



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.0506E  
 Project Title: 500 Second Street  
 Zoning/Plan Area: MUO (Mixed-Use Office); 65-X Height and Bulk District  
 East SoMa Subarea of the Eastern Neighborhood Rezoning and Area Plan  
 Block/Lot: 3775/001  
 Lot Size: 13,883 square feet  
 Project Sponsor: John Kevlin; Reuben, Junius & Rose, LLP  
 (415) 567-9000  
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### PROJECT DESCRIPTION:

The project site is located on the southwest corner of Bryant and Second Streets in the South Park neighborhood. The site is developed with a four-story, 13,883 square-foot (sf) brick industrial building constructed in 1919. The structure covers the entire project site, fronting on Second Street. The proposed project entails conversion of the entire building from industrial to office use. No exterior alteration to the building or site is proposed. Five bicycle parking spaces would be provided in a new, secure room, provision of which entails minor interior alteration in the basement level. No new space will be added to the existing building. No car parking exists on the project site and none is proposed.

*(continued on page 2)*

### EXEMPT STATUS:

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

### DETERMINATION:

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

  
 Sarah B. Jones  
 Environmental Review Officer

November 19, 2013  
 Date

cc: John Kevlin, Project Sponsor  
 Erik Jaszewski, Environmental Planner  
 Rich Sucre, Preservation Planner

Supervisor Jane Kim, District 6  
 Virna Byrd, M.D.F.  
 Exclusion/Exemption Dist. List  
 Historic Preservation Distribution List

**PROJECT DESCRIPTION (continued):**

500 Second Street is located on a rectangular lot measuring 40 feet (ft) by 90 ft on the southwest corner of Second and Bryant Streets (Assessor's Block 3775 Lot 001). Constructed in 1919, the building at 500 Second Street is a contributing resource to the South End Historic District and is located within the MUO (Mixed Use Office) Zoning District and within a 65-X Height and Bulk District. The building is known as the Auerbach Building, named after the original owner Milton Auerbach. The structure is listed as an Unreinforced Masonry Building which has been previously seismically retrofitted according to the Department of Building Inspection's (DBI) records. The building at 500 Second Street is a known historic resource for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures.

A Certificate of Appropriateness (Case File No. 2012.0780A) and Building Permit (Application No. 201212045382) have previously been obtained for the site at 500 Second Street, allowing for recent interior and exterior alterations to the building. However, no interior or exterior alterations are proposed as part of this project.<sup>1</sup>

The proposed project is subject to notification under Section 312 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by DBI is the Approval Action.

**REMARKS:**

Section 15183 of the State CEQA Guidelines states that projects which are consistent with the development density established by a community plan for which an Environmental Impact Report was certified shall not require additional environmental review, except as necessary to determine the presence of project-specific significant effects not identified in the programmatic, plan area EIR.

This determination evaluates the potential project-specific environmental effects of the 500 Second Street project described above, and incorporates, by reference, information contained within the programmatic *Eastern Neighborhoods Rezoning and Area Plans Final EIR* (Eastern Neighborhoods FEIR – Case No. 2004.0160E; State Clearinghouse No. 2005032048). The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether any 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

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<sup>1</sup> Kevlin, John. RE: *Façade Alteration at 500 2<sup>nd</sup> St.* Electronic mail communication to Erik Jaszewski. August 2, 2013. This email communication is available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0506E.

determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods FEIR.

### ***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 500 Second 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 FEIR. Thus, the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 500 Second 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 500 Second Street project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods FEIR, including project-specific impacts related to land use, cultural and paleontological resources, transportation, noise, air quality, shadow, and hazardous materials.

### **Land Use and Planning**

The Eastern Neighborhoods project rezoned much of the city's industrially zoned land. Its goals 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 Eastern Neighborhoods rezoning process was the degree to which existing industrially zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for Production, Distribution & Repair (PDR) 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 amount of PDR land 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 Eastern Neighborhoods FEIR determined that the Preferred Project would result in an unavoidable significant 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 requiring that land use controls in Western SoMa 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 would conflict with other City policy goals, including the provision of affordable housing. This measure is not applicable to the proposed project, which is not in Western SoMa.

