



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

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Case No.: 2013.0538E
Project Address: 999 Folsom Street/301 6th Street
Zoning: MUR (Mixed Use-Residential)
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3753/122
Lot Size: 16,389 square feet (0.38 acres)
Plan Area: Eastern Neighborhoods Area Plan (East SoMa)
Project Sponsor: Jody Knight – Reuben, Junius & Rose LLP; (415) 567-9000
Staff Contact: Julie Moore, Julie.Moore@sfgov.org; (415) 575-8733

PROJECT DESCRIPTION

The proposed project would demolish an approximately 1,500-square-foot (sf) former automotive station structure and surface parking lot and construct a new 8-story, 82-foot-tall, approximately 91,000-gross sf mixed-use building with frontages along Folsom Street, 6th Street, and Shipley Street. The proposed building would include 95 residential dwelling units (consisting of 38 two-bedroom, 33 one-bedroom, and 24 studio units) on floors 2 through 8. On the ground floor, the building would include 5,900 sf of commercial space in three tenant spaces with entries on each of the street frontages, an approximately 5,900-sf parking garage accessible from Shipley Street, a secure bicycle storage room and lockers, a residential lobby facing Folsom Street, a delivery entrance on 6th Street, and utility rooms.

(Continued on next page.)

CEQA DETERMINATION

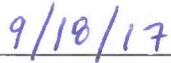
The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

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



Lisa Gibson
Environmental Review Officer


Date

cc: Jody Knight, Reuben, Junius & Rose, Project Sponsor; Supervisor Jane Kim, District 6; Ella Samonsky, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The proposed parking garage would include 36 vehicle parking spaces, of which 33 vehicles would be accommodated in triple stackers, two ADA accessible parking spaces, one car share space, and one additional space. The bicycle storage room and lockers would provide 96 Class 1 bicycle parking spaces; 16 Class 2 bicycle parking spaces would be located on the sidewalks in front of the project site on 6th and Folsom Streets. The project's open space would consist of a second level courtyard (2,575 sf), a roof deck (3,600 sf), and private decks and terraces at various levels (1,440 sf). An additional 2,275 sf of open space on the roof and private decks not meeting the Planning Code definition of open space would also be provided. Elevator, stair, and mechanical penthouses would extend up to 16-feet in height above the rooftop, as allowable by the Planning Code.

The project would remove two approximately 30-foot curb cuts on 6th Street and one 25-foot curb cut on Folsom Street. The existing curb cut on Shipley Street would be reduced from 32 to 10 feet, and would provide access to the parking garage. The project proposes additional design and streetscape improvements including recessing the ground floor from approximately four feet from the property line (effectively extending sidewalk space) on Shipley Street; recessing the ground floor approximately four feet from the property line at the commercial and delivery entries (a width of approximately 22 feet), and recessing the building up to seven feet for the residential lobby entry on Folsom Street, recessed planters, a strip of permeable pavers and seven new street trees along the edge of 6th Street, 16 Class 2 bicycle spaces in bicycle racks on 6th Street and Folsom Street, nine new street trees on Shipley and Folsom Streets, a yellow commercial loading zone adjacent to the delivery entry on 6th Street, and accessible curb ramps at the street corners. The commercial yellow zone on 6th Street would need to be designated by the SFMTA; therefore, the project sponsor would request that the SFMTA implement it.

PROJECT APPROVAL

The proposed project at 999 Folsom Street is subject to the following approvals:

Actions by the Planning Commission

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height and greater than 25,000 gross square feet.

Actions by other City Departments

- Joint determination with the Planning Commission that the project would have no adverse shadow impact on Gene Friend Recreation Center or other parks subject to Section 295 of the Planning Code (*Recreation and Park Commission*)
- Approval of building permits for demolition and construction (*Department of Building Inspection*)
- Approval of a Site Mitigation Plan prior to the commencement of any excavation work (*Department of Public Health, Environmental Health Division*)
- Approval of the proposed curb modifications and on-street loading (*San Francisco Municipal Transportation Agency*)

- Approval of street and sidewalk permits for any modifications to public streets, sidewalks, protected trees, street trees, or curb cuts (*San Francisco Public Works, Bureau of Street Use and Mapping*)
- Approval of any changes to sewer laterals. Approval of an erosion and sediment control plan prior to construction. Approval of project compliance with the Stormwater Design Guidelines (*San Francisco Public Utilities Commission*)

The Large Project Authorization approval by the Planning Commission is the Approval Action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that 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, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, 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 the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 999 Folsom Street/301 6th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 999 Folsom Street/301 6th Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁴

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned from Residential Service Mixed Use District to MUR (Mixed Use Residential) District. The MUR District is intended to facilitate the development of high-density, mid-rise housing and encourages the expansion of retail, business service, and commercial uses. It is also intended to serve as a buffer between the higher density, predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of 6th Street. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Initial Study - Community Plan Evaluation (CPE), under Land Use. The 999 Folsom Street/301 6th Street site, which is located in the East SoMa District of the Eastern Neighborhoods, was designated as a site with building potential up to 85 feet in height.

