spaces, thus the decks on the third and fourth floors would be shielded to the extent feasible. Based on this, the proposed project complies with Project Mitigation Measure 2 as outlined above.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 18 months,[23] 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.

In conclusion, with the implementation of Project Mitigation Measures 1 and 2 as outlined above, the proposed project would not result in a significant effect with regard to noise, either individually or cumulatively. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to noise, either individually or cumulatively.

Air Quality

Project Construction

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 FEIR 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 to 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 DBI. These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts will be reduced to a less-than-significant level. Since the project would comply with the Construction Dust Control Ordinance, the

[23] Alexis Pelosi, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Construction Period: 346 Potrero Ave,* November 14, 2013. This memo is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

project would not result in a significant impact related to construction air quality, and *Mitigation Measure G-1* of the Eastern Neighborhoods FEIR would not apply to the proposed project.

In addition to construction dust, construction vehicles and equipment generate criteria air pollutants including reactive organic gasses (ROG), oxides of nitrogen (NOx), fine particulate matter ($PM_{2.5}$) and coarse particulate matter (PM_{10}). To assist lead agencies in determining whether a proposed project would result in potentially significant criteria air pollutant emissions, the Bay Area Air Quality Management District (BAAQMD), in its CEQA Air Quality Guidelines (May 2012), developed screening criteria for various types of land uses. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. The CEQA Air Quality Guidelines note that the screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions. For projects that are mixed-use, infill, and/or proximate to transit service and local services, emissions would be expected to be less than the greenfield-type project that the screening criteria are based upon.

The proposed project would be below the criteria air pollutant screening size for multi-family residential uses (240 units), identified in the BAAQMD's CEQA Air Quality Guidelines. Thus, quantification of criteria air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

Project Operations

Project operations have the potential to result in criteria air pollutants primarily from new vehicle trips, but also from natural gas combustion (heating), and painting activities which emit ROG. Similar to the analysis above for construction criteria air pollutants, the proposed project would be well below the operational criteria air pollutant screening size for multi-family residential uses (451 units). Therefore, quantification of operational criteria air pollutant emissions is not required, and the proposed project's operational activities would result in a less-than-significant criteria air pollutant impact.

The Eastern Neighborhoods FEIR identified a significant impact related to exposure of sensitive receptors (including residential uses) to substantial levels of toxic air contaminants (TACs), including diesel particulate matter (DPM) and $PM_{2.5}$. The Eastern Neighborhoods FEIR identified *Mitigation Measure G-2: Air Quality for Sensitive Land Uses*, which requires an analysis of $PM_{2.5}$ as part of the CEQA review for new residential developments to determine whether the proposed project would be required to install a ventilation and air filtration system capable of removing 80 percent of outdoor $PM_{2.5}$ concentrations indoors. Subsequent to the certification of the Eastern Neighborhoods FEIR, the City and County of San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Through this effort areas with poor air quality, termed "air pollution hot spots," were identified.[24] The modeling conducted as part of this analysis replaces the analysis of $PM_{2.5}$ as required by

[24] In an effort to identify areas of San Francisco most adversely affected by sources of TACs, the San Francisco Planning Department and the San Francisco Department of Public Health (DPH) have partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "air quality hot spots" were identified based on two health-protective criteria: 1) excess cancer risk from the contribution of emissions from all modeled

Mitigation Measure G-2 of the Eastern Neighborhoods FEIR. The proposed project is not located within an air pollution hot spot, and would therefore not have the potential to expose new sensitive land uses to substantial levels of TACs and $PM_{2.5}$ concentrations. Therefore, the proposed project would not be required to install an enhanced ventilation and air filtration system and the proposed project would comply with *Mitigation Measure G-2* of the Eastern Neighborhoods FEIR.

The project does not include substantial sources of new TACs or DPM emissions (e.g., diesel generator),[25] and therefore *Mitigation Measures G-3 – Siting of Uses that Emit DPM* and *Mitigation Measure G-4 – Siting of Uses that Emit Other TACs* of the Eastern Neighborhoods FEIR would not apply to the proposed project. *Mitigation Measures G-3* requires that the Planning Department require that certain new uses be located no less than 1,000 feet from residential units and other sensitive uses. These uses include warehousing and distribution centers, commercial, industrial, or other uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day. *Mitigation Measures G-4* requires that the Planning Department require the preparation of a noise analysis for new development including commercial, industrial, or other uses that would generate TACs as part of everyday operations.

For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality, either individually or cumulatively.

Shadow

Planning Code Section 295 generally prohibits the construction of new structures over 40 feet in height that would cast new shadows on an open space that is under the jurisdiction of SFRPD between one hour after sunrise and one hour before sunset, at any time of the year, if the shadow is determined to be adverse by the Recreation and Park Commission. The Eastern Neighborhoods Area Plan area includes parks under the jurisdiction of SFRPD which are subject to Section 295 and parks that are under the jurisdiction of other departments and/or area privately owned which are not subject to Section 295.

The Eastern Neighborhoods FEIR noted that the potential shadow impacts on Franklin Square resulting from the implementation of the Plan would be mixed because the proposed changes would result in some height increase as well as some height decrease around Franklin Park. Based partly on this, the Eastern Neighborhoods FEIR could not conclude that the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed projects could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would be approximately 85 feet in height (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot

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sources > 100 per one million population; or 2) cumulative $PM_{2.5}$ concentrations > 10 micrograms per cubic meter ($\mu g/m^3$). Land use projects within these air quality hot spots require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations.

[25] Christopher Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Back-up Generators: 346 Potrero Ave,* January 9, 2014. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

roof level). Given the height of the proposed building, the Planning Department prepared a preliminary shadow fan to determine whether the project would have the potential to cast new shadow on nearby parks.[26] This analysis found that the proposed project would have the potential to cast new shadow on Franklin Square, which is located on the block bounded by Bryant, 16th, Hampshire, and 17th Streets. Franklin Square is under the jurisdiction of SFRPD and subject to Planning Code Section 295. As a result, a detailed shadow analysis has been prepared for this project,[27] and is summarized below.

