



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.1572E
 Project Title: 3420 18th Street
 Zoning/Plan Area: Mission Street NCT (Neighborhood Commercial Transit) District
 55-X Height and Bulk District
 Area Plan: Mission Subarea of the Eastern Neighborhoods Area Plan
 Block/Lot: 3576/090
 Lot Size: 4,675 square feet
 Project Sponsor: David Sternberg, Sternberg Benjamin Architects
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PROJECT DESCRIPTION:

The project site is located at the northeast corner of 18th and San Carlos Streets in the Mission neighborhood. The proposed project would include the demolition of an existing single-story, 4,675-square-foot industrial building and construction of a five-story, 19,578-square-foot, residential building with ground floor retail. The proposed building would be 55 feet high with one approximately 1,000-square-foot commercial unit and eight off-street parking spaces on the ground floor and 16 dwelling units totaling approximately 13,000 square feet on the floors above (see Figures 1-5 below).

[continued on next page]

EXEMPT STATUS:

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

DETERMINATION:

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

Sarah B. Jones
 Environmental Review Officer

October 16, 2013

Date

cc: David Sternberg, Project Sponsor
 Brittany Bendix, Current Planning Division
 Virna Byrd, M.D.F.

Supervisor David Campos, District 9

PROJECT DESCRIPTION (continued):

The proposed garage would be equipped with three two-vehicle car stackers, which would require excavation to a maximum depth of 6.5 feet below ground surface level (bgs). Loose soils underlying the site would be improved through compaction grouting to a depth of 25 feet bgs, and the proposed building would be constructed on a mat slab foundation. A building permit would be required for the project, which would constitute the approval action for the proposed project.



Figure 1 – Project Location

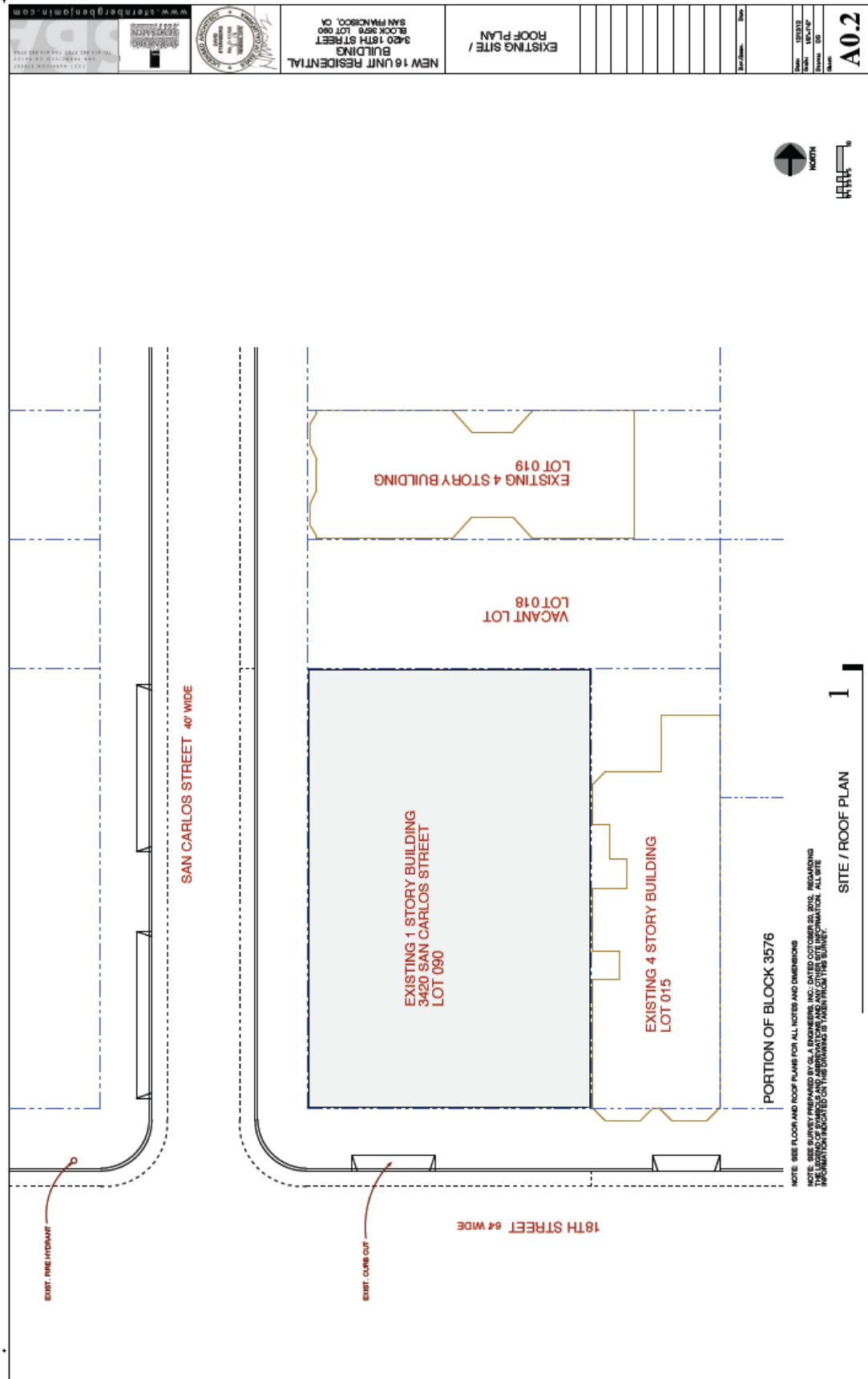


Figure 2 – Existing Building



Figure 4 – Proposed West (San Carlos Street) Elevation



Figure 5 – Proposed South (18th Street) Elevation

REMARKS:

The California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (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 Certificate of Determination (determination) evaluates the topics for which a significant impact is identified in the final programmatic EIR, *Eastern Neighborhoods Rezoning and Area Plans Final EIR* (Eastern Neighborhoods FEIR – Case No. 2004.0160E; State Clearinghouse No. 2005032048) and evaluates whether the proposed project would result in impacts that would contribute to the impacts identified in the FEIR. Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the determination under each topic area. The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether such impacts are addressed in the Eastern Neighborhoods FEIR.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR. This determination does not identify new or additional information that would alter the conclusions of 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 3420 18th Street. 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

The Eastern Neighborhoods FEIR included analyses of the following environmental issues: 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 project at 3420 18th Street 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 Plan Area. Thus, the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 3420 18th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods FEIR.

Potential Environmental Effects

The following discussion demonstrates that the proposed 3420 18th Street project would not result in impacts that were not identified in or a more severe adverse impact than discussed in the Eastern

Neighborhoods FEIR, including proposed project-specific impacts related to land use, archeological resources, noise, air quality, shadow, and hazards and hazardous materials.

Land Use

The project site is in the Mission Area Plan of the San Francisco General Plan and is in the Mission Street Neighborhood Commercial Transit (NCT) District. The commercial area of this district provides a selection of goods serving the day-to-day needs of the residents of the Mission District. Additionally, this district serves a wider trade area with its specialized retail outlets. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours.

The district is extremely well-served by transit, including region-serving BART stations at 16th Street and 24th Street, major bus lines running along Mission Street, and both cross-town and local-serving bus lines intersecting Mission Street along the length of this district. In light of the area's central location and accessibility to the City's transit network, accessory parking for residential uses is not required. Any new off-street parking is required to be set back or be below ground.

This district has a mixed pattern of larger and smaller lots and businesses, as well as a sizable number of upper-story residential units. Zoning controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. While offices and general retail sales uses may locate at the second story of new buildings under certain circumstances, most commercial uses are prohibited above the second story. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts. Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot but by requirements to supply a high percentage of larger units and by physical envelope controls. Existing residential units are protected by prohibitions on upper-story conversions and limitations on demolitions, mergers, and subdivisions.

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

The Eastern Neighborhoods FEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be greatest under Option C. The alternative ultimately selected – the 'Preferred Project' – represented a combination of Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the FEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Plan Area. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated

for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. The measure was judged to be infeasible, because the outcome of the community-based Western SoMa planning process could not be known at the time, and the measure was seen to conflict with other City policy goals, including the provision of affordable housing. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

A search of available records shows that the existing building on the project site was constructed in 1910, that it has been used for a variety of light industrial uses since at least 1914, and has been used for auto repair, a PDR use, since around 1977¹. The proposed project would result in the conversion of the existing auto repair use to commercial and residential. Thus the project would convert an existing PDR use to commercial and residential uses.

As noted above, the Eastern Neighborhoods FEIR determined that the cumulative loss of PDR use in the Plan Area would result in a significant and unavoidable land use impact. However, the FEIR also determined that the use regulations that apply throughout most of the western and southern areas of the Mission, including the project area, would not substantially change, and that implementation of the Eastern Neighborhoods Area Plan would not result in significant land use changes in these areas. The proposed change in use from PDR (auto repair) to commercial and residential would not therefore result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use under the Eastern Neighborhoods Area Plan.

The proposed project requires a Rear Yard Modification from Planning Code Section 134(e) to provide a rear yard area less than 25 percent of the lot depth, and a Variance from the street frontage requirements of Planning Code Section 145.1 to allow parking within the first 25 feet of the building façade. Both of these exceptions to the Planning Code will be considered by the Zoning Administrator. The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project would be consistent with the development density of the Mission Street NCT District Zoning and satisfy the requirements of the General Plan and the Planning Code.^{2,3}

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Cultural Resources

The Eastern Neighborhoods FEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plan could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The FEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The FEIR identifies three mitigation measures that could reduce the severity of impacts of development enabled under the Eastern Neighborhoods Plan in some cases: Mitigation Measure K-1 established interim building permit review policies to protect historical resources within the Plan Area, pending completion of an historical resources survey of the Plan Area and implementation of revised Preservation Policies for protection of historical resources within the Plan Area; Mitigation Measure K-2 identified amendments to Article 10 of the Planning Code pertaining to vertical additions in the South End Historic

¹ Phase 1 Environmental Site Assessment at 3420 18th Street and 39 San Carlos Street, John Carver Consulting, September 17, 2012.

² Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning Analysis, 3420 18th Street, July 31, 2013. This document is on file and available for review as part of Case File No. 2012.1572E.

³ Brittany Bendix, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 3420 18th Street, October 10, 2013. This document is on file and available for review as part of Case File No. 2012.1572E.

District that would reduce potential impacts to contributing structures in this historic district; and Mitigation Measure K-3 identified amendments to Article 10 of the Planning Code pertaining to alteration and infill development in the Dogpatch Historic District that would reduce potential impacts in contributing structures in this historic district. However, because the demolition or substantial alteration of a historical resource typically cannot be fully mitigated, the FEIR concluded that the Eastern Neighborhoods Plan would have a significant and unavoidable impact on historical resources.

The project site is rated 6Z (“Found ineligible for NR, CR or Local designation through survey evaluation”) in the *Inner Mission North Historic Resource Survey*, which was conducted as a part of the Eastern Neighborhoods Rezoning and Area Plans. As such, the subject property is not considered a historic resource under CEQA, and its demolition would not result in a significant impact. In addition, the project site is not located within a known or eligible historic district as identified in the *Inner Mission North Historic Resource Survey*. Therefore, there are no historic resource issues with the subject property.