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

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

⁴ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 999 Folsom Street/301 6th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 999 Folsom Street/301 6th Street project, and identified the mitigation measures applicable to the 999 Folsom Street/301 6th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 999 Folsom Street/301 6th Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is located at the southeast corner of Folsom Street and 6th Street in San Francisco's South of Market neighborhood. The rectangular project site has frontages along three streets, approximately 165 feet on 6th Street and 100 feet on both Folsom and Shipley Streets. The eastern side of the site abuts a three-story building. Folsom Street is a three-lane, one-way street, with a bicycle lane and parking on both sides of the street; an SFMTA bus shelter and stop is located adjacent to the site. Sixth Street is a busy thoroughfare with three lanes in each direction; and Shipley Street is a narrow one-way street. The project vicinity is an eclectic mix of uses and structures ranging from one-story industrial buildings to five-story residential developments. Recently approved and proposed projects within one block include the following:

- 345 6th Street, across Shipley Street from the project site – a 9-story mixed use building with 102 single resident occupancy dwelling units and 1,700 sf of commercial space;
- 363 6th Street, between Shipley and Clara Streets south of the project site – a 9-story mixed use building with 104 residential units and ground floor commercial space;
- 265 Shipley Street, east of the project site – a 5-story, 9 unit residential building;
- 980 Folsom Street, across Folsom Street from the project site – a 7-story, 85-foot tall, mixed use building with 34 residential dwelling units and ground floor retail

The Gene Friend Recreation Center is located diagonally across from the site at the northwest corner of the Folsom and 6th Street intersection approximately 250 feet from the site. The Victoria Manalo Draves Park is located on Folsom Street, between Columbia Square and Sherman Street, approximately 350 feet to the southwest of the project site. Bessie Carmichael Elementary School is located at 349 – 365 7th Street, south of the park and 650 feet to the southwest of the project site. The project site is also located within the Filipino Cultural Heritage District.

The project site is located within a quarter mile of several local transit lines including Muni lines 12-Pacific, 14-Mission, 19-Polk, 27-Bryant, 30-Stockton, 45-Union, 47-Van Ness, and 8-Bayshore.

⁵ San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 999 Folsom Street/301 Sixth Street, June 10, 2015.

⁶ San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 999 Folsom Street/301 Sixth Street, June 10, 2015.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 999 Folsom Street/301 6th Street site project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 999 Folsom Street/301 6th Street site 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 PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute considerably to the identified land use impacts related to PDR loss because the amount of PDR space being removed is minor and redevelopment of the project site for residential and commercial uses could have occurred without the Eastern Neighborhoods rezoning, nor would the project affect historic architectural resources as the subject building is not a historic resource nor is it a contributor to a historic district. In regards to significant and unavoidable transportation impacts related to traffic and transit, the proposed project would not contribute considerably to project-specific and cumulative traffic and transit impacts identified in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR determined that projects developed in the South of Market neighborhood on lots adjacent to and near the Gene Friend Recreation Center⁷ could result in significant and unavoidable shadow impacts. However, shadow on Gene Friend Recreation Center generated by the proposed project would not be expected to substantially affect the use and enjoyment of the park as the shade would primarily occur in the early morning, would be of short duration, and would not combine with shadows from other reasonably foreseeable development projects. Therefore, the proposed project would not contribute considerably to shadow impacts identified in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Applicable: temporary construction noise if pile driving cannot be avoided	The project sponsor has agreed to implement noise attenuation measures if pile driving is required for construction

⁷ Gene Friend Recreation Center is referred to as the South of Market Recreation Center/Eugene Friend Recreation Center in the Eastern Neighborhoods PEIR.