The proposed project at 500 Second Street falls within the East Soma Area Plan of the San Francisco General Plan. It is in the Mixed Use Office (MUO) District, which is intended for office uses and housing, as well as small-scale light industrial and arts activities. The MUO District is intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Allowed uses within the MUO District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. The proposed project is consistent with uses permitted within the MUO Zoning District.

Per Planning Code Section 803.9, in designated historic buildings in the MUO District, all uses are permitted as of right, provided that the project does not contain nighttime entertainment, and that the Zoning Administrator determines that allowing the proposed use would enhance the feasibility of preserving the building, and that the proposed project complies with the *Secretary of the Interior's Standards*.

As discussed above, the Eastern Neighborhoods FEIR determined that adoption of the Area Plan would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would contribute to this impact by converting an existing building that has been occupied by PDR (industrial) uses in the past to office use. Such conversion to office uses and the related contribution to cumulative impacts, including that of the proposed project, were anticipated and analyzed in the Eastern Neighborhoods FEIR. The proposed project would therefore not result in a peculiar impact related to loss of PDR uses that was not identified in the Eastern Neighborhoods FEIR. Furthermore, the Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUO Zoning District and consistent with the height, density, and land uses as specified in the East SoMa Subarea of the Eastern Neighborhoods Area Plan, maintaining the mixed character of the area by encouraging PDR, small offices, and residential development.<sup>23</sup>

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<sup>2</sup> Varat, Adam, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.0506E, 500 Second Street. September 3, 2013. This document is on file and available for review as part of Case File No. 2013.0506E.

<sup>3</sup> Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2013.0506E, 500 Second Street. November 13, 2013. This document is on file and available for review as part of Case File No. 2013.0506E.

### Cultural and Paleontological Resources

The Eastern Neighborhoods FEIR identified potential archeological impacts and identified three archeological mitigation measures that would reduce impacts to archeological resources to less-than-significant. The Eastern Neighborhoods FEIR also anticipated that implementation of the Eastern Neighborhoods Area Plans may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

Eastern Neighborhoods FEIR Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area, requires that certain projects involving new construction or alteration be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission (HPC)). As the project does not involve new construction or alteration, Mitigation Measure K-1 does not apply to this project.

Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply the proposed project because the project would not result in the alteration of any exterior features.

The Planning Department's Property Information Database lists the property as part of the South End Historic District, as designated in the National Register of Historic Districts. As the project does not involve major alteration or demolition of the subject building within the aforementioned district, the project would not result in a substantial adverse change on the significance of the overall historic district. Furthermore, according to the Department's Property Information Database, the building is a known historic resource for purposes of CEQA review. However, the project does not propose demolition, relocation, or alteration of the historic resource or its immediate surroundings such that the significance of an historic resource would be materially impaired. Therefore, the project would not result in significant impacts to an historic resource.

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. The three archeological mitigation measures do not apply to the proposed project at 500 Second Street because the project would not involve any subsurface excavation or soil disturbance.

Therefore, the proposed project would not result in a peculiar impact related to cultural and paleontological resources

**Transportation**

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership. Thus, the FEIR identified 11 transportation mitigation measures, including implementation of traffic management strategies, transit corridor improvements, enhancement of transit funding, promotion of alternative means of travel, and parking management to discourage driving – all measures to be implemented by the San Francisco Municipal Transportation Agency (SFMTA) or other City agencies. Even with mitigation, however, it was anticipated that the Eastern Neighborhood Rezoning and Area Plan's significant adverse impacts at certain local intersections and the cumulatively considerable impacts on certain transit lines and intersections could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable even with mitigation incorporated, and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods approval on January 19, 2009.

The proposed project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Initial Study checklist significance criterion 5c would not apply to the proposed project.

**Traffic and Transit.** As discussed in the project description, the proposed project would replace existing on-site PDR uses with office uses. Trip generation rates for office and PDR are equivalent; thus, the change in use from PDR to office would not trigger any change in trip generation.