Franklin Square is approximately 5.18 acres in size and located approximately 190 feet to the west of the project site and includes a regulation size soccer field with synthetic turf, a playground at the southwest corner, and seating areas. The park also includes a pedestrian pathway that circles the soccer field and provides access to the playground and open spaces. Mature trees that vary in height from approximately 10 to 30 feet exist along the perimeter of the park. Franklin Square is separated from the surrounding right-of-way by an embankment, with the usable surface areas of Franklin Square approximately 5 to 15 feet higher than the adjacent public sidewalk. The stated park hours are from 5:00 a.m. to midnight. The soccer field can be used until 10:15 p.m., after which the lights are turned off, which limits the use of the field. Reservations for Franklin Square soccer field are taken from 8:00 a.m. until 10:00 p.m. daily. Maintenance on the park and synthetic turf field occurs seven days a week, often with multiple visits each day. Park and field maintenance typically occurs in the morning and custodial maintenance typically occurs in the afternoon or evenings. A fence surrounds the field, but there are no gates on-site restricting access to the park.

The detailed shadow analysis was prepared to quantify the amount of new shadow that would be cast by the proposed project on Franklin Square. Franklin Square has approximately 839,280,226.68 square foot hours of Theoretically Available Annual Sunlight ("TAAS"), which is the amount of theoretically available sunlight on the park, annually, if there were no shadows from structures, trees, or other facilities. However, shadows do currently exist on Franklin Square, predominately in the morning and evening hours. The existing shadow load for Franklin Square is approximately 40,887,009.91 square foot hours annually, which represents 4.87 percent of the total TAAS for Franklin Square. As shown in Table 1, below, the proposed project would add approximately 2,323,714.28 new square foot hours of shadow on the park, which represents a 0.276-percent increase in shadow as a percentage of TAAS, resulting in a total shadow load on the park of 5.14 percent of the total TAAS.

Table 1. Shadow on Franklin Square[28]

	Available	Existing Shadow	New Shadow	Total Shadow
Square Feet Hours	839,280,226.68	40,887,009.91	2,323,714.28	43,210,724.2
Percent	100	4.87	0.276	**5.14**

[26] San Francisco Planning Department. *Preliminary Shadow Analysis for 346 Potrero Avenue*, July 2, 2013. A copy of this document is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

[27] Adam Noble, CADP. *346 Potrero Avenue Shadow Analysis*, January 17, 2014. A copy of this document is available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

[28] All of the square feet hours outlined in this table are approximate numbers.

The new shadow that would be cast by the proposed project would occur during the first two hours of the day (sunrise +1 hour) and would disappear no later than 10:00 a.m. On average, all new shadows would disappear by 9:15 a.m. and the range of when the shadow disappears is from 8:30 a.m. (on June 21st, June 28th/*June 14th*, and July 5th/*June 7th*)[29] to 10:00 a.m. (on December 20th) (see Figures 8 and 9 below). The largest shadow, approximately 22,035 sf in size, cast by the project would occur on August 9th/*May 3rd* at sunrise +1 hour. The average duration of the shadow would be one hour 26 minutes with the range of duration from approximately one hour 12 minutes (on October 4th/*March 8th*) to approximately one hour 41 minutes (on July 12th/*May 31st*). The new shadow cast by the proposed project would be limited to the east side of Franklin Square, shading the eastern portion of the soccer field and pedestrian pathway as well as the parking lot. It would not reach the playground, but would shade some of the open space areas along the pedestrian pathway.

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[29] The "mirror dates" are noted in italics. The shadow analysis was conducted based on a "solar year" to provide a sample of representative sun angels through the entire calendar year. The solar year is from June 21st through December 20th. The sun angles during the "other" side of the calendar year, or December 21st through June 20th, mirror the solar year sun angles. A mirror date represents a date during which the sun angles correspond to those of the date noted before it. For example, "June 28th/*June 14th*" indicates that June 14th is the mirror date for June 28th for the purpose of the shadow study.

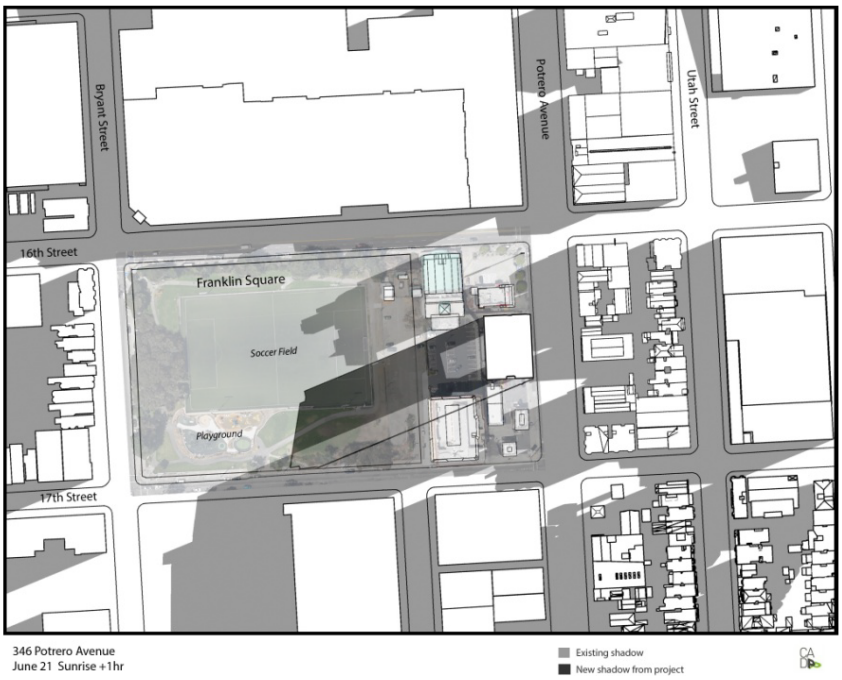

Figure 8. Net New Shadow on Franklin Square – June 21 Sunrise +1 Hour
Source: CADP

Figure 9. New Net Shadow on Franklin Square – December 20 Sunrise +1 Hour
Source: CADP

Two site visits were conducted by the Planning Department staff, one between 8:45 a.m. and 10 a.m. on Sunday, January 12, 2014, and the other between 8:30 a.m. and 10:00 a.m. on Tuesday, January 14, 2014 to observe how the park is used during the time that the new shadow would be cast. During the January 12, 2014 visit, the soccer field was being used for a soccer game and the pedestrian pathway in the park was being used by individuals for non-organized recreational purposes such as walking, running, and dog walking. During the January 14, 2014 visit, the soccer field was not in use for a soccer game and the pedestrian pathway in the park was being used by individuals for non-organized recreational purposes such as walking, running, and dog walking. There were also several individuals using the playground during both of the site visits.[30] Some portions of the park, including portions of the soccer field and pedestrian pathway, are already shaded by existing buildings in the surrounding area and trees in the park during the time that the new shadow would be cast. Given this and the limited duration and extent of shadow resulting from the proposed project, the ongoing activities in the park would likely not be adversely affected. Therefore, the project would not be expected to substantially affect the use or enjoyment of Franklin Square. For these reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to shadow on parks.

The proposed project would also add new shade to portions of adjacent residences, properties, sidewalks, and streets. The height of the proposed building would be taller than existing buildings in the project site vicinity, however, the new building would not exceed the height limitation applicable to the project site and the new shadow would not exceed levels commonly expected in urban areas. Due to the dense urban fabric of the project vicinity, the loss of sunlight on private residences and property is rarely considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

In light of the above, the project's potential to increase in shadow in the project vicinity would be, both individually and cumulatively, less than significant. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to shadow, either individually or cumulatively.

Hazards and Hazardous Materials

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

[30] San Francisco Planning Department. *Pictures and videos of Franklin Square, January 12th and 14th, 2014.* These pictures and videos are available for review as part of Case File No. 2012.0793E at 1650 Mission Street, Suite 400, San Francisco, CA.

Soil Contamination

A Phase I Environmental Site Assessment ("ESA") and Preliminary Phase II Soil and Soil Vapor Quality Evaluation ("Phase II Evaluation") have been prepared for the project site.[31,32] The Phase I ESA describes current and prior uses of the property, summarizes environmental agency databases and records, reports site reconnaissance observations, and summarizes potential soil and groundwater contamination issues.

According to the Phase I ESA, topographic maps from 1895 and 1915 show that the project site contained no structures. The 1900 Sanborn map indicates that the site contained no structures or development. A 1931 aerial photograph appears to show that the project site was developed with a portion of a basketball or other outdoor sports court on a western portion of the site. Aerial photographs from 1938, 1946, and 1956 appear to show that the site was developed with a tennis court on the eastern side, with a portion of a basketball or other outdoor sports court to the west. A 1965 aerial photograph appears to show that the project site was used for parking. Topographic maps from 1947, 1948, 1950, 1956, 1968, 1973, and 1993 show that the site was within a "developed urban area" with specific structures not depicted. The 1975 Sanborn map depicts the site as a car wash facility. Aerial photographs from 1977, 1982, 1993, 1998, and 2005 appear to show that the site was developed with the present-day self-service car wash facility.

Two soil and two soil vapor samples are included in the Phase II Evaluation. The soil borings showed the site is underlain by native fractured serpentine rock from beneath the pavement to the total depth explored, 19.5 ft below ground surface (bgs). Soil samples were collected from 1 and 2.5 ft bgs and analyzed for the California Assessment Manual (CAM) 17 suite of metals and asbestos. The analytical results showed elevated concentration of chromium and nickel, and 5 to 8 percent asbestos. Chromium and nickel both exceed concentrations that categorize a waste or removed soil as a California hazardous waste. The two soil vapor samples were collected at 5 and 1.5 ft bgs. The soil vapor samples showed elevated concentrations of total petroleum hydrocarbon as gasoline (TPHg), carbon disulfide and toluene. Special handling and disposal requirements apply to the soil/rock, based on the above analytical results. Special handing procedures during and after grading or excavation are also required because of the asbestos content.[33]

Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by DPH. Based on the review of the Phase I ESA and Phase II Evaluation, DPH determined that a Site Mitigation Plan (SMP) is required and the SMP should be submitted to DPH at least six weeks prior to construction activities. The SMP shall address the testing and management of contaminated and asbestos containing soil/rock, contingency response actions, worker health and safety, dust control plan, stormwater related items, and noise control. In addition, a final project report would be

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[31] Cornerstone Earth Group. *Phase I Environmental Site Assessment, 346 Potrero Avenue, San Francisco, California*, August 17, 2012. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[32] Cornerstone Earth Group. Preliminary *Phase II Soil and Soil Vapor Quality Evaluation, 346 Potrero Avenue, San Francisco, California*, August 17, 2012. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[33] Scott Nakamura, DPH. *Review of Environmental Documents and Request for Site Mitigation Plan 346 Potrero, San Francisco, SMED 923*, May 10, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

submitted to DPH following completion of excavation and earthwork performed per the SMP.[34] The project has enrolled in the Voluntary Remedial Action Program (VRAP) administered by DPH.[35]

The proposed project would be required to remediate soil contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

Naturally Occurring Asbestos

Results of subsurface investigation indicate that the project site contains asbestos at concentrations that exceed the California Air Resources Board (ARB) threshold of concern of 0.25% and the California Title 22 Landfill Disposal criteria of hazardous waste of one percent.[36] The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although ARB has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.[37] To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,[38] and are enforced by the BAAQMD.

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to

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[34] Scott Nakamura, DPH. *Review of Environmental Documents and Request for Site Mitigation Plan 346 Potrero, San Francisco, SMED 923*, May 10, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[35] Elyse Heilshorn, DPH. *Email to Kei Zushi, San Francisco Planning Department, 346 Potrero Avenue (Case No. 2012.0793E)*, October 10, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[36] Cornerstone Earth Group. Preliminary *Phase II Soil and Soil Vapor Quality Evaluation, 346 Potrero Avenue, San Francisco, California*, August 17, 2012. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[37] California Air Resources Board (ARB). *Fact Sheet #1 Health Information on Asbestos*, 2002. Available online at: http://www.arb.ca.gov/toxics/Asbestos/1health.pdf. Accessed April 15, 2013.

[38] ARB. *Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations*, July 29, 2002.

comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

Hazardous Building Materials

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

> ***Project Mitigation Measure 3 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)***
>
> The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and property 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.

The Planning Department's records indicate that the existing building was constructed in 1968. Given the age of the building, asbestos-containing building materials (ACBMs) are likely to present in the existing building. In addition, since the building was constructed prior to 1979, both interior and exterior paints could contain lead.

Asbestos

In general, asbestos can be present in building and heating system installation, vinyl sheet flooring and tile, exterior stucco, paint, window putty, roofing material and other building materials. The California Department of Toxic Substances Control (DTSC) considers these materials hazardous and their removal is required. Certain ACBMs can remain in place unless directly affected by the proposed construction project, such as roofing paint and coating material, mirror and ceiling tile coating material, and some vinyl floor tile. However, prior to demolition, building renovation, or construction activity, all potentially friable (subject to crumbling) ACBMs must be removed in accordance with local and state regulations, including requirements

from the BAAQMD, California Occupational Safety and Health Administration (CAL OSHA), and California Department of Health Services (DHS). Non-friable ACBMs that could be disturbed by the proposed demolition and construction activities may be subject to these regulations.