Mitigation Measure	Applicability	Compliance
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: CEQA generally no longer requires consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-5: Siting of Noise-Generating Uses	Not Applicable: the project does not include any noise-generating uses	N/A
F-6: Open Space in Noisy Environments	Not Applicable: CEQA generally no longer requires consideration of the effects of existing environmental conditions on a proposed project's future users or residents if the project would not exacerbate those environmental conditions.	N/A
G. Air Quality		
G-1: Construction Air Quality	Applicable: the project site is located within an identified Air Pollutant Exposure Zone. Project construction could exacerbate poor air quality.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan to reduce construction emissions.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: The requirements of this measure are met by compliance with Health Code Article 38.	N/A

Mitigation Measure	Applicability	Compliance
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed residential and commercial uses are not expected to emit substantial levels of DPM.	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: the proposed residential and commercial uses are not expected to emit substantial levels of other TACs.	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: No Previous Studies have been performed on the project site.	N/A
J-2: Properties with no Previous Studies	Applicable: Preliminary Archeological Review by the Planning Department indicates the potential to adversely affect archeological resources.	The project sponsor has agreed to implement archeological testing mitigation measure.
J-3: Mission Dolores Archeological District	Not Applicable: Not within District	N/A
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: the project would demolish a building structure	The project sponsor has agreed to dispose of demolition debris in accordance with applicable regulations.

Mitigation Measure	Applicability	Compliance
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on April 10, 2015 to adjacent occupants and owners of properties within 300 feet of the project site, SoMA neighborhood groups, and the city-wide distribution list. Overall, environmental concerns raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for

CEQA analysis. Six individuals submitted comments on a variety of topics including: effects on light, air and space on neighboring properties; the height of the building relative to buildings in the project vicinity; shadow impacts on Gene Friend Recreation Center, including after the potential future redesign of the recreation center, and on Victoria Manalo Draves Park; additional traffic, noise and air pollution; potential flooding in the vicinity; gentrification of the East SoMa area; and altered traffic patterns, pedestrian and bicyclist hazards due to distractions (GPS and cell phones) not analyzed in the Eastern Neighborhoods EIR.

Comments on environmental topics are addressed in the Initial Study – Community Plan Evaluation topics of land use, wind, shadow, noise, air quality, transportation and circulation. As discussed, the proposed project would not result in significant adverse impacts associated with land use, wind, shadow, noise, air quality, transportation and circulation beyond those identified in the Eastern Neighborhoods PEIR.⁸

With regard to the one comment that the Eastern Neighborhood Area Plan EIR was based on data regarding residents and an economic base that is out of date and that the East SoMa has changed dramatically so that the low income and working class residents are being pushed out of the area by higher income residents, CEQA generally does not require the analysis of social or economic impacts. While there could potentially be an impact to property values or rents in the area, such an occurrence would be a socioeconomic impact, which is beyond the scope of CEQA. As stated in CEQA Guidelines Section 15131(a), “[e]conomic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.” In general, analysis of the potential adverse physical impacts resulting from economic activities has been concerned with the question of whether an economic change would lead to physical deterioration in a community. Construction of the proposed project at 999 Folsom Street/301 6th Street would not create an economic change that would lead to the physical deterioration of the surrounding neighborhood.

On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors. CEQA Guidelines Sec 15162(c) establishes that once a project, in this case the Eastern Neighborhoods Rezoning and Area Plans, is approved:

“[T]he lead agency’s role in that approval is completed unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval.” [Emphasis added.]

That is, unless and until the Eastern Neighborhoods Rezoning and Area Plans themselves are amended or revised, the reopening of the Eastern Neighborhoods PEIR is neither warranted nor required under CEQA. Impacts to the environment that might result with implementation of the project were analyzed in the CPE Initial Study Checklist according to the project’s potential impacts upon the specific setting for each environmental topic, clearly stated significance criteria, and substantial evidence in the form of

⁸ San Francisco Planning Department, Initial Study – Community Plan Evaluation, Case No. 2013.0538E, 999 Folsom Street/301 6th Street. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0538E.

topic-specific analyses. Consistent with CEQA Guidelines Section 15130, the CPE Initial Study Checklist also includes analysis of the proposed project's potential cumulative impacts for each environmental topic. The CPE Initial Study Checklist prepared for the project evaluates its potential project-specific environmental effects and incorporates by reference information contained in the Eastern Neighborhoods PEIR. Project-specific analysis was prepared for the project to determine if it would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

The CPE Initial Study Checklist determined that the proposed project would not have a significant impact that was not previously identified in the Eastern Neighborhoods PEIR for all CEQA Guidelines Appendix G environmental topics. The commenter has not provided any evidence that the environmental effects of the project have not been adequately covered by the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the project-specific initial study⁹:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁹ Ibid.