



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

*Case No.:* 2013.0698E  
*Project Address:* 1301 16<sup>th</sup> Street  
*Zoning:* Urban Mixed Use (UMU) District  
68-X Height and Bulk District  
*Block/Lot:* 3954/016  
*Lot Size:* 38,600 square feet  
*Plan Area:* Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods  
Area Plan  
*Project Sponsor:* Will Mollard, Workshop 1, (415) 523-0304  
*Staff Contact:* Tania Sheyner, (415) 575-9127, Tania.Sheyner@sfgov.org

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### PROJECT DESCRIPTION

The project site consists of a roughly square-shaped parcel in the City's Potrero Hill neighborhood, and has frontages along Wisconsin, Carolina, and 16th Streets. The site currently contains a one-story industrial building (constructed in 1971) that covers the entire parcel and operates as a warehouse.

The project sponsor proposes to demolish the existing building on the site and construct a mixed-use residential project in its place, encompassing a total of approximately 184,700 gross square feet (gsf) of space. The new building would include approximately 137,900 gsf of residential uses (176 dwelling units), approximately 3,300 gsf of production, distribution and repair (PDR) space, approximately 3,600 gsf of retail space, approximately 15,600 gsf of space dedicated to vehicular parking (111 parking spaces),

(Continued on next page.)

### EXEMPT STATUS

Exempt 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.

  
SARAH B. JONES

Environmental Review Officer

April 14, 2016  
Date

cc: Will Mollard, Project Sponsor; Supervisor Malia Cohen, District 10; Chris Townes, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

approximately 3,000 gsf of space dedicated to bicycle parking (240 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces bicycles), and approximately 4,800 gsf of ground-level circulation and mechanical space.

The new building would be in a “C” shape, with an internal courtyard providing a south-facing mid-block open space. It would be six stories over a ground-level podium and would extend approximately 68 feet in height to the roofline, with an additional approximately 12 feet to the top of rooftop elements. The main residential entrance as well as PDR and retail entrances would be provided along 16<sup>th</sup> Street, with additional residential entrances provided along Carolina and Wisconsin Streets. The proposed garage would serve residences only and would be accessible via two entries/exits – one on the Carolina Street frontage (that would be accessible via a new 12-foot-wide curb cut) and one on the Wisconsin Street frontage (that would be accessible via a new 12-foot-wide curb cut). The proposed open space would be provided both privately, for 86 units in total, and commonly, in the form of a second floor courtyard and a roof deck. In total, the project would provide approximately 13,500 square feet of commonly-accessible open space and approximately 8,700 sf of private open space. The project would require approximately 3,500 cubic yards of soil to be excavated or removed from the project site, to a depth of approximately 2.5 feet (most of the soil to be removed is what currently exists as fill between two concrete slabs that underlie the existing structure on the site). No pile driving would occur as part of the proposed project. The foundation design currently being considered employs a relatively thin foundation and the use of torque down piles.

## PROJECT APPROVAL

The approval of a Large Project Authorization by the Planning Commission (per Planning Code Section 329) is the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts 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 1301 16<sup>th</sup> Street project described above, and incorporates by reference information contained in the Programmatic EIR

for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. 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 1301 16<sup>th</sup> 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 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.<sup>2,3</sup>

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.<sup>4</sup>

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

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

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 to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 1301 16<sup>th</sup> Street site, which is located in the Showplace Square/Potrero Hill area of the Eastern Neighborhoods, was designated as a site with building up to 68 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1301 16<sup>th</sup> 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 1301 16<sup>th</sup> Street project, and identified the mitigation measures applicable to the 1301 16<sup>th</sup> Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>5,6</sup> Therefore, no further CEQA evaluation for the 1301 16<sup>th</sup> Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

As noted above, the project site is located on a block bounded by 16<sup>th</sup> Street to the north, Wisconsin Street to the east, 17<sup>th</sup> Street to the south, and Carolina Street to the west, in San Francisco's Potrero Hill neighborhood. Sixteenth Street is a four-lane, two-way street (three west-bound lanes and one east-bound lane) with a parking lane on each side and an east-bound bicycle lane. Wisconsin Street is a two-lane, two-way street, with a parallel parking lane on the west side of the street and a perpendicular parking lane on the east side of the street. Carolina Street is a two-lane, two-way street, with a perpendicular parking lane on each side of the street. As noted above, Carolina Street adjacent to the project site is not currently improved with a public sidewalk. No trees or landscaping currently exist on the project site or along the adjacent sidewalks. In terms of topography, the project site is generally flat.