The Eastern Neighborhoods FEIR identified potential archeological impacts related to the Eastern Neighborhoods Area Plan and identified three archeological mitigation measures that would reduce impacts on archeological resources to less than significant. Eastern Neighborhoods FEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

No previous archeological studies have been conducted for the project site, and the site is not located within the Mission Dolores Archeological District; therefore, FEIR Mitigation Measures J-1 and J-3 do not apply to the proposed project.

Because no previous archeological studies have been prepared for the project site, FEIR Mitigation Measure J-2 (properties with no previous studies) applies to the proposed project. Mitigation Measure J-2 requires preparation of a preliminary archeological sensitivity study to assess the potential for a proposed project to have a significant impact on archeological resources. Accordingly, the Planning Department’s archeologist conducted an archeological assessment review of the project site and the proposed project as summarized below.⁴

Throughout the Late Holocene Period, the project site was most likely situated within the flood plain of Dolores Creek. By the mid-19th century the site was likely within the dense willow riparian area that ran along the northern side of Dolores Creek just before it opened out into the Dolores Lagoon. In contrast to the parcel to the north, soils sampling has indicated fill is comparatively shallow, ranging from 2 feet to 8.5 feet deep, which may indicate much of the site was higher ground separating a willow clogged hollow to the north from the Dolores Creek channel to the south. Deep alluvial soils below the fill testify to a long association of the site with runoff and watercourses running down the eastern flank of the San Miguel Hills. Although the ecological setting would have been favorable for prehistoric resource procurement activities, the absence of a stable, dry land surface would preclude occupation. Historical documentation suggests that the creek and wetlands in the project area were not filled until probably the 1870s or 1880s.

⁴ Environmental Planning Preliminary Archeological Review: checklist for 3420 18th Street from Randall Dean, August 9, 2013. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1572E.

There is no indication of substantial soils disturbance resulting from the construction of sub-grade basements in prior buildings located on the project site.

As noted above, prior to the 1870's-1880's the project area was occupied by willow riparian wetlands associated with Dolores Creek and Dolores Lagoon, precluding its development during the late prehistoric and Hispanic periods. According to available records, the site was occupied by two two-story single family dwellings in 1889, and the existing single-story building on the site was constructed by 1910. The existing building has supported a variety of industrial uses since at least 1914, and is currently in use as an automobile repair shop.

Based on this assessment, the Planning Department's archeologist has determined that the project site has a low sensitivity for significant archeological resources, and that no CEQA-significant archeological resources are expected to be affected by the proposed project. Therefore, the proposed project would not result in any significant impacts on cultural resources that were not identified in the Eastern Neighborhoods FEIR, and no further mitigation is necessary.

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 Planning Department's transportation analysis indicates that the proposed project would generate approximately 301 daily person trips, with 38 daily person trips during the weekday p.m. peak hour, consisting of eight vehicle trips, 15 transit trips, seven walk trips, and three trips by other modes.⁵

Traffic

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. Available LOS data of intersections within three blocks of the project site currently operate during the weekday p.m. peak hour at LOS B (Valencia/16th Street and South Van Ness/16th Street intersections), LOS C (Mission/16th Street).⁶ The proposed project would generate an estimated eight new p.m. peak hour vehicle trips to surrounding intersections. This amount of new p.m. peak hour vehicle trips is not anticipated to substantially increase traffic volumes at these or other nearby intersections, substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or substantially increase average delay at intersections that currently operate at unacceptable LOS.

⁵ Environmental Planning Transportation Calculations for 3420 18th Street. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1572E.

⁶ LOS is for the year 2006 and comes from the Eastern Neighborhoods FEIR.

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 nine intersections. Of those intersections, the project site is near South Van Ness/Howard/13th Street (five blocks east of the project site) and 13th/Bryant Street (five blocks southeast of the project site) which operated at LOS E and C, respectively, under existing (baseline) conditions and each of these intersections would deteriorate to LOS F under cumulative weekday p.m. peak hour operating conditions. Specific mitigation measures were not proposed for the South Van Ness/Howard/13th Street or 13th/Bryant Street 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. Even with mitigation, however, cumulative impacts at the above intersections were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative traffic impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its contribution of an estimated eight 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.

For the above reasons, the proposed project would not result in significant impacts 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 12, 14, 14L, 22, 33, and 49 and a regional transit stop for BART at Mission/16th Street. The proposed project would be expected to generate 93 daily transit trips with 15 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 15 p.m. peak hour transit trips would be accommodated by existing transit 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 levels 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 22, 33, and 49. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations 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 15 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 not contribute considerably to 2025 cumulative transit conditions and thus, the proposed project 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.

