



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2014.1201E**
Project Address: **2435-2445 16th Street**
Zoning: UMU – Urban Mixed Use District
68-X Height and Bulk District
Block/Lot: 3965/021
Lot Size: 10,000 square feet
Plan Area: Eastern Neighborhoods Area Plan (Mission Sub-Area Plan)
Project Sponsor: Marc Dimalanta, D-Scheme Studio Architects; 415-252-0888
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PROJECT DESCRIPTION

The proposed project entails demolition of an approximately 10,000-square-foot (sf), one-story, 20-foot-tall auto repair and services shop built in 1924 and construction of a seven-story, approximately 68-foot-tall (78-foot-tall including elevator penthouse) mixed-use residential building with a basement-level parking garage. The approximately 54,180-gross-square-feet (gsf) building would consist of 53 dwelling units (5 three bedroom, 18 two bedroom and 30 one bedroom), approximately 3,265 sf of commercial space, and 7,155 sf of open space (6,370 common open space provided by second-floor rear yard and roof decks plus 785 sf provided by private decks). The approximately 7,485-sf basement level with a parking lot accessed via a ramp from Florida Street would contain 40 parking spaces for cars. A total of 60 Class I bicycle parking spaces would be provided (28 spaces in the basement and 32 spaces on the ground-level floor). Eight Class II bicycle spaces would also be provided on the sidewalk outside the proposed building (four on Florida Street and four on 16th Street). In addition to three separately entered units of commercial space fronting on 16th Street, the ground floor would also include two residential units, a lobby and outdoor decks. Four existing trees (two each on the Florida and 16th Street frontages) would be retained and six new trees would be planted (three each on the Florida and 16th Street frontages). Construction of the proposed building would involve soil disturbance over the entire project site and approximately 20 feet of below-grade excavation for the foundation (resulting in removal of about 7,040 cubic yards of soil).

The existing building has been occupied by various automotive repair, sheet metal, and other commercial businesses since it was built in the 1924. The project site was found to be ineligible individually for national, state, or local listing as a historic resource and it is not within an historic or eligible historic district. There are two addresses at the project site: the 2435 16th Street portion of the building is currently occupied by an auto glass company and the 2445 16th Street portion of the building is currently occupied by an auto body shop.

The project site is a square 10,000-sf lot on the southeast corner of Florida and 16th Streets that gently slopes uphill towards Bryant Street. The block within which the project site resides – bounded by 16th Street to the north, Bryant Street to the east, 17th Street to the south and Florida Street to the west – is completely developed with a parking lot to the south, a cluster of eight residential dwellings to the

southeast (on Bryant Street), and various other commercial and retail uses in 20 to 40-foot-tall buildings of mixed ages and design. The local vicinity is characterized by a wide variety of commercial, retail, Production, Distribution and Repair (PDR), public and residential uses. Franklin Square, a 4.5-acre park under the jurisdiction of San Francisco Recreation and Parks, is about 200 feet east of the project site. The Potrero Center (with a supermarket and various other retail/commercial establishments), is about 250 feet to the northeast on the opposite side of 16th Street from the project site. There are no schools within 1,500 feet of the project site. Access to Highway 101 and Interstate 80 is about three-fifths of mile to the northwest at the on- and off-ramps located at South Van Ness Avenue and the Central Freeway.

Figure 1 shows the proposed project's location; Figure 2 shows the basement plan; Figure 3 shows the ground floor plan; Figure 4 shows the second floor plan; Figure 5 shows the third through seventh floor plans; Figure 6 shows the rooftop plan; Figure 7 shows the north elevation; and Figure 8 shows the west elevation.

The proposed 2435-2445 16th Street project would require the following approvals:

Actions by the Planning Commission

- Large Project Authorization from the Planning Commission for new construction of a building greater than 25,000 gross square feet.

Actions by other City Departments

- Building Permits are required from the Department of Building Inspection for the demolition of the existing building and construction of the proposed building.

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 California Environmental Quality Act (CEQA) exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

¹ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR)*, Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures Section at the end of this checklist.