To the south, the project site is bordered by a two-story industrial building, which contains automotive repair uses and extends from Wisconsin Street to Carolina Street. To the north (across 16<sup>th</sup> Street) and west (across Carolina Street) the project site is bordered by light industrial/warehouse uses and a vacant lot. The industrial uses are housed in low-rise one- to two-story buildings. To the east (across Wisconsin Street), the site is bordered by retail uses (a one-story hardware store). Other uses in the project vicinity

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<sup>5</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 1301 16<sup>th</sup> Street, February 19, 2015. This document (and all other documents cited in this report, unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0698E.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 1301 16<sup>th</sup> Street, February 6, 2015.

(within an approximately one block radius) are primarily commercial and light industrial but also include entertainment venues (Thee Parkside) and open space (Jackson Playground). Buildings in the project vicinity generally range from one to four stories in height and are a combination of early Twentieth Century and more contemporary architectural styles. Most structures are built to the property line. An elevated segment of the U.S. 101 freeway is located five blocks west of the project site and an elevated segment of the I-280 freeway is located five blocks east of the project site. Both freeways run in a north-south direction.

The project block, as well as blocks to the east and west, are zoned Urban Mixed Use (UMU) (same as the project site), and contain a variety of uses, including residential, retail, PDR, entertainment, and office. Blocks to the north are zoned Production, Distribution and Repair-1-Design (PDR-1-D) and contain light industrial and commercial uses, with a focus on design-related businesses. These uses are interspersed with vacant lots. Blocks to the south include the Jackson Playground (zoned Public or P), additional UMU- and P-zoned blocks, a cluster of Production, Distribution and Repair-1-General (PDR-1-G) blocks and large swaths of RH-2 and RH-3 districts, which contain primarily residential development. The Mission Bay Redevelopment Area (currently under the jurisdiction of the Office of Community Investment and Infrastructure), which contains the UCSF Mission Bay campus and hospital, is located about one-quarter mile to the northeast of the project site. Other projects that have been either proposed or approved in vicinity of the project site include a five-story mixed-used residential project at 88 Arkansas Street, a four-story mixed-use residential project at 1601 Mariposa Street, a four-story residential project at 901 Tennessee Street, a six story mixed-used residential project at 888 Tennessee Street and a six-story mixed-use residential project at 901 16<sup>th</sup> Street.

## 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 1301 16<sup>th</sup> Street 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 1301 16<sup>th</sup> 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 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 contribute considerably to the significant and unavoidable land use impacts from the loss of PDR uses. This is because the existing use on the project site is a warehouse, which is considered a PDR use, and it would be replaced with a mix of residential and retail uses. Thus, the proposed project would convert 38,600 square feet of existing PDR space to non-PDR space and, in doing so, would contribute to the significant unavoidable impact on land use due to the cumulative loss of PDR use in the Eastern Neighborhoods Plan Area. Moreover, the proposed project would preclude an opportunity for PDR uses to establish on the project site in the future, given that light PDR uses are allowed in the UMU Zoning District. Furthermore, the incremental loss in PDR opportunity is considerable due to the size of the project site (0.89 acre) and its ability to potentially accommodate PDR

uses. As a result, the proposed project would contribute considerably to the cumulative land use impact. While the site does not appear to be part of a larger PDR cluster and existing non-PDR uses (such as residential) are the predominant land use in the project vicinity, the proposed project would nevertheless result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use. In regards to significant and unavoidable transportation impacts related to traffic and transit, project-generated vehicle and transit trips would not contribute considerably to significant and unavoidable cumulative traffic and transit impacts identified in the EN EIR and would not result in a substantial portion of the overall additional traffic and transit volume anticipated to be generated by Plan Area projects. The proposed project would not contribute to significant and unavoidable historic architectural resources impacts since the proposed project would not involve the demolition of a historic resource and would not cause a significant adverse impact upon any nearby historic resources. The proposed project would not contribute to significant and unavoidable shadow impacts since the proposed project would not result in net-new shadow on any nearby park.