Pedestrian

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; conditions that can negatively impact pedestrians. The proposed project would remove an existing curb cut 18th Street and would create a new 10-foot wide curb cut on San Carlos Street to provide vehicular access to the garage. San Carlos Street 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

Existing Class II bikeways are available near the project site on Valencia and 17th Streets. Class II bikeways are bicycle lanes striped with the paved areas of roadways, and established for the preferential use of bicycles. The two roadways directly adjacent to the project site – 18th Street and San Carlos Street – do not contain designated bikeways or bicycle routes. Nevertheless, by replacing the existing curb cut on 18th Street with a new curb cut on San Carlos Street, the proposed project would reduce potential conflicts for bicyclists travelling on 18th Street from vehicles entering and exiting the site. In addition, the frequency of vehicles entering and exiting the project site from San Carlos Street would not be substantial enough to cause a hazard to bicyclists. 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

Per the requirements of the Planning Code, the proposed project would not be required to provide any loading spaces. As proposed, the project would provide eight off-street parking spaces in the ground-floor garage with no loading spaces; therefore, the proposed project meets 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 the ground floor retail unit would occur at 18th Street. Vehicle loading for the residential units would occur at 18th Street or from the garage. If additional loading would be required that could not be accommodated at 18th Street or the garage, loading could occur on San Carlos Street without creating potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians. 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 a significant impact related to emergency access nor 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 nine months and would include below-ground surface construction and building construction. Although construction activities would result in additional vehicle trips to and from the project site from workers and material and equipment deliveries, 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

Per the requirements of the Planning Code, eight off-street parking spaces are required. The proposed project would provide eight off-street parking space; therefore, the proposed project meets the parking requirements of the Planning Code.

The proposed residential units would generate an estimated demand for 20 new spaces, and the proposed retail unit would generate an estimated demand for seven parking spaces. As such, the proposed project would have an unmet parking demand of 19 spaces. However, on-street parking is available on 18th Street, San Carlos Street and other nearby streets, and off-street parking is available at nearby lots.

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 deficit 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 deficit 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 deficit 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 cause by congestion), depending on the project and its setting.

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

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

as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

Because the unmet parking demand of an estimated 19 spaces could be met by existing on-street parking and nearby parking facilities and because the project area is well-served by transit and bicycle facilities, the project's unmet parking demand would not result in significant delays or hazardous conditions. As such, the proposed project would not result in a substantial parking deficit that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, the proposed project would not result in any significant impacts that were not identified in the Eastern Neighborhoods FEIR related to parking.

Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods FEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the Area Plan and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods FEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not involve pile driving or other particularly noisy construction methods; therefore, these mitigation measures are not applicable. In addition, all construction activities for the proposed project (approximately 9 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance) as outlined below.

Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) 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 nine months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately nine months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure F-3 requires that new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to California Noise Insulation Standards in Title 24, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Mitigation Measure F-4 requires the preparation of an analysis that includes, at minimum, a site survey to identify potential noise-generating uses within 900 feet of and that have a direct line of site to the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 can be attained. Accordingly, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24.⁷

Mitigation Measure F-6 requires that open space required under the Planning Code for individual projects located in noisy areas be protected, to the maximum feasible extent, from existing ambient noise levels. The project site is located along streets with noise levels above 60 dBA and the proposed project would both result in a new noise sensitive use, residential, and require new open space under the Planning Code; therefore this mitigation measure is applicable.

Eastern Neighborhoods FEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. Ambient noise levels in San Francisco are largely influenced by traffic-related noise. The proposed project would be located along two streets, 18th Street and San Carlos Street, identified in the Housing Element EIR Figure V.G-3 with noise levels up to 65 Ldn.⁸ An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel increase). The proposed project would not double traffic volumes because the proposed project would generate approximately 76 daily vehicle trips, with approximately eight trips during the p.m. peak-hour. In addition, operation of the proposed project would not include any other constant or short-term noise sources (e.g., diesel generator) that would be perceptible in the project vicinity. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, and thus Mitigation Measure F-5 does not apply.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

Air Quality

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

⁷ Environmental Noise Study for Compliance with City of San Francisco and California State Building Codes for 3420 18th Street, Charles M. Salter Associates, April 22, 2013.

⁸ Ldn refers to the day-night average level or the average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m.. A decibel is a unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals.

conflict with the applicable air quality plan at the time, the *Bay Area 2005 Ozone Strategy*. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection. Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),⁹ which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("hot spots"). Air pollution hot spots were identified based on two health based criteria:

1. Excess cancer risk from all sources > 100; and
2. PM_{2.5} concentrations from all sources including ambient >10µg/m³.

Sensitive receptors¹⁰ within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

⁹ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

¹⁰ The BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) Residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, page 12.

Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would be expected to last approximately nine months (35 weeks). Diesel-generating equipment would be required for approximately five months (21 weeks).

The project site is not located within an identified hot spot; therefore, the proposed project's temporary and variable construction activities would not add emissions to areas already adversely affected by poor air quality, and the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is not applicable to the proposed project.

Mitigation Measure G-2 requires new residential development near high-volume roadways and/or warehousing and distribution centers to include an analysis of DPM and/or TACs, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to DPM and other pollutant emissions, as well as odors. The proposed project would not be located near high-volume roadways and/or warehousing and distribution centers. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring that uses generating substantial DPM emissions, including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would include 12,629 square feet of new residential development, 1,087 square feet of new commercial development, and eight parking spaces and is not expected to generate substantial DPM emissions or be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

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

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

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Area Plan, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction by departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods FEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct a 55-foot-tall building; therefore, a shadow analysis was conducted pursuant to Planning Code Section 295.¹¹ The shadow fan analysis found that the proposed project would not create new shadow on any property under the jurisdiction of the Recreation and Parks Commission.

The shadow fan analysis also found the proposed project would shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

Hazards and Hazardous Materials

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would result in the incremental replacement of some of the existing non-conforming business with development of these other land uses. Development may involve demolition or renovation of existing structures that may contain hazardous building materials, such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP) and fluorescent lights containing mercury vapors, that were commonly used in older buildings and which could present a public health risk if disturbed during an accident or during demolition or renovation. The Eastern Neighborhoods FEIR identified a mitigation measure to reduce this impact to less than significant.

The proposed project would not involve the removal of transformers, but could involve removal of fluorescent light ballasts, and fluorescent lights. Therefore, Mitigation Measure L-1, Hazardous Building Materials, from the Eastern Neighborhoods FEIR would apply to the proposed project.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on July 30, 2013 to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. One comment was received stating a concern that the scale of the proposed building would be large in relation to San Carlos Street. This concern is addressed in the land use section in the Certificate of Determination and the land use and aesthetics sections of the Community Plan Exemption Checklist (Attachment A).

Conclusion

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed project at 3420 18th Street. As described above, the 3420 18th Street project would not have any additional or 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. Thus, the proposed project at 3420 18th Street would not result in any environmental impacts substantially greater than described in the 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

¹¹ San Francisco Planning Department, *Shadow Analysis, 3420 18th Street*, February 26, 2013. This document conservatively analyzed the new building at 70 feet in height and is available for review as part of Case No. 2012.1572E.

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.

Attachment A Community Plan Exemption Checklist

Case No.: 2012.1572E
Project Title: 3420 18th Street
Zoning: Mission Street NCT (Neighborhood Commercial Transit) District
55-X Height and Bulk District
Block/Lot: 3576/090
Lot Size: 4,675 square feet
Plan Area: Mission Subarea of the Eastern Neighborhoods Area Plan

A. PROJECT DESCRIPTION

The project site is located at the northeast corner of 18th and San Carlos Streets in the Mission neighborhood. The proposed project would include the demolition of an existing single-story, 4,675-square-foot industrial building and construction of a five-story, 19,578-square-foot, residential building with ground floor retail. The proposed building would be 55 feet high with one 1,087-square-foot commercial unit and eight off-street parking spaces on the ground floor and 16 dwelling units totaling 12,629 square feet on the floors above. The building would also contain 3,308 square feet for common stairways and an elevator and a 2,071-square-foot common roof terrace. The proposed garage would be equipped with three two-vehicle car stackers, which would require excavation to a maximum depth of 6.5 feet below ground surface level (bgs). Loose soils underlying the site would be improved through compaction grouting to a depth of 25 feet bgs, and the proposed building would be constructed on a mat slab foundation.

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 final Programmatic EIR (FEIR) for the plan area.¹ 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 “Proj. 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 under each topic area.

Items checked “Project Has Sig. Significant Impact” identify topics for which the proposed project would result in a significant impact that is peculiar to the proposed project, i.e., the impact is not identified as significant in the FEIR. If any item is checked as this in a topic, these topics will be addressed in a separate Focused Initial Study or EIR.

¹ The FEIR also refers to any Initial Study that may have been conducted for the FEIR.

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.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Sig. Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---|--|--|-------------------------------------|
| 1. LAND USE AND LAND USE PLANNING— Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial impact upon the existing character of the vicinity? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the rezoning and community plans is a regulatory program, not a physical development project; therefore, the rezoning and community plans would not create any new physical barriers in the Eastern Neighborhoods. The Eastern Neighborhoods FEIR also determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. For a discussion of Topic 1c, please see the Certificate of Determination.

No Peculiar Impacts

The proposed project would not create any new physical barriers in the Eastern Neighborhoods. The proposed project would replace an existing one-story building with a new 55-foot-tall, five-story building on the entirety of the existing lot. Consequently, the proposed project would not physically disrupt or divide the project area or individual neighborhoods or subareas.

The project site is in the Mission Area Plan Subarea of the San Francisco General Plan and is in the Mission Street Neighborhood Commercial Transit (NCT) District. This district has a mixed pattern of larger and smaller lots and businesses, as well as a sizable number of upper-story residential units. The NCT District zoning controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts. Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot but by requirements to supply a high percentage of larger units and by physical envelope controls. The proposed residential building with ground floor retail is consistent with the zoning controls and uses permitted within the Mission Street NCT District.

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

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---|--|---|-------------------------------------|
| 2. AESTHETICS—Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that implementation of the design policies of the area plans would not substantially degrade the visual character or quality of the area, have a substantial adverse effect on a scenic vista, substantially damage scenic resources that contribute to a scenic public setting, or 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. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing character of the project site and surroundings is dominated by uses typical in an urban setting, mostly one-to-three-story commercial and mixed-use commercial/residential uses. Public viewpoints in the project vicinity are dominated by these existing nearby buildings and the Mission and Valencia Street corridors. No scenic vistas or scenic resources exist in the project vicinity. The project site is developed with a single-story industrial building currently used as a muffler repair shop.

The proposed project would construct a new 55-foot tall, five-story, 19,578-square-foot, residential building with ground floor retail on the entirety of the existing lot. Although the new building would change the visual appearance of the project site and immediate surroundings, it would not substantially degrade its visual character or quality. The new building would be higher than the immediately adjacent buildings, but would not be substantially taller than other development in the project vicinity, such as the 50-foot tall, five-story building directly across 18th Street at 2200 Mission Street (aka 3417-19 18th Street). The proposed project would not obstruct longer-range views from any publicly-accessible areas. As described in the Certificate of Determination, the proposed building envelope and design meets Planning Code requirements for the Mission NCT zoning district.

The new building would introduce a new source of light and glare. However, the proposed project would be subject to and would comply with the City’s Green Building Code,² which requires all newly constructed non-residential buildings to design interior and exterior lighting such that zero direct-beam illumination leaves the building site, except for emergency lighting and lighting required for nighttime activity. Therefore, the new lighting would not adversely affect day or nighttime views in the area or substantially impact other people or properties because the lighting would not extend beyond the project site. Furthermore, Planning Commission Resolution No. 9212 (1981) established guidelines aimed at limiting glare from proposed buildings and the City’s Standards for Bird-Safe Buildings requires that new structures do not create a substantial source of glare. The proposed project would be subject to and would comply with this resolution and regulation.

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

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

| Topics: | Sig. Impact Identified in FEIR | Project Contributes to Sig. Impact Identified in FEIR | Project Has Peculiar Sig. 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project does not involve the displacement of people. No housing would be removed; therefore the construction of replacement housing would not be necessary. In addition,

² Building Code, 2010 Edition, Section 13.C.5.106.8

the proposed project would not add any new infrastructure that would indirectly induce population growth.

The Eastern Neighborhoods FEIR concluded that an increase in population in the Area Plan is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance some key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The proposed project would not induce substantial population growth and any increase in population would be within the scope of the Eastern Neighborhoods FEIR analysis. For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---|--|---|-------------------------------------|
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified potentially significant archeological resource impacts related to the greater potential for the disturbance of soils below the existing surface. The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. For a discussion of this Topic, please see the Certificate of Determination.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a significant impact with regard to archeological resources or historic architectural resources. For the above reasons, the proposed project would not result in significant impacts on cultural resources that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---|--|---|-------------------------------------|
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes would result in significant and unavoidable impacts on traffic and transit ridership. For a discussion of Topics 5a, b, and f, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR did not address whether the Plan would result in changes in air traffic patterns or inadequate emergency access. The Eastern Neighborhoods FEIR determined that the Plan would result in less-than-significant impacts on parking and loading, and on pedestrian and bicycle safety.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in significant impacts on traffic and circulation, transit, parking, loading, or pedestrian and bicycle safety that were not identified in the Eastern Neighborhoods FEIR.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, Topic 5c is not applicable.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---|--|---|-------------------------------------|
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Be substantially affected by existing noise levels? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified significant construction noise impacts resulting from pile driving and other construction activities. In addition, the Eastern Neighborhoods FEIR identified potential conflicts and significant impacts from short-term and long-term noise levels that could prove disruptive to occupants of new residential development and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. For a discussion of Topics 6a, b, c, d, and g, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR determined that the two airport-related criteria are not relevant because the Plan Area is not located within an airport land use plan area or within two miles of a public airport or public use airport.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a significant impact with regard to construction noise or potential conflicts with occupants of noise-sensitive uses.

Conditions at the project site have not changed since certification of the FEIR; the project site is still not located within an airport land use plan area or within two miles of a public airport or public use airport. Therefore, Topics 6e and f are not applicable. For the above reasons, the

proposed project would not result in significant impacts related to noise that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---------------------------------------|--|---|-------------------------------------|
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter and toxic air contaminants as part of everyday operations. These significant impacts would conflict with the applicable air quality plan at the time, the *Bay Area 2005 Ozone Strategy*. For a discussion of this Topics 7a, b, c, d, and e, please see the Certificate of Determination.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a significant impact with regard to construction- or operational-related air pollutant emissions nor would it conflict with the applicable air quality plan, the *2010 Clean Air Plan*. For the above reasons, the proposed project would not result in significant impacts on air quality that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---------------------------------------|--|---|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---|--|---|-------------------------------------|
| b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Background

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (Air Basin). BAAQMD is responsible for attaining and maintaining air quality in the Air Basin within federal and State air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Air Basin and to develop and implement strategies to attain the applicable federal and State standards. The BAAQMD assists CEQA lead agencies in evaluating the air quality impacts of projects and plans proposed in the Air Basin. Subsequent to the Eastern Neighborhoods FEIR, the BAAQMD provided studies which provided new methodologies for analyzing air quality impacts, including GHG emissions. The BAAQMD studies provide screening criteria for lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant GHG impacts.³ If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed assessment of their proposed project’s GHG emissions and construction or operation of the proposed project would result in a less-than-significant GHG impact. OPR’s amendments to the CEQA Guidelines as well as BAAQMD’s studies have been incorporated into the proposed project level analysis accordingly.

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E per service population,⁴ respectively.⁵ The Eastern Neighborhoods FEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods FEIR adequately addressed GHG emissions and the resulting emissions were determined to be less than significant. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The project proposes to construct a new residential building with ground floor retail. The proposed project would contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. Construction of the proposed project is estimated at approximately nine months. Project operations would generate both direct and indirect GHG

³ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011, pages 3-1 to 3-5.

⁴ SP= Service Population. Service population is the equivalent of total number of residents + employees.

⁵ Memorandum from Jessica Range, MEA to MEA staff, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations. The project site is located within Mission Area Plan analyzed under the Eastern Neighborhoods FEIR.

As discussed above, the BAAQMD studies provide methodologies for analyzing GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified GHG Reduction Strategy, as defined in the BAAQMD's studies. On August 12, 2010, the San Francisco Planning Department submitted a draft of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.⁶ This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the BAAQMD's studies.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's studies and stated 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

Based on the BAAQMD's studies, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions.

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 impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be subject to and

⁶ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

⁷ Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

would comply with these requirements. In addition, the proposed project was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions*.⁸

For the above reasons, the proposed project would not result in any significant impacts related to GHG emissions that were not identified in the Eastern Neighborhoods FEIR.

| Topics: | Sig. Impact Identified in FEIR | Project Contributes to Sig. Impact Identified in FEIR | Project Has Peculiar Sig. Impact | LTS/ No Impact |
|--|---------------------------------------|--|---|-------------------------------------|
| 9. WIND AND SHADOW—Would the project: | | | | |
| a) Alter wind in a manner that substantially affects public areas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined shadow impacts to be significant and unavoidable due to the potential new shadows on parks without triggering Section 295 of the Planning Code review. For a discussion of Topic 9b, please see the Certificate of Determination.

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Eastern Neighborhoods FEIR determined the rezoning and community plans would not result in a significant impact to wind because the Planning Department, in review of specific future projects, would continue to require analysis of wind impacts, where deemed necessary, to ensure that project-level wind impacts mitigated to a less-than-significant level. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 55-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind and shadow that were not identified in the Eastern Neighborhoods FEIR.

| Topics: | Sig. Impact Identified in FEIR | Project Contributes to Sig. Impact Identified in FEIR | Project Has Peculiar Sig. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

⁸ San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist, July 10, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2012.1572E.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---------------------------------------|--|---|-------------------------------------|
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Physically degrade existing recreational resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have a significant adverse effect on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would result in 16 new residential units, which would be among the housing units anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in significant impacts on recreational resources that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---------------------------------------|--|---|-------------------------------------|
| 11. UTILITIES AND SERVICE SYSTEMS—Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would result in 16 new residential units, which would be among the housing units anticipated in the FEIR to be added as a result of implementation of the Eastern Neighborhoods Area Plan. For the above reasons, the proposed project would not result in significant impacts related to utility and service systems that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---------------------------------------|--|---|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR. Impacts on parks and recreation are discussed under Topics 9 and 10.

No Peculiar Impacts

The proposed project would result in 16 new residential units, which would be among the housing units anticipated in the FEIR to be added as a result of implementation of the Eastern Neighborhoods Area Plan. For the above reasons, the proposed project would not result in significant impacts related to public services that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---|--|---|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods project area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Eastern Neighborhoods would largely consist of new construction of housing in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Eastern Neighborhoods FEIR concluded that the project would not result in any significant effects related to biological resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The project site is covered entirely by an existing building. Similar to the rest of the Eastern Neighborhoods plan area, the project site does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat. No trees exist at or adjacent to the project site. Furthermore, the proposed project would be subject to the City’s Standards for Bird-

Safe Buildings, which require the proposed building to incorporate bird-safe design features to reduce potential impacts on birds. For the above reasons, the proposed project would not result in significant impacts on biological resources that were not identified in the Eastern Neighborhoods FEIR.

| <i>Topics:</i> | <i>Sig. Impact Identified in FEIR</i> | <i>Project Contributes to Sig. Impact Identified in FEIR</i> | <i>Project Has Peculiar Sig. Impact</i> | <i>LTS/ No Impact</i> |
|--|---------------------------------------|--|---|-------------------------------------|
| 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.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Change substantially the topography or any unique geologic or physical features of the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR concluded that implementation of the plan would indirectly increase the population that could be exposed to risks related to earthquakes 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 risks related to geological hazards, but would reduce them to an acceptable level. Therefore, the FEIR concluded that development under the area plan would not result in significant impacts related to geological hazards. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

A geotechnical investigation was prepared for the proposed project.⁹ The following discussion relies on the information provided in the geotechnical investigation.

The topography of the project site slopes slightly downward toward the northeast at an average inclination of 80:1 (horizontal to vertical). Geotechnical soil borings were excavated to a maximum depth of approximately 51.5 feet below ground surface (bgs). Based on the soil analysis of the borings, the site contains about 18 feet of fill overlaying alluvial deposits, with a layer of dense sand found at approximately 26 feet bgs. Groundwater was encountered at about 8.5 feet bgs.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately 6.7 miles southwest from the project site. The proximity would likely result in strong earthquake shaking at the project site.

The project site is located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on analysis of geotechnical borings taken on and adjacent to the project site, the soils within the upper 25 feet are potentially susceptible to liquefaction and lateral spreading, and could experience seismically-induced settlement of up to ½ inch. The report also determined that potential hazards associated with landsliding are low at the project site.

The geotechnical investigation provided recommendations for two foundation options to reduce the risks related to the seismic hazards noted above, either: (1) a mat foundation in combination with compaction grouting to stabilize loose soils underlying the site; or (2) a driven pile or drilled pier foundation. The geotechnical report also includes detailed recommendations related to site preparation and grading, seismic design parameters, soil densification, retaining walls, slab-on-grade floors, and site drainage.

The geotechnical investigation concluded that the site is suitable for support of the proposed project if constructed in accordance with the recommendations noted above. The proposed project would be required to incorporate these recommendations into the final building design through the building permit review process. Through this process, the Department of Building Inspection (DBI) would review the geotechnical investigation to determine the adequacy of necessary engineering and design features to ensure compliance with all Building Code provisions regarding structure safety. Past geological and geotechnical investigation would be available for use by DBI during its review of building permits for the project site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. For the above reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods FEIR.

⁹ Geotechnical Investigation for Planned Development at 3420 18th Street, Earth Mechanics Consulting Engineers, October 26, 2012. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

| <u>Topics:</u> | <i>Sig. Impact Identified in FEIR</i> | <i>Project Contributes to Sig. Impact Identified in FEIR</i> | <i>Project Has Peculiar Sig. Impact</i> | <i>LTS/ No Impact</i> |
|---|---|--|---|-------------------------------------|
| 15. HYDROLOGY AND WATER QUALITY— Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing project site is completely covered by an existing building. The proposed project would construct a new building on the entirety of the project site. Groundwater is relatively

shallow throughout the project site, approximately 8.5 feet bgs. The proposed project would not involve excavation to this depth and is therefore unlikely to encounter groundwater. However, any groundwater that is encountered during construction would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Effects from lowering the water table due to dewatering, if any, would be temporary and would not be expected to substantially deplete groundwater resources.

The proposed project would not increase the amount of impervious surface area on the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with Low Impact Design (LID) approaches and stormwater management systems to comply with the Stormwater Design Guidelines. Therefore, the proposed project would not adversely affect runoff and drainage. For the above reasons, the proposed project would not result in significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---|--|---|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---|--|---|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that development resulting from implementation of the area plan may involve demolition or renovation of existing structures that may contain hazardous building materials, such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP) and fluorescent lights containing mercury vapors, that were commonly used in older buildings and which could present a public health risk if disturbed during an accident or during demolition or renovation. For a discussion of Topic 16C, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would result in the incremental replacement of some of the existing non-conforming business with development of these other land uses. This could result in exposure to the public or the environment to hazards, but existing regulations would reduce impacts to less-than-significant levels, with the exception of those hazardous materials and waste addressed in the Certificate of Determination. In addition, the FEIR determined that the rezoning and community plans would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires. Lastly, the FEIR determined that the project area is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the rezoning and community plans would have no adverse effects in terms of air safety.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a significant impact with regard to emitting hazardous building materials during demolition.

The project site was formerly used for a variety of industrial uses, including auto repair, sheet metal works, and painting contractor companies, which may have used, generated, stored, or disposed of hazardous materials. Therefore, the project is subject to Article 22A of the San Francisco Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the

presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH. John Carver Consulting undertook a Phase I ESA of the project site on behalf of the project sponsor.¹⁰ The Phase I ESA determined that there are no Recognized Environmental Concerns related to hazardous materials associated with the project site. However, the Phase I ESA identified the following potential concerns: (1) a 30-inch diameter by 4-foot deep concrete lined sump located in the interior of the existing building and filled with broken glass and wire pieces; (2) the history of industrial uses; (3) historic fill underlying the site; (4) proximity of the site to the limits of the Maher Ordinance¹¹ limits; and (5) the proposed change of use. In response to these potential concerns, John Carver Consulting also conducted a Phase II ESA of the site, consisting of soil and groundwater sampling.¹²

The Phase II ESA determined that the soil and groundwater at the project site meets applicable regulatory standards for petroleum hydrocarbons and volatile organic compounds, but detected heavy metals, including arsenic, vanadium, lead, nickel, and chromium in soil samples taken at the site that may require remediation and/or further testing in accordance with Maher Ordinance requirements.

The proposed project would be required to remediate potential soil contamination described above in accordance with Article 22A of the Health Code. As a result, the proposed project would not create a significant impact related to hazardous materials. For the above reasons, the proposed project would not result in significant impacts related to hazards and hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

¹⁰ Phase 1 Environmental Site Assessment at 3420 18th Street and 39 San Carlos Street, John Carver Consulting, September 17, 2012.

¹¹ Article 22A of the San Francisco Health Code (also known as the Maher Ordinance) requires that projects located bayward of the historic high tide line that would involve disturbance of more than 50 cubic yards of soil prepare a site history report to identify whether past site uses may have caused contamination, conduct soil testing for the presence of the potentially hazardous constituents, prepare a soils analysis report, and prepare a Site Mitigation Plan (if contamination is identified). If hazardous materials remain in the soil or groundwater, approval of the Site Mitigation Plan by the DPH may be conditioned upon submittal of a Risk Management Plan, Health and Safety Plan, and possibly a Cap Maintenance Plan to prevent exposure to hazardous materials in soil or groundwater after construction of the project. Upon completion of site mitigation, the site owner must submit certification that the project has received certification or verification for the appropriate state or federal agency that mitigation is complete. The San Francisco Board of Supervisors recently approved and the Mayor signed a series of amendments to the San Francisco Building and Health Codes, referred to as the Soil and/or Groundwater Testing Requirements Ordinance (Ordinance No. 155-13, July 16, 2013), which is an update to the existing Maher Ordinance. The intent of the updated Maher Ordinance is to identify, investigate, analyze, and when deemed necessary, remediate hazardous substances in soils by expanding the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances in order to protect the environment and public health and safety.

¹² Subsurface Investigation for 3420 18th Street, John Carver Consulting, October 8, 2012.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---------------------------------------|--|---|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. The project area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods FEIR concluded that the project would not result in a significant impact to mineral and energy resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. The energy demand for the proposed project would be typical for such projects and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulation enforced by the Department of Building Inspection. For the above reasons, the proposed project would not result in significant impacts on mineral and energy resources that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|---|---------------------------------------|--|---|-----------------------|
| 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: | | | | |

| <u>Topics:</u> | <i>Sig. Impact Identified in FEIR</i> | <i>Project Contributes to Sig. Impact Identified in FEIR</i> | <i>Project Has Peculiar Sig. Impact</i> | <i>LTS/ No Impact</i> |
|---|---|--|---|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR.

The Eastern Neighborhoods FEIR did not analyze the effects on forest resources.

No Peculiar Impacts

The existing project site is a surface parking lot and is located within the Mission Area Plan analyzed under the Eastern Neighborhoods FEIR. Therefore, no agricultural uses, forest land, or timberland exist at the project site. For the above reasons, the proposed project would not result in significant impacts on agricultural or forest resources that were not identified in the Eastern Neighborhoods FEIR.

| <u>Topics:</u> | <u>Sig. Impact Identified in FEIR</u> | <u>Project Contributes to Sig. Impact Identified in FEIR</u> | <u>Project Has Peculiar Sig. Impact</u> | <u>LTS/ No Impact</u> |
|--|---|--|---|---------------------------|
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Significant Impacts Identified in FEIR

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 on seven Muni lines), cultural (demolition of historical resources), and shadow (impacts on parks).

No Peculiar Impacts

The proposed project would include construction of a new residential building with ground floor retail. As discussed in this document, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR.

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.


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

DATE October 16, 2013