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the BAAQMD with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the BAAQMD is to be notified ten days in advance of any proposed demolition or abatement work. The notification must include the names and addresses of the operations and the names and addresses of persons responsible; location and description of the structure to be demolished/altered, including size, age, and prior use of the structure, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or asbestos abatement work; nature of the planned work and methods to be employed; procedures to be employed to meet the BAAQMD requirements; and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation for which a complaint has been received. Any ACBM disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials - Asbestos Demolition, Renovation, and Manufacturing.

The local office of CAL OSHA must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow State regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos related work involving 100 gsf or more of asbestos-containing material. Asbestos removal contractors must be certified by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of California DHS in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level.

Lead-Based Paint

Work that could result in disturbance of lead paint must comply with Section 3425 of the Building Code, Work Practices for Exterior Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building, or the interior of occupied buildings built prior to or on December 31, 1978, Section 3425 requires specific notification and work standards and identifies prohibited work methods and penalties. Section 3425 applies to buildings or steel structures on which original construction was completed prior to 1979, which are assumed to have lead-based paint on their surfaces unless a certified lead inspector/assessor tests those surfaces for lead and determines it is not present according to the definitions of Section 3425.

The ordinance applies to residential buildings, hotels, and childcare centers. The ordinance contains performance standards at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development (HUD) Guidelines,[39] and identifies prohibited practices that may not be used in disturbance or removal of lead paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work, protect floors and other horizontal surfaces from work debris during interior work, and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The ordinance also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more gsf or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of the DBI with a written notice that describes the following aspects of the work to be performed: (1) address and location of the proposed project; (2) the scope and specific location of the work; (3) whether the responsible party has reason to know or presume that lead-based paint is present; (4) the methods and tools for paint disturbance and/or removal; (5) the approximate age of the structure; (6) anticipated job start and completion dates for the work; (7) whether the building is residential or nonresidential; (8) whether it is owner-occupied or rental property; (9) the approximate number of dwelling units, if any; (10) the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and (11) the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include the following: (1) a Post Sign notifying the public of restricted access to work area, (2) a Notice to Residential Occupants, (3) availability of pamphlet related to protection from lead in the home, and Early Commencement of Work [by Owner, Requested by Tenant], and (4) Notice of Lead Contaminated Dust or Soil, if applicable. The ordinance contains provisions regarding inspection and sampling for compliance by DBI and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures, already established as part of the review process for building permits, would ensure that potential impacts of the proposed project due to the presence of lead-based paint would be reduced to a less-than-significant level.

In conclusion, with the implementation of Project Mitigation Measure 3 as outlined above, the proposed project would not result in a significant effect with regard to hazardous materials, either individually or cumulatively. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods FEIR related to hazardous materials, either individually or cumulatively.

[39] Department of Housing and Urban Development (HUD). *Guidelines for Evaluation and Control of Lead-Based Paint Hazards in Housing.* Available online at http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines. Accessed February 6, 2013.

Mitigation Measures

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

Project Mitigation Measure 1 – Noise (Mitigation Measure F-4 of the Eastern Neighborhoods FEIR)

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Project Mitigation Measure 2 – Noise (Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)

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

Project Mitigation Measure 3 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and property 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 April 22, 2013 to owners of properties within 300 feet of the project site and adjacent occupants. Two individuals submitted their concerns related to the proposed project. These concerns are related to lack of the rear yard, parking, shadow, the height and design of the building, wind, utility upgrades (water, electricity, and internet), and shortage of three-bedroom units.

The proposed project would comply with all applicable zoning code requirements including the rear yard standards. The lack of rear yard is not a physical environmental impact to be analyzed under CEQA. However, the Planning Commission may take this concern into consideration when determining whether to approve or disapprove the proposed project. The commenter who raised concerns about lack of rear yard has not explained how a lack of rear yard would result in a significant environmental impact.

Parking is addressed on pages 18 and 19 of this Categorical Exemption Certificate, under the Transportation Section. Shadow is addressed on pages 25 through 29 of this Categorical Exemption Certificate, under the Shadow Section. As discussed under the Aesthetic Section in the Community Plan Exemption Checklist prepared for this project, aesthetics, including the height and design of the proposed building, are not considered in determining the impacts of the proposed projects on the physical environment under CEQA pursuant to Public Resources Code Section 21099(d), but addressed on pages 3 and 4 of the Community Plan Exemption Checklist, under the Aesthetic Section, for informational purposes. Wind is addressed on pages 17 and 18 of the Community Plan Exemption Checklist, under the Wind Section. Utilities (water and wastewater) are addressed on pages 19 through 21 of the Community Plan Exemption Checklist prepared for this project, under Utilities and Service Systems Section. Electricity is addressed on pages 29 and 30 of the Community Plan Exemption Checklist prepared for this project, under Mineral and Energy Resources Section. The commenter does not explain what its concerns are related to the internet service. CEQA does not require a lead agency to analyze project's impacts on internet service, which is provided by private businesses in the project site vicinity.

In general, issues related to the unit mix of a proposed project are social effects and not considered physical environment effects to be analyzed pursuant to CEQA. CEQA Guidelines Section 15064(f)(6) provides that evidence of social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.

Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment as addressed in this Categorical Exemption Certificate.

Conclusion

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed 346 Potrero Avenue project. The 346 Potrero Avenue project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods FEIR. 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.

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

Attachment A
Community Plan Exemption Checklist

Case No.:	**2012.0793E**
Project Title:	**346 Potrero Avenue**
Zoning:	UMU (Urban Mixed Use) District 85-X Height and Bulk District
Block/Lot:	3962/008
Lot Size:	11,250 square feet
Plan Area:	Mission Subarea of the Eastern Neighborhoods Area Plan
Staff Contact:	Kei Zushi – (415) 575-9036 kei.zushi@sfgov.org

A. PROJECT DESCRIPTION

The proposed project would demolish an existing 10-foot-tall, one-story, 1,500-square-foot (sf) car wash facility, and construct an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level), nine-story-over-basement, 84,300-sf mixed-use building. The proposed building would provide: 1) 72 dwelling units including one studio unit, 41 one-bedroom units, 28 two-bedroom units, and two three-bedroom units; 2) 1,900 sf of retail space on the ground floor level; 3) 860 sf of future retail space at the second floor mezzanine level; 4) 45 off-street parking spaces (43 in mechanical parking lifts and two handicap accessible surface spaces) on the ground floor and basement levels; and 5) 74 Class I bicycle parking spaces on the basement level and 8 Class II bicycle parking spaces along the project frontage.

The project would include approximately 2,000 sf of common open space at the second floor level, 3,000 sf of common open space at the ninth floor level, and private decks for 10 dwelling units totaling 800 sf in area. Access to the parking garage on the ground floor level would be from Potrero Avenue. An existing billboard located on the southeastern corner of the project site would be removed as part of the proposed project.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic Final EIR ("FEIR") for the plan area. Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Project Contributes to Sig. Impact Identified in FEIR." Mitigation

measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination 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 FEIR. Any impacts not identified in the FEIR will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/ No Impact and is discussed in the Checklist below.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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 FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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 FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 Rezoning and Area Plans Final EIR ("Eastern Neighborhoods FEIR") evaluated three land use options. The Eastern Neighborhoods FEIR states that under each of these options it was not anticipated that the proposed Plan 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 changes. 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 FEIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. In addition, the Eastern Neighborhoods FEIR concluded that light and glare impacts would be less than significant because new construction in the project area could generate additional night lighting, but not in amounts unusual for a developed urban area. Furthermore, additional glare from new buildings would not result in a substantial change as use of reflective glass would be restricted by Planning Commission Resolution 9212.

The Eastern Neighborhoods FEIR also noted that minimal visual change is expected in the existing, predominately residential and neighborhood commercial areas of the Mission District as a result of the proposed rezoning options, which would retain existing use regulations and heights in many areas.

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics in determining the significance of project impacts under CEQA.[1] The Planning Department acknowledges that aesthetic effects may be of interest to the public and the decision makers. Therefore, the following description of the project setting and appearance is provided for informational purposes.

The proposed project would replace an existing 10-foot-tall, one-story, 1,500-sf car wash facility with an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level), nine-story, 84,300-sf mixed-use building. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. In addition, projects involving demolition of existing structures and construction of new structures were foreseen in the Eastern Neighborhoods FEIR. The proposed project would be consistent with the Plan and the Eastern Neighborhoods FEIR found that the Plan would not substantially damage scenic resources and would not result in a significant adverse impact with regard to views. Furthermore, while the proposed building would be taller than the existing development in the project vicinity, it would not substantially obstruct longer-range views from various locations in the Plan Area and the City as a whole.

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

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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)?	☐	☐	☐	☒

[1] San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 346 Potrero Avenue*, January 31, 2014. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 FEIR was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. The FEIR concluded that the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply because the increase in population that would be expected to occur as a secondary effect of the proposed rezoning and adoption of the proposed area plans would not, in itself, result in significant adverse physical effects.

The proposed project would increase the population on site by constructing 72 new dwelling units. The proposed 1,900 sf of retail space on the ground floor level and 860 sf of future retail space at the second floor mezzanine level would create approximately 5.4 jobs and 2.5 jobs, respectively.[2] There are no attendants at the existing coin-operated car wash facility.[3] These increases in population would not be expected to have an adverse physical environmental impact. Additionally, the proposed project would not displace substantial numbers of people because the project site contains no residences. As such, construction of replacement housing would not be necessary.

The proposed new residential building is consistent with the density and scale of development analyzed in the Eastern Neighborhoods FEIR, and there would be no significant environment effects with respect to population and housing peculiar to the project or its site, either individually or cumulatively. No mitigation measure was identified in the Eastern Neighborhoods FEIR, and none would be required for the proposed project.

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[2] The estimated number of retail employees is based on the project's proposed retail space divided by 350, equating to 1 job for every 350 sf, derived from Table C-1 of the Transportation Impact Analysis Guidelines prepared by the San Francisco Planning Department in October 2002.

[3] Chris Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Existing Car Wash Facility: 346 Potrero Ave*, January 29, 2014. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☒	☒	☐	☐
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 FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
5. TRANSPORTATION AND CIRCULATION—Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☒	☐	☐	☒
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☒
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?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Please see Certificate of Determination for discussion of this topic.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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)?	☐	☐	☐	☒
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 FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Individual projects contribute to the cumulative effects of climate change by emitting greenhouse gases (GHGs) during demolition, construction, and operational phases. GHG emissions are analyzed in the context of their contribution to the cumulative effects of climate change because a single land use project could not generate enough GHG emissions to noticeably change the global average temperature. Direct 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 on-site activity by replacing an existing 10-foot-tall, one-story, 1,500-sf car wash facility with an approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level), nine-story, 84,297-sf mixed use (residential and commercial) building providing 72 dwelling units. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and retail operations associated with energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in an increase in GHG emissions.

The proposed project's impact with respect to GHG emissions is addressed based on compliance with local and state plans, policies, and regulations adopted for the purpose of reducing the cumulative impacts of climate change. In 2005, the then-Governor Schwarzenegger issued Executive Order S-3-05, which set forth a series of target dates by which statewide emissions of GHGs would be progressively reduced. In response to Executive Order S-3-05, the California legislature passed Assembly Bill No. 32 in 2006 (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 required the California Air Resources Board (ARB) to develop a Scoping Plan outlining measures to meet GHG reduction targets specified in AB 32. This Scoping Plan is the State's overarching plan for addressing climate change.

At a local level, San Francisco has developed its own plan to address GHG emissions, Strategies to Address Greenhouse Gas Emissions.[4] This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy. This document identifies a number of mandatory requirements and incentives that have measurably reduced GHG emissions, including 42 specific regulations applicable to new development projects within the City that would reduce the projects' GHG emissions. As reported in Strategies to Address Greenhouse Gas Emissions, San Francisco's 1990 GHG emissions were approximately 6.15 million metric tons of carbon dioxide-equivalents ($MMTCO_2E$). A recent third-party verification of the City's 2010 communitywide and municipal

[4] City and County of San Francisco. *Strategies to Address Greenhouse Gas Emissions*, November 2010. Available online at: *http://www.sf-planning.org/ftp/files/MEA/GHG-Reduction_Rpt.pdf*. Accessed December 18, 2012.

emissions inventory has confirmed that San Francisco has reduced its GHG emissions to 5.26 $MMTCO_2E$, representing a 14.5 percent reduction in GHG emissions below 1990 levels.[5,6]

The Bay Area Air Quality Management District (BAAQMD), the primary agency with regulatory authority over air quality regulation in the nine-county San Francisco Bay Area Air Basin (SFBAAB), has reviewed San Francisco's Strategies to Address Greenhouse Gas Emissions and concluded that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[7]

In summary, the two applicable greenhouse gas reduction plans, the AB 32 Scoping Plan and the City's GHG Reduction Strategy, are intended to reduce GHG emissions below current levels. Given that the City's local greenhouse gas reduction targets are more aggressive than the State's 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City's GHG Reduction Strategy is consistent with the GHG reduction goals outlined in AB 32. Therefore, projects that are consistent with the City's GHG Reduction Strategy would be consistent with the goals of AB 32 and would not conflict with either plan or would not result in a substantial increase in GHG emissions. The proposed project was determined to be consistent with the City's Strategies to Address Greenhouse Gas Emissions and the project's consistency with the City's Strategies to Address Greenhouse Gas Emissions is detailed in the project's GHG Compliance Checklist.[8] The City's GHG reduction regulations applicable to the proposed project are shown below in Table A.

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[5] ICF International. *Technical Review of the 2010 Community-wide GHG Inventory for City and County of San Francisco. Memorandum from ICF International to San Francisco Department of the Environment*, April 10, 2012. Available online at: *http://www.sfenvironment.org/download/community-greenhouse-gas-inventory-3rd-party-verification-memo*. Accessed September 27, 2012.

[6] ICF International. *Technical Review of San Francisco's 2010 Municipal GHG Inventory. Memorandum from ICF International to San Francisco Department of the Environment*, May 8, 2012. Available online at: *http://www.sfenvironment.org/download/third-party-verification-of-san-franciscos-2010-municipal-ghg-inventory*. Accessed September 27, 2012.

[7] BAAQMD. *Letter from J. Roggenkamp, BAAQMD, to B. Wycko, San Francisco Planning Department*, October 28, 2010. Available online at: *http://www.sf-planning.org/ftp/files/MEA/GHG-Reduction_Letter.pdf*. Accessed September 24, 2012.

[8] San Francisco Planning Department. *Compliance Checklist Greenhouse Gas Analysis, 346 Potrero Avenue*, June 4, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Table A. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (San Francisco Environment Code, Section 421)	All employers of 20 or more employees must provide at least one of the following benefit programs: 1. A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	End user employers occupying the building (e.g., ground floor commercial, HOA) would comply to the extent applicable and required.
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	End user employers occupying the building (e.g., ground floor commercial space, HOA) would comply to the extent applicable and required.
Transit Impact Development Fee (San Francisco Planning Code, Section 411)	Establishes the following fees for all commercial developments. Fees are paid to DBI and provided to SFMTA to improve local transit services. Review Planning Code Section 411.3(a) for applicability.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with this requirement for the retail component of the building, and would pay all applicable fees.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include 72 dwelling units and 74 Class 1 bicycle spaces would be provided, which is more than the total required by San Francisco Planning Code Section 155.5. The proposed project would also provide 8 Class II bicycle parking spaces. Total bicycle parking spaces (Classes II and II) provided would be

Regulation	Requirements	Project Compliance	Discussion
			82 spaces.
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include 72 dwelling units and 1 residential car share space, which meets the requirement per San Francisco Planning Code Section 166.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include 45 parking spaces, which is less than the maximum allowed per San Francisco Planning Code Section 151.1.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the San Francisco Green Building Requirements, and at a minimum would be 15% more energy efficient than Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the San Francisco Green Building Requirements for Storm water Management. Storm water runoff rate and volume shall be decreased by 25% from the pre-development conditions for 2-year 24-hour design storm.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2, 13C.303.2.)	**If meeting a LEED Standard;** Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals. New large commercial and New high rise residential buildings must achieve a 30% reduction.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with San Francisco Green Building Requirements for indoor water efficiency as applicable and required.

Regulation	Requirements	Project Compliance	Discussion
	Commercial interior, commercial alternation and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al. **If meeting a GreenPoint Rated Standard:** Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.		
San Francisco Water Efficient Irrigation Ordinance	Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption. Tier 1: 1,000 sf <= project landscape < 2,500 sf Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals. See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with San Francisco Water Efficient Irrigation Ordinance requirements.
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Residential Water Conservation Ordinance by meeting at least the minimum standards specified in the ordinance as applicable and/or required.

Regulation	Requirements	Project Compliance	Discussion
	existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Mandatory Recycling and Composting Ordinance by providing space for recycling, composting and trash storage that is convenient for all users of the building.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with San Francisco Green Building Requirements for construction and demolition debris recycling during the demolition and construction of the project.
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with San Francisco Green Building Requirements for construction and demolition debris recycling during the demolition and construction of the project.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would install street trees along Potrero Avenue as required by San Francisco Planning Code Section 138.1.
Construction Site	Construction Site Runoff Pollution	☒ Project	The proposed project would comply

Regulation	Requirements	Project Compliance	Discussion
Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1). Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information: www.sfwater.org/CleanWater	Complies ☐ Not Applicable ☐ Project Does Not Comply	with San Francisco Green Building Requirement for Construction Site Runoff Pollution Prevention as applicable and required.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	**If meeting a LEED Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The adhesives and sealants in the proposed building would comply with the low-emitting standards set by the San Francisco Green Building Code.
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points. For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points. For Alterations to residential buildings submit documentation regarding the use of low-emitting materials. **If meeting a LEED Standard:** For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The materials in the proposed building would comply with the low-emitting standards set by the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints, and coatings and carpet systems.

Regulation	Requirements	Project Compliance	Discussion
	If meeting a GreenPoint Rated Standard: Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,		
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	**If meeting a LEED Standard:** Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The interior wall and ceiling paints in the proposed building would comply with the low-emitting standards set by the San Francisco Green Building Code.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	**If meeting a LEED Standard:** Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The carpet systems and at least 50% of the resilient flooring in the proposed building would comply with the low-emitting standards set by the San Francisco Green Building Code.
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2,	**If meeting a LEED Standard:** Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure. **If meeting a GreenPoint Rated Standard:**	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The composite wood in the proposed building would comply with the low - emitting standards set by the San Francisco Green Building Code.

Regulation	Requirements	Project Compliance	Discussion
13C.5.103.2.2 and 13C.4.504.5)	Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.		

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor affect the City's ability to meet San Francisco's local GHG reduction targets. As shown above in Table A, the proposed project would be required to comply with a number of local requirements. Therefore, the proposed project was determined to be consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions. Based on this, the proposed project would not result in GHG emissions that would have a significant impact on the environmental and would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions, either individually or cumulatively. No mitigation measures are necessary.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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

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

Based on the height and location of the proposed approximately 85-foot-tall (with a 10-foot-tall, 650-sf penthouse covering stair/elevator cores, set back approximately 35 feet from the building's eastern perimeter, above the 85-foot roof level) building, a pedestrian wind assessment ("Wind

Assessment") was prepared by a qualified wind consultant for the proposed project.[9] The objective of the Wind Assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact. The Wind Assessment found that the existing wind conditions on the adjacent streets do not exceed the 26-mile-per-hour wind hazard criterion for a single full hour, or approximately 0.0114 percent of the time, as outlined in the San Francisco Planning Code Section 148. The Wind Assessment also found that the proposed building would not cause winds that would reach or exceed the 26-mile-per-hour wind hazard criterion at all pedestrian areas on and around the proposed development and that wind speeds at building entrances and public sidewalks would be suitable for the intended pedestrian usage.

The Wind Assessment notes that higher-than-desired wind speeds could be expected in the Level 2 rear yard and Level 9 roof deck and includes wind control measures to enhance the wind comfort in these areas. These measures include: 1) construction of a trellis above the proposed seating area in the Level 2 rear yard; 2) installation of planters and other tall landscaping features in the level 2 rear yard; and 3) installation of vertical elements, such as planters and wind screens that are approximately 20 percent porous and six to eight feet in height, on the top of the parapet along the entire perimeter of the roof deck. The Wind Assessment also found that although downwashing flows would be expected around the corners to the north and south, causing increased wind activity, the increased wind activity would not reach or exceed the above wind hazard criterion.

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

Shadow

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

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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?	☐	☐	☐	☒

[9] Rowan Williams Davies & Irwin, Inc. *Pedestrian Wind Assessment, 346 Potrero Avenue, San Francisco, CA*, November 21, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
c) Physically degrade existing recreational resources?	☐	☐	☐	☒

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

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of an approximately 2,000-sf common outdoor space at the second floor level, 3,000-sf common open space at the ninth floor level and private decks for 10 dwelling units, totaling 800 sf in area. The project location is served by the following existing parks: Franklin Square (approximately 200 feet to the west), Utah and 18th Mini Park (approximately 1,000 feet to the southeast), and Jackson Playground (approximately 2,200 feet to the southeast).

With the proposed addition of 72 dwelling units, the proposed project would be expected to generate additional demand for recreational facilities. The increase in demand would be to some extent offset by the proposed on-site open space, and 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 FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 Eastern Neighborhoods FEIR analyzed growth projections and determined that the impacts of Plan implementation on the provision of water, wastewater collection, and treatment, and solid waste collection and disposal would not be significant. The No mitigation measures with respect to utilities and service systems were identified in the Eastern Neighborhoods FEIR.

The Eastern Neighborhoods FEIR included the rezoning of the project site into account in its analysis of demand for utilities and service systems. The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB) 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.

The project would be subject to the City's Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwtater discharges, and minimize the potential need for expanding or construction new facilities. Thus, the project would not require or result in the construction of new stormwater

drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

The proposed project would not result in new, significant environmental effects that are peculiar to the proposed project, or effects of greater severity than were already considered in the Eastern Neighborhoods FEIR, either individually or cumulatively.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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 Eastern Neighborhoods FEIR analyzed growth projections and determined that the impacts of Plan implementation on public services such as fire protection, police protection, and public schools would not be significant. No mitigation measures related to public services were identified in the Eastern Neighborhoods FEIR.

Impacts on parks are discussed under Topics 9 (Wind and Shadow) and 10 (Recreation). The Eastern Neighborhoods FEIR included the rezoning of the project site into account in its analysis of demand for public 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. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already considered in the Eastern Neighborhoods FEIR with respect to public services, either individually or cumulatively.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☐	☐	☐	☒
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 Eastern Neighborhoods FEIR found that there would be no significant impact on biological resources as a result of Plan implementation. The project site, containing a car wash facility, is located in a developed urban area which does not support or provide habitat for any known rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. There are no trees on the project site (see discussion of tree protection below). Accordingly, the proposed project would result in less-than-significant impacts on sensitive species, special-status species, native or migratory fish species, or wildlife species.

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street

trees, collectively referred to as "protected trees," located on private and public property. Landmark Trees, having the highest level of protection, are trees that meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and that have been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. Significant trees are trees either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, which are greater than 20 feet in height or which meet other criteria. A Tree Disclosure Statement prepared for the project noted that there are no Landmark or Significant Trees on the project site and that there are no Street Trees within the public right-of-way adjacent to the project site.[10]

Seven new street trees would be planted within the right-of-way along the project site frontage on Potrero Avenue in compliance with Planning Code Section 138.1,[11] which addresses requirements for improvements of the public right-of-way associated with development projects. As a result, the project would not conflict with any local policies or ordinances protecting trees and would not result in significant impacts on migratory birds.

The San Francisco Board of Supervisors adopted Standards for Bird-Safe Buildings, Planning Code Section 139, on July 14, 2011.[12] The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments. The standards impose requirements for both location-related hazards and feature-related hazards. The proposed project would be subject to the Standards for Bird-Safe Buildings, and therefore it would not result in significant impacts on birds due to bird strikes.

In light of the above, the proposed project would not result in significant impacts with respect to biological resources, nor would the project contribute to any potential cumulative effects on biological resources.

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[10] Chris Davenport, Project Sponsor. *Affidavit for Tree Disclosure for 346 Potrero Avenue*, June 24, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[11] Kim Diamond, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Trees & Lot Coverage: 346 Potrero Ave*, June 18, 2013. This document is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[12] San Francisco Planning Department. *Standards for Bird-Safe Buildings*, Adopted on July 14, 2011. Available online at: *http://www.sfplanning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf*, accessed July 12, 2012.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☐	☐	☐	☒
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 Eastern Neighborhoods FEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The FEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the FEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods FEIR.

The geotechnical report prepared for the proposed project notes that two test borings were drilled to a depth of 20 feet below ground surface (bgs), and that their explorations generally encountered serpentinite bedrock of the Great Valley Sequence.[13] The bedrock was dark gray to gray-green, friable to weak, soft to moderately hard, little to moderate weathering, and intensely to closely fractured to the maximum depth explored at 20 feet bgs.