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
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed.	N/A
F-2: Construction Noise	Not Applicable: no particularly noisy construction methods would be anticipated during the project’s construction phase.	N/A
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 the 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 the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable: While the project would comply with the San Francisco Dust Control Ordinance, this measure would further reduce DPM exhaust from construction equipment.	The project sponsor has agreed to require engines with higher emissions standards on construction equipment.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 38 requirements.	N/A
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
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: the project site does not have any previous archaeological studies associated with it.	N/A

J-2: Properties with no Previous Studies	Applicable: the project site is a property with no previous archeological study.	The project underwent a preliminary archeology review and the Planning Department's archeologist determined that the Accidental Discovery mitigation measure would be required for the proposed project, which the project sponsor has agreed to implement.
J-3: Mission Dolores Archeological District	Not Applicable: the project site is not located within the Mission Dolores Archeological District.	N/A
<b>K. Historical Resources</b>		
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
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: the proposed project includes demolition of a building with known prior and current light industrial uses.	The project sponsor has agreed to comply with hazardous building material abatement requirements.
<b>E. Transportation</b>		
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 November 6, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. During the comment period, and subsequently, a number of phone calls, emails, and letters were received and are summarized below. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis.

Public comments and concerns regarding the proposed project were as follows:

- Concerns were raised regarding existing subsurface contamination and the possible release of contaminants during the construction phase as well as during the life of the project, with potential implications for nearby sensitive receptors, including schools (Jackson Park, Live Oak, and "others"). At least one commenter expressed concern that existing contamination would be

capped rather than removed off-site. Commenters noted that a deed restriction exists for the project site that limits it to commercial uses.<sup>7</sup>

- A commenter asserted that the project would be underparked, which would create unintended consequences for nearby PDR businesses due to competition for on-street parking, as residents would be likely to store their parked cars on the surrounding streets during the workweek.
- Concerns were raised regarding construction noise, including noise impacts on users of Jackson Park, as well as nearby residents, workers and students.
- Concerns were raised regarding traffic safety and air quality during construction, including concerns regarding impacts of additional construction traffic around children and students of nearby schools.
- Concerns were raised that the project is not consistent with the Eastern Neighborhoods objective to “support the economic well-being of a variety of businesses” in UMU districts, since the proposed project would only provide approximately 3,100 sf of commercial space.<sup>8</sup> In addition, one commenter expressed concern that the project would result in displacement of PDR uses.
- Concerns were raised that an influx of new residents would place a strain on Jackson Park, which, according to the commenter, already experiences heavy use and suffers from maintenance issues.
- Concerns were raised that the proposed development would be out of character, density, and scale with the existing buildings on neighboring streets.
- Concerns were raised that the Eastern Neighborhoods PEIR did not specifically and adequately address, analyze, or anticipate the environmental impacts of the density and height proposed by this project and that the PEIR anticipated and analyzed a reduction in heights at this site. Specifically, a commenter noted that the final EN PEIR addressed heights of 65 to 68 feet but only on the north side of 16th Street, and not on the south side of 16<sup>th</sup> Street. Commenters allege that, after the EN PEIR was published, the height limits on the south side of 16th Street were changed from 45/50 feet to 65/68 feet, but because these heights were not part of that original PEIR, impacts related to the project’s size and density were never addressed.<sup>9</sup>
- Concerns were raised that the project is “too dense” and would develop “dormitory-style housing.”<sup>10</sup>
- Concerns were raised that the proposed project would result in increased traffic on nearby roads and additional pressures on public transportation. Concerns were also raised that the project would result in pedestrian safety issues.

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<sup>7</sup> In response to this comment, it is noted that the project would be consistent with the deed restriction text that reads “At any time the cap is breached, 50 cubic yards of soil is moved, or should land use change, the site may be subject to additional characterization and site mitigation requirements” – the project sponsor is undertaking additional characterization and site mitigation requirements under DPH oversight.

<sup>8</sup> Subsequent to the mailing of the Notification of Project Receiving Environmental Review, the project was revised to provide approximately 3,600 square feet of commercial (retail) uses.

<sup>9</sup> A proposed change to height limits along 16<sup>th</sup> Street was addressed in the Eastern Neighborhoods Area Plans Comments and Responses document and Memorandums from the Planning Department to the Board of Supervisors dated August 7, 2008 and November 17, 2008.

<sup>10</sup> This concern was expressed in regard to a prior version of the project, which proposed 276 dwelling units on the site.

- Concerns were raised that the project would block views and scenic vistas, including views from the Jackson Playground.
- Concerns were raised that the project would result in a substantial population increase in the area, particularly when considered in combination with other new and foreseeable projects nearby.
- Concerns were raised that the environmental review document is likely to use old data.
- Concerns were raised that the EN PEIR is out of date and failed to consider “the cumulative impacts of the current levels of development that we are seeing today.” The commenter alleges that various environmental impacts, such as impacts related to traffic, transit and open space would be exacerbated by the proposed project and that the EN FEIR “did not specifically consider, analyze or mitigate the impact of a project of this scale at the 1301 – 16th Street site, nor did it address the cumulative impacts of multiple large projects on traffic, parking, transit, open space, and other infrastructure.”
- Several commenters stated that, based on the concerns summarized above, an EIR should be prepared for the proposed project.