**Bicycling.** A designated bike route runs along Second Street adjacent to the project site. There are bike lanes within two blocks of the project site along Townsend Street and Folsom Street. The proposed project would not substantially interfere with bicycle accessibility to the project site or adjoining areas because it would not make any alterations to the bike lanes, roadways, or adjacent sidewalks. Implementation of the proposed project could encourage more existing users to bring their bicycle to the project site (approximately 13 daily and 1 PM peak hour bicycle person-trips) as the proposed project would provide new bicycle parking (e.g., bicycle racks) in accordance with the Planning Code. The fact that more persons would be bringing their bicycles to the project site would not create potentially hazardous conditions for bicyclists because bikeways and Muni bus stops exist adjacent to and within one block of the project site; therefore users could walk their bicycles safely along sidewalks from nearby bikeways or Muni bus stops to the project site. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to bicycling.

**Parking.** 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 caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, 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.

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the *Transportation Impact Analysis Guidelines for Environmental Review (October 2002)*. On an average weekday, the demand for parking would be 15 spaces. No off-street parking exists on-site and the proposed project would not include off-street parking. Therefore, the proposed project would have an unmet parking demand of 15 parking spaces. The resulting parking deficit would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. On-street parking is available on both Bryant Street and 2<sup>nd</sup> Street and off-street parking is available at several nearby lots. Additionally, the project site is well served by public transit and bicycle facilities. The project site is well-served by local public transit, including the Muni Metro Historic Streetcar F Line, four Muni bus routes (10, 30, 45, 91), and three Muni Metro lines (J, KT, N). The Civic Center BART station with access to BART's regional rail lines is approximately ¾-mile distance the project site. Any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

In summary, the proposed project would not result in a substantial parking deficit and create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, parking impacts would be less-than-significant.

In conclusion, no peculiar transportation impacts are anticipated to occur as a result of the proposed project, and the transportation mitigation measures identified in the FEIR are not applicable to the proposed project.

### Noise

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

The proposed project at 500 Second Street involves the conversion of PDR to office use. Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2, which involve noise controls on the use of pile driving equipment and other construction equipment, are not applicable to the proposed project because the project would not involve construction or related activities such as pile driving. Thus, the project would not result in construction noise that could substantially affect any nearby sensitive receptors.<sup>4</sup>

Eastern Neighborhoods Mitigation Measure F-3 includes noise-reduction requirements for new development projects that include noise-sensitive uses along streets with elevated noise levels. Mitigation Measures F-4 and F-5 require analyzing noise-generating sources reducing potential conflicts between noise-generating uses and sensitive receptors. The project does not include installation of noise-generating sources; thus, these three mitigation measures are not applicable to the proposed project.

In conclusion, the proposed project would not result in any significant noise impacts.

### Air Quality

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust; 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. Four mitigation measures were identified that would reduce air quality impacts to less-than-significant levels.

Mitigation Measure G-1 imposes construction dust control measures. The San Francisco Board of Supervisors subsequently 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 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 (DBI). These regulations and procedures ensure that potential dust-related air quality

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<sup>4</sup> Sensitive receptors include residences, hospitals, nursing homes, senior citizen centers, schools, churches, and libraries.



impacts would be reduced to less-than-significant levels. Since the project at 850–870 Brannan Street would be required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality, and Mitigation Measure G-1 is not applicable to the proposed project.

Mitigation Measure G-2 requires new residential development near high-volume roadways to include an analysis of particulate matter, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to particulate matter. In response to this concern, the San Francisco Health Code was amended to require that newly constructed buildings containing ten or more residential units near high-volume roadways (within the ‘Potential Roadway Exposure Zone’) perform an air quality assessment. The proposed project does not involve the addition of residential units; thus Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes the potential exposure of sensitive receptors to dust particulate matter (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 convert industrial space to office space, and it is not expected to generate substantial DPM emissions or be served by 100 trucks per day or 40 refrigerator trucks per day. Thus, 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. The proposed project would convert PDR space to office space and would not be expected to generate substantial levels of TACs. Thus, Mitigation Measure G-4 is not applicable to the proposed project.

In conclusion, there are no air quality impacts that would be peculiar to the proposed project, and air quality impacts therefore would be less-than-significant.

### **Shadow**

Under the Eastern Neighborhoods FEIR, sites surrounding parks could be redeveloped with taller buildings without triggering with Section 295 of the Planning Code.<sup>5</sup> The potential for new shadow impacts and the feasibility of mitigation for potential new shadow impacts of unknown development proposals could not be determined in the FEIR; thus, the FEIR determined shadow impacts to be significant and unavoidable, and no mitigation measures were identified. The proposed project would not result in any exterior modifications; thus, the proposed project would have no shadow impacts.

### **Hazards and Hazardous Materials**

The Eastern Neighborhoods rezoning resulted in a reduction in the amount of previously zoned industrial land. Some land previously zoned for industrial purposes no longer allows for PDR uses, and

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<sup>5</sup>Section 295 of the Planning Code provides that new structures above 40 ft in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the Recreation and Park Commission may be issued except upon prior action of the City Planning Commission.

the number of nonconforming businesses would be expected to gradually decline, potentially replaced by residential, commercial, or open space uses. Development under the Eastern Neighborhoods rezoning may involve demolition or renovation of existing structures that may contain hazardous building materials 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 project at 500 Second Street does not involve renovation or the removal and/or disturbance of hazardous building materials including equipment containing PCBs, DEPH, or mercury, such as fluorescent light ballasts and light tubes. Mitigation Measure L-1, Hazardous Building Materials, would therefore not apply to the proposed project. Thus project-related impacts related to hazardous building materials would be less-than-significant.

***Public Notice and Comment***

A “Notification of Project Receiving Environmental Review” was mailed on August 15, 2013 to owners and occupants of properties within 300 feet of the project site, and to other potentially interested parties.

The Planning Department did not receive any public comments regarding this project.

***Conclusion***

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed project at 500 Second Street. As described above, the 500 Second Street project would not result in any peculiar or more severe 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 500 Second 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 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.:* 2013.0506E  
*Project Title:* 500 Second Street  
*Zoning/Plan Area:* MUO (Mixed-Use Office); 65-X Height and Bulk District  
East SoMa Subarea of the Eastern Neighborhood Rezoning and  
Area Plan  
*Block/Lot:* 3775/001  
*Lot Size:* 13,883 square feet  
*Project Sponsor:* John Kevlin; Reuben, Junius & Rose, LLP  
(415) 567-9000  
*Staff Contact:* Erik Jaszewski – (415) 575-6813  
Erik.Jaszewski@sfgov.org

### **A. PROJECT DESCRIPTION:**

The project site is located on the southwest corner of Bryant and Second Streets in the South Park neighborhood. The site is developed with a four-story, 13,883 square-foot (sf) brick industrial building constructed in 1919. The structure covers the entire project site, fronting on Second Street. The proposed project entails conversion of the entire building from industrial to office use. No exterior alteration to the building or site is proposed. Five bicycle parking spaces would be provided in a new, secure room, provision of which entails minor interior alteration in the basement level. No new space will be added to the existing building. No car parking exists on the project site and none is proposed.

### **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 Eastern Neighborhoods programmatic final EIR (FEIR). 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. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the FEIR. Any impacts not identified in the FEIR will be addressed in a separate Focused Initial Study or EIR.

For any topic that was found to be less-than-significant (LTS) in the FEIR and for the proposed project or would have no impacts, the topic is marked LTS/No Impact and is discussed in the Checklist below.

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

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>2. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Project-level Significant Impacts**

The proposed project would result in a change of uses from production, distribution & repair (PDR) to office use within an existing building and would not result in any exterior changes. The proposed project does not involve any exterior modifications and thus would not have any impacts on scenic vistas or scenic resources, would not degrade the visual character of the neighborhood, and would not create a new source of light or glare. Therefore, the project would have no impacts related to aesthetics.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>3. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No Significant Impacts Identified in FEIR**

The FEIR concluded that an increase in population in the Plan Area was expected to occur as a secondary effect of the proposed rezoning that 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 Plan neighborhoods, including the East SoMa area. The FEIR estimated that implementation of the plan would result in over 3,000 new jobs would be added in the East SoMa Area between 2000 – 2025. Based on the City’s standard employment densities of 1 employee per 276 sq. ft. of office space, the proposed project is projected to generate up to 50 new jobs, which would be within those anticipated to be added as a result of the Plan. The FEIR concluded that the additional housing demand generated by the Plan rezoning would be offset by the provision of additional housing development in the Plan Area.

**No Project-level Significant Impacts**

The proposed project does not involve development of a residential use or displacement of people. As no housing would be removed, the construction of replacement housing would not be necessary. The change from PDR to office use would change the type of business permitted on the project site, but it would not be likely to increase the number of workers such a business

would employ. Thus, the project would not induce substantial population growth or create a demand for additional housing.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project has Sig. Project-Level Impact</i>	<i>LTS/ No Impact</i>
<b>5. TRANSPORTATION AND CIRCULATION—Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (unless it is practical to achieve the standard through increased use of alternative transportation modes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) Result in inadequate parking capacity that could not be accommodated by alternative solutions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project has Sig. Project-Level Impact</i>	<i>LTS/ No Impact</i>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.), or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>6. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FFEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>7. AIR QUALITY</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>8. GREENHOUSE GAS EMISSIONS—Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 San Francisco Bay Area Air Basin.

Subsequent to the Eastern Neighborhoods FEIR, the BAAQMD prepared guidelines that provide new methodologies for analyzing air quality impacts, including greenhouse gas (GHG) emissions. The following analysis is based on the findings in the Eastern Neighborhoods EIR and



incorporates BAAQMD's methodology for analyzing GHG emissions, as well as other amendments to the CEQA Guidelines related to GHGs.

### ***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the East SoMa 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 CO<sub>2</sub>E per service population,<sup>1</sup> respectively.<sup>2</sup> 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 proposed project involves a change of use from industrial to office. The proposed project would contribute to the cumulative effects of climate change by emitting GHGs during operational phases. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations. The project site is located within the East SoMa Area Plan analyzed under the Eastern Neighborhoods FEIR.

As discussed above, the BAAQMD prepared guidelines and 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.<sup>3</sup> 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 (Assembly Bill) 32 goals, and also serve as a model from which other communities can learn."<sup>4</sup> San Francisco's

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<sup>1</sup> SP= Service Population. Service population is the equivalent of total number of residents and employees.

<sup>2</sup> 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.

<sup>3</sup> 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>.

<sup>4</sup> 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.

collective policies and programs have resulted in a 14.5 percent reduction in GHG emissions compared to 1990 levels.<sup>5</sup>

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 was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions*.<sup>6</sup> Therefore, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to GHG emissions.

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

<sup>5</sup> San Francisco Department of Environment (DOE), "San Francisco Community-Wide Carbon Emissions by Category." Excel spreadsheet provided via email between Pansy Gee, DOE and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

<sup>6</sup> Greenhouse Gas Analysis: Compliance Checklist. August 13, 2013. This document is on file and available for public review as part of Case File No. 2013.0506E.

**Wind**

***No Significant Impacts Identified in FEIR***

Wind impacts were judged to be less-than-significant at a plan-level of analysis and for cumulative development. Specific projects within Eastern Neighborhoods would require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the FEIR. No mitigation measures were identified in the FEIR.

***No Project-level Significant Impacts***

The proposed project would neither involve new construction nor exterior changes to the existing building. Therefore, the project would have no peculiar impacts with regards to wind.

**Shadow**

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

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<b>Topics:</b>	<b>Sig. Impact Identified in FEIR</b>	<b>Project Contributes to Sig. Impact Identified in FEIR</b>	<b>Project Has Sig. Peculiar Impact</b>	<b>LTS/ No Impact</b>
<b>10. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

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

***No Peculiar Impacts***

The proposed project would convert PDR uses to office uses and would not result in any new residents or be likely to increase the number of employees at the project site. Thus, the project would not have the potential to substantially affect existing recreational facilities in the project vicinity.

<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 Impact</u>	<u>LTS/ No Impact</u>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Initial Study analyzed growth projections and determined that the Area Plan's impact on the provision of water, wastewater collection and treatment, and solid waste collection and disposal would not be significant. No mitigation measures were identified in the FEIR.

***No Project-level Significant Impacts***

The project would convert vacant industrial space to office use. The proposed project would not increase employment or other uses that could result in an increase in water use, wastewater services, or solid waste disposal. Thus, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed 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 Sig. Peculiar Impact</u>	<u>LTS No Impact</u>
<b>12. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods Initial Study analyzed growth projections and determined that the Area Plan’s impacts on public services such as fire protection, police protection, and public schools would not be significant. No mitigation measures were identified in the FEIR. Impacts on parks are discussed under Questions 9 and 10.

***No Peculiar Impacts***

The project would convert PDR use to office use. The proposed project would not substantially increase employment on site and thus would not increase demand for public services. Thus, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed in the Eastern Neighborhoods FEIR, associated with public services.

<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 Impact</u>	<u>LTS/ No Impact</u>
<b>13. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
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 virtually fully developed with buildings and other improvements such as streets and parking lots. Future development projects in the Eastern Neighborhoods would largely consist of new development in these heavily built-out former industrial neighborhoods, therefore there would be little in the way of loss of vegetation or disturbance of wildlife other than common urban species. Therefore, the Eastern Neighborhoods Initial Study concluded that there would be no significant effects related to biological resources. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

The proposed project would convert the existing land uses from PDR to office and would not result in any exterior or interior modifications of the existing building. Thus the proposed project would have no peculiar impact on biological resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>14. GEOLOGY AND SOILS— Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

***No Peculiar Impacts***

The project does not involve any construction or soil disturbance; thus the proposed project would have no peculiar impacts related to geology and soils.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>15. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
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 Initial Study evaluated population increases on the combined sewer system and the potential for combined sewer outflows, and concluded that programmatic effects related to hydrology and water quality would not be significant. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

The project site is completely covered by the existing building, and the proposed project would not result in any exterior modifications or otherwise change the amount of impervious surface area on the site. Thus, the proposed project would have no impact on hydrology or water quality.



<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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"/>

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>17. MINERAL AND ENERGY RESOURCES—</b>				
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Eastern Neighborhoods Rezoning and Area Plans would facilitate the construction of new residential units and commercial buildings. Development of these uses would not result in the 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 (DBI). The project area does not include any natural resources routinely extracted, and the proposed rezoning would not include or result in any natural resource extraction program. For these reasons, the Eastern Neighborhoods FEIR concluded that the Eastern Neighborhoods Rezoning and Area Plans would not cause a wasteful use of energy, and would have a less-than-significant impact on mineral energy resources. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<p><b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – <b>Would the project:</b></p>				
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"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Initial Study checklist, in 2005 when the Eastern Neighborhoods project was initially analyzed, did not contain a category concerning agricultural and forest resources. Nonetheless, all of San Francisco is identified by the California Department of Conservation’s Farmland Mapping and Monitoring Program as “Urban and Built-up Land” (Department of Conservation, 2002). In addition, no part of San Francisco falls under the State Public Resource Code definitions of forest land or timberland; therefore, these topics are not applicable to any project in San Francisco.

***No Peculiar Impacts***

These topics are not applicable to the proposed project.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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, air quality, and hazardous materials. Mitigation measures reduced all impacts to less-than-significant, with the exception of those related to land use, transportation, cultural resources, and shadow. Please see the Certificate of Determination for a discussion of the proposed project's impacts on the above significant impacts identified in the FEIR.

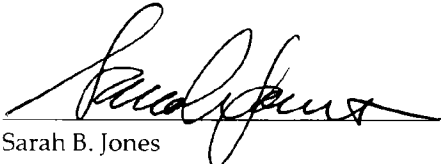
**No Peculiar Impacts**

The proposed project involves a change of use from PDR to office use and would not include any interior or exterior modifications. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods 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 (FEIR) 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 FEIR 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 FEIR 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 November 19, 2013