The geotechnical report states that the proposed project would require soils disturbance to a depth of approximately 10 to 15 feet for the proposed basement and fills less than 3 feet for the at-grade portions of the proposed building. The geotechnical report found that from a geotechnical standpoint the project is feasible provided that the concerns listed in the geotechnical report are addressed in the project design. These concerns are related to shallow bedrock, naturally occurring asbestos, and shallow ground water. The geotechnical report also found that the proposed residential structure can likely be supported on shallow foundations. The project sponsor has indicated that a combination of mat foundation and spread footing on the perimeter would be used for the proposed project.[14] The completed project would not significantly alter the overall topography of the site. The project sponsor has agreed to follow all applicable recommendations outlined in the geotechnical report.[15]

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards. 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. DBI will review the geotechnical report and building plans for the proposed project to determine the adequacy of the proposed engineering and design features and to ensure compliance with all applicable San Francisco Building Code provisions regarding structural safety. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils or geology.

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

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[13] Cornerstone Earth Group. *Preliminary Geotechnical Investigation, Potrero Residential Development, 346 Potrero Avenue, San Francisco, California, Project Number 206-14-2,* May 17, 2013. This report is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[14] Chris Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Foundation Type: 346 Potrero Avenue*, May 21, 2013. This email is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

[15] Chris Davenport, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, Geotechnical Report: 346 Potrero Ave (Case No. 2012.0793E),* January 5, 2014. This email is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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)?	☐	☐	☐	☒
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 Eastern Neighborhoods FEIR evaluated population increases that would occur with Plan implementation on the combined sewer system and the potential for combined sewer outflows, and concluded that programmatic effects related to hydrology and water quality would not be

significant. No mitigation measures relative to hydrology and water quality were identified in the Eastern Neighborhoods FEIR.

In 2007, the Federal Emergency Management Agency (FEMA) issued preliminary Flood Insurance Rate Maps (FIRMs) for review and comment by the City.[16] The preliminary FIRMs identify: 1) Special Flood Hazard Areas (SFHAs), areas that are subject to inundation during a flood having a one-percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"); 2) Zone A (areas of coastal flooding with no wave hazard; or waves less than three feet in height); and 3) Zone V (areas of coastal flooding subject to the additional hazards associated with wave action).[17] The project site is not located within a SFHA, Zone A, or Zone V.[18,19] As a result, the project would not result in a significant impact with respect to flooding including coastal flooding.

The Eastern Neighborhoods FEIR also concluded that with the implementation of requirements in the City's Industrial Waste Ordinance, the impacts to groundwater would be less than significant. The project would be subject to the City's Industrial Waste Ordinance, which requires that groundwater meet specified water quality standards before it is discharged into the sewer system. Therefore, the project's impacts to groundwater would be less than significant.

Effects related to water resources would not be significant, either individually or cumulatively. The project would be subject to the Stormwater Management Ordinance, which became effective May 22, 2010. As addressed in Public Works Code Section 147.2, stormwater design guidelines have been instituted to minimize the disruption of natural hydrology. In compliance with the Stormwater Management Ordinance, the project would maintain or reduce the existing volume and rate of stormwater runoff discharged from the site by implementing and installing appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before they enter the combined sewer collection system. In addition, the stormwater management system would capture and treat stormwater runoff and mitigate stormwater quality effects by promoting treatment or infiltration of stormwater runoff prior to discharging to the separate sewer system and entering the bay or ocean.

The existing lot is entirely covered by impervious surface (approximately 11,250 sf of impervious surface on the 11,250-sf project site). The proposed lot coverage would be 100% (approximately

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[16] Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 120 of 260, Map Number 0675C0120A*, September 21, 2007. Available online at: *http://sfgsa.org/Modules/ShowImage.aspx?imageid=2672*. Accessed February 11, 2013.

[17] City and County of San Francisco, Office of the City Administrator. *National Flood Insurance Program Flood Sheet*, January 25, 2012. Available online at: *http://sfgsa.org/Modules/ShowDocument.aspx?documentid=7520.* Accessed February 11, 2013.

[18] Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 120 of 260, Map Number 06075C0120A*, September 21, 2007. Available online at: *http://sfgsa.org/Modules/ShowImage.aspx?imageid=2672*. Accessed January 3, 2014.

[19] City and County of San Francisco, Office of the City Administrator. *Final Draft San Francisco Interim Floodplain Map, Northeast, July, 2008*. Available online at: *http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1785*. Accessed January 3, 2014.

11,250 sf of impervious surface on the 11,250-sf project site).[20] As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage. As discussed above, the project would be required to comply with the Stormwater Management Ordinance. Compliance with the Stormwater Management Ordinance would ensure that the project's impact on runoff and drainage would be less than significant.

Therefore, the project's effects related to hydrology and water quality would not be significant, either individually or cumulatively.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

[20] Warner H. Schmalz, Forum Design. *Email to Christopher Davenport, Project Sponsor, Lot Coverage: 346 Potrero Ave*, May 21, 2013. This email is available for review as part of Case File No. 2012.0793E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 the Certificate of Determination for discussion of this topic.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 Eastern Neighborhoods FEIR concluded that the Eastern Neighborhoods Rezoning and Area Plans would not result in significant impacts with respect to mineral and energy resources as there are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. As a result, no mitigation measures relative to mineral and energy resources were identified in the Eastern Neighborhoods FEIR.

The proposed project would not result in use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for the proposed building would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the San Francisco Department of Building Inspection (DBI). The project area does not include any natural resources routinely extracted, and the proposed project would not include any natural resource extraction program.

In light of the above, the proposed project would not result in a significant physical environmental impact with respect to mineral and energy resources, either individually or cumulatively.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 Eastern Neighborhoods FEIR concluded that no agricultural resources are located in the project area, and the project would have no effect on agricultural resources. 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, either individually or cumulatively.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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 Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections, and transit impacts), cultural (demolition of historical resources), and shadow (impacts on parks).

The proposed project would involve: 1) 72 dwelling units including one studio unit, 41 one-bedroom units, 28 two-bedroom units, and two three-bedroom units; 2) 1,900 sf of retail space on the ground floor level; 3) 860 sf of future retail space at the second floor mezzanine level; 4) 45 off-street parking spaces (43 in mechanical parking lifts and two handicap accessible surface spaces) on the ground floor and basement levels; and 5) 74 Class I bicycle parking spaces on the basement level and 8 Class II bicycle parking spaces along the project frontage. As discussed in this document and the CPE Certificate of Determination, the proposed project would not result in new, significant environmental effects peculiar to the proposed project, or effects of greater severity than were already analyzed and considered in the Eastern Neighborhoods FEIR.

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 February 3, 2014

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