The concerns discussed above were taken into consideration in the environmental review process and are addressed in the topical areas of the CPE checklist, as appropriate. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist<sup>11</sup>:

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, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>11</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0698E.

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**1301 16<sup>th</sup> Street (Case No. 2013.0698E)**  
**(Also includes text for Improvement Measures)**

<b>MONITORING AND REPORTING PROGRAM</b>					
<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Mitigation Action</b>	<b>Mitigation Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<b>MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR</b>					
<b>CULTURAL AND PALEONTOLOGICAL RESOURCES</b>					
<p><b><u>Project Mitigation Measure 1 – Accidental Discovery (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</u></b></p> <p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor	Prior to any soil disturbing activities	Distribute Planning Department Archeological Resource “ALERT” sheet to Prime Contractor, sub-contractors and utilities firms	Project sponsor, archaeologist and Environmental Review Officer (ERO)	Submit signed affidavit of distribution to ERO
Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.	Head Foreman and/or project sponsor	Accidental discovery	Suspend any soils disturbing activity	Notify ERO of accidental discovery	ERO to determine additional measures
If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the	Project Sponsor	In case of accidental discovery	If ERO determines an archeological resource may be present, services of a qualified		Considered complete upon implementation of any measures

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Mitigation Action</b>	<b>Mitigation Reporting Responsibility</b>	<b>Monitoring Schedule</b>
archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.	Archeological consultant		archeological consultant to be retained. Identify and evaluate archeological resources	Make recommendation to the ERO	requested by ERO
Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.	Project Sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	Implementation of Archeological measure required by ERO		Considered complete upon implementation of any measures requested by ERO
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project Sponsor	Following completion of any* archeological field program. (* required.)	Submittal of Draft/Final FARR to ERO		
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	Project Sponsor		Distribution of Final FARR.		

**MONITORING AND REPORTING PROGRAM**

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<b>AIR QUALITY</b>					
<p><b><u>Project Mitigation Measure 2 – Construction Air Quality (Mitigation Measure G-1 of the Eastern Neighborhoods PEIR).</u></b></p> <p>The project sponsor or the project sponsor’s Contractor shall comply with the following</p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</li> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</li> <li>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</li> </ol> <p>B. <i>Waivers.</i></p> <ol style="list-style-type: none"> <li>1. The Planning Department’s Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is</li> </ol>	Project sponsor; project contractor(s)	Prior to construction activities requiring the use of off-road equipment	Submit certification statement	Project sponsor/ contractor(s) and the ERO	Considered complete on submittal of certification statement

**MONITORING AND REPORTING PROGRAM**

**Adopted Mitigation Measures**

Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
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limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below. If seeking an exception to (A)(1), the project sponsor shall be required to demonstrate that resulting construction emissions would not exceed significance thresholds for construction.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 3	ARB Level 2 VDECS
2	Tier 3	ARB Level 1 VDECS
3	Tier 3	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\*\* Alternative fuels are not a VDECS.

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Schedule</b>	<b>Mitigation Action</b>	<b>Mitigation Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> <li>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</li> <li>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</li> <li>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</li> </ol>	Project sponsor/ contractor(s)	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code	Prepare and submit a Plan	Project sponsor/ contractor(s) and the ERO	Considered complete on findings by ERO that Plan is complete
<p>D. <i>Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	Project sponsor/ contractor(s)	Quarterly	Submit quarterly reports	Project sponsor/ contractor(s) and the ERO	Considered complete on findings by ERO that Plan is being/was implemented
E.					



**MONITORING AND REPORTING PROGRAM**

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<b>HAZARDOUS MATERIALS</b>					
<p><b><u>Project Mitigation Measure 3 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)</u></b></p> <p>The project sponsor shall ensure that any existing equipment containing PCBs or DEPH, such as fluorescent light ballasts (that may be present within the existing buildings on the project site), are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Planning Department and DPH	Prior to approval of project	Comply with applicable laws during removal and disposal of any equipment containing PCBs or DEPH and document this process	Planning Department, in consultation with DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction	Considered complete upon receipt of final monitoring report at completion of construction

**IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR**

TRANSPORTATION AND CIRCULATION	Responsibility for Implementation	Implementation Schedule	Implementation Action	Implementation Reporting Responsibility	Monitoring Schedule
<p><b><u>Project Improvement Measure 1 - Implement Additional and Project-Specific Travel Demand Strategies to Reduce Vehicle Trips</u></b></p> <p>The Project sponsor and subsequent property owner would implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed Project for the lifetime of the Project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling and/or other modes. The following contains a full menu of TDM program options which have been provided to the Project sponsor. The Project sponsor should</p>	Project sponsor, building management, Planning Department staff	Prior to and during occupancy	Implement TDM measures	Project sponsor	Ongoing during occupancy

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consider the following TDM measures and select those that the Project would commit to implementing:

**TR-1(a): Identify TDM Coordinator:** The Project sponsor would identify a TDM coordinator for the Project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described below. The TDM Coordinator may be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator may be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the Project site. However, the TDM Coordinator would be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator would provide TDM training to other building staff about the transportation amenities and options available at the Project site and nearby.

**TR-1(b): Provide Transportation and Trip Planning Information to Building Occupants:**

*Move-in packet:* Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

**TR-1(c): City Access for Data Collection:** As part of an ongoing effort to quantify the efficacy of TDM measures in general, City staff may need to access the Project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. Any on-site activity would require sponsor or property management approval and be coordinated through the TDM Coordinator.

**TR-1(d): Bicycle Measures:**

- (i) **Parking:** Increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the Project site (e.g., sidewalks, on-street parking spaces).
- (ii) **Bay Area Bike Share:** Project sponsor would cooperate with the San

Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and / or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.

**Project Improvement Measure 2 - Queue Abatement**

It is the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way.

A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis. If recurring queuing occurs, the property owner, building manager, and/or operator of the parking garage shall employ methods as needed to abate the queue.

Appropriate abatement methods would vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; identification of alternative routes for accessing the garage; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; and travel demand management strategies such as those listed in Improvement Measure TR-1. Parking management techniques may be considered including additional bicycle parking, customer shuttles, delivery services, parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Property owner or building manager

Upon operation of the proposed project

Ensure a vehicle queue does not block any portion of public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis

Owner/operator; Planning Department

Ongoing during operation

Hire transportation consultant to evaluate conditions

Employ abatement methods

**Project Improvement Measure 3 - Pedestrian Safety Enhancements**

Lack of sidewalk on Project's western Carolina Street frontage which is a route to the nearest bus stop is being addressed by the applicant who proposes to build a new sidewalk during the construction of the Project.

Project sponsor

During project construction

Build a new sidewalk during project construction

Planning Department/ DBI/DPW

Upon completion of project construction

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**Project Improvement Measure 4 - Construction Management**

The Project sponsor or property owner would develop and implement a Construction Management Plan (CMP), as required, addressing transportation-related circulation, access, worker parking, staging, and hours for work and deliveries.

The CMP would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the Project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The CMP should include, but not limited to, the following additional measures:

1. Identify construction traffic management best practices in San Francisco, as well as others that, although not being implemented in the City, could provide valuable information for the Project. Management practices include, but are not limited to the following:
  - a) Identifying ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands, including encouraging and rewarding alternate modes of transportation, carpooling, or providing shuttle service from a nearby off-street parking facility, or a remote worker parking location.
  - b) Identifying ways to consolidate truck delivery trips, minimizing delivery trips.
  - c) Restricting deliveries and trucks trips to the Project site during peak hours (generally 7 AM to 9 AM and 4 PM to 6 PM, but may include other times of peaked traffic in the Showplace Square/ Potrero District).
  - d) Require consultation with surrounding community, including business and property owners near the Project site to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the Project site.
  - e) Develop a public information plan to provide adjacent residents and businesses with regularly-updated information regarding Project construction activities and duration, peak construction vehicle activities, (e.g. concrete pours), lane closures, and provide construction management contact to log and address community concerns.
2. Temporary rerouting of the eastbound direction of Bicycle Route 40 (most likely to 17th Street) during active construction along the 16th Street frontage, and possibly for the duration of the Project construction.
3. Temporary rerouting of pedestrian travel along the Project frontage, and/or construction of a temporary partially enclosed passageway along the Project's frontage. Such a passageway may also suffice as protection for bicyclists riding

Project sponsor,  
contractor(s)

Prior to and  
during  
construction

Implement  
Construction  
Management  
Plan

Project sponsor

Upon  
completion of  
project  
construction