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include construction of a seven-story, approximately 68-foot-tall (78-foot-tall including elevator penthouse) mixed-use residential building with a basement level parking garage. As discussed below in this checklist, 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 PEIR.

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Figure 1. Project Location

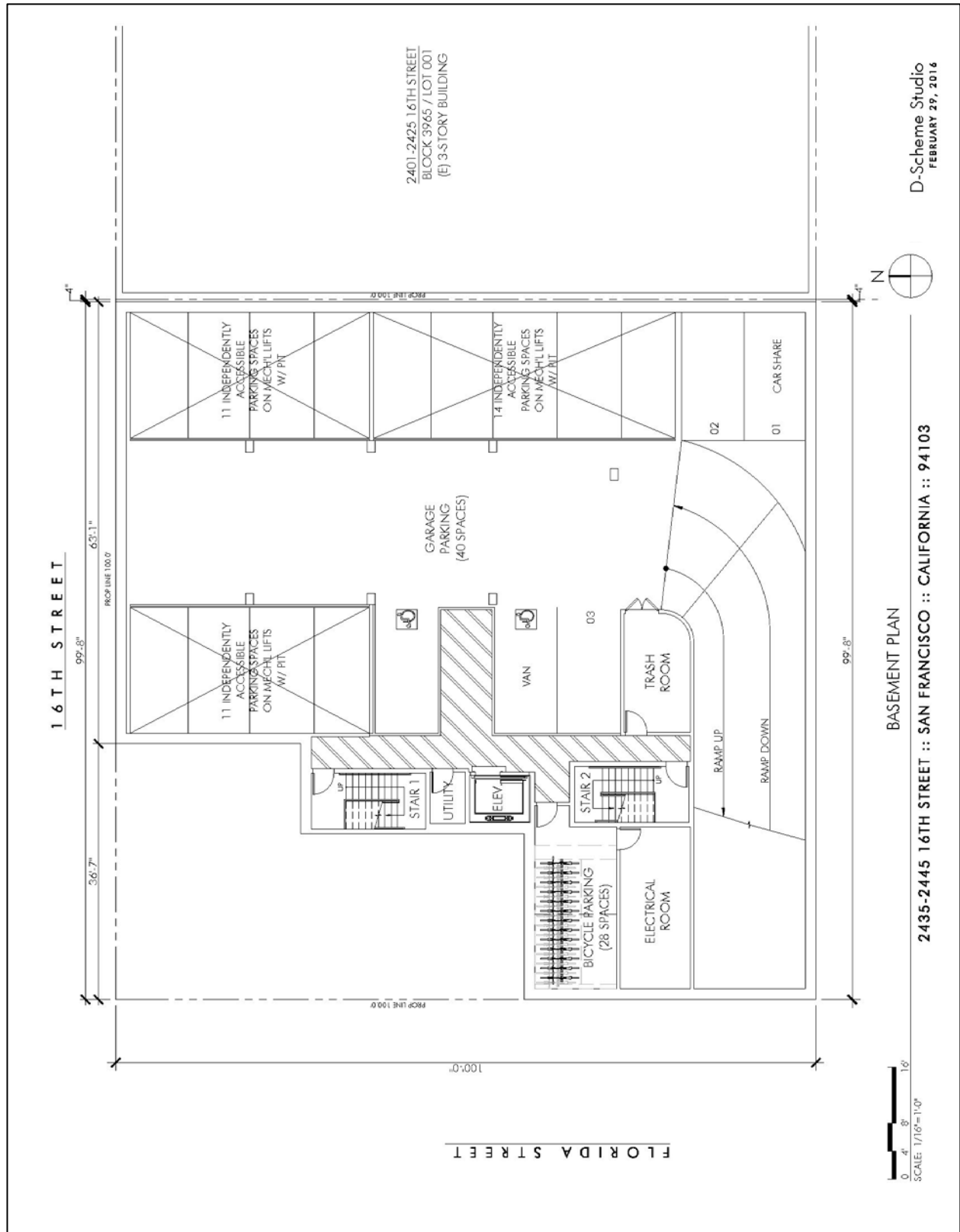


Figure 2. Basement Plan

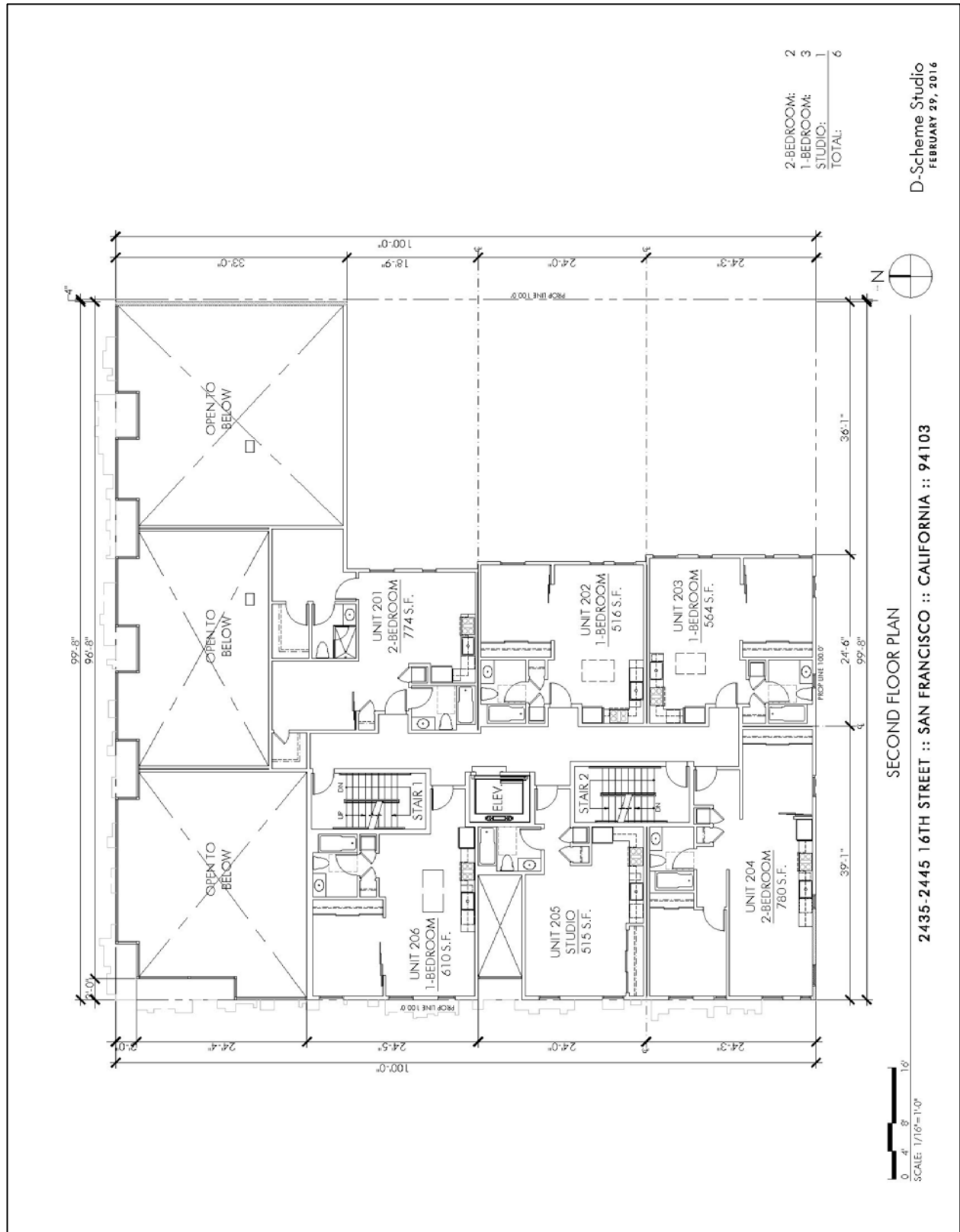


Figure 4. Second Floor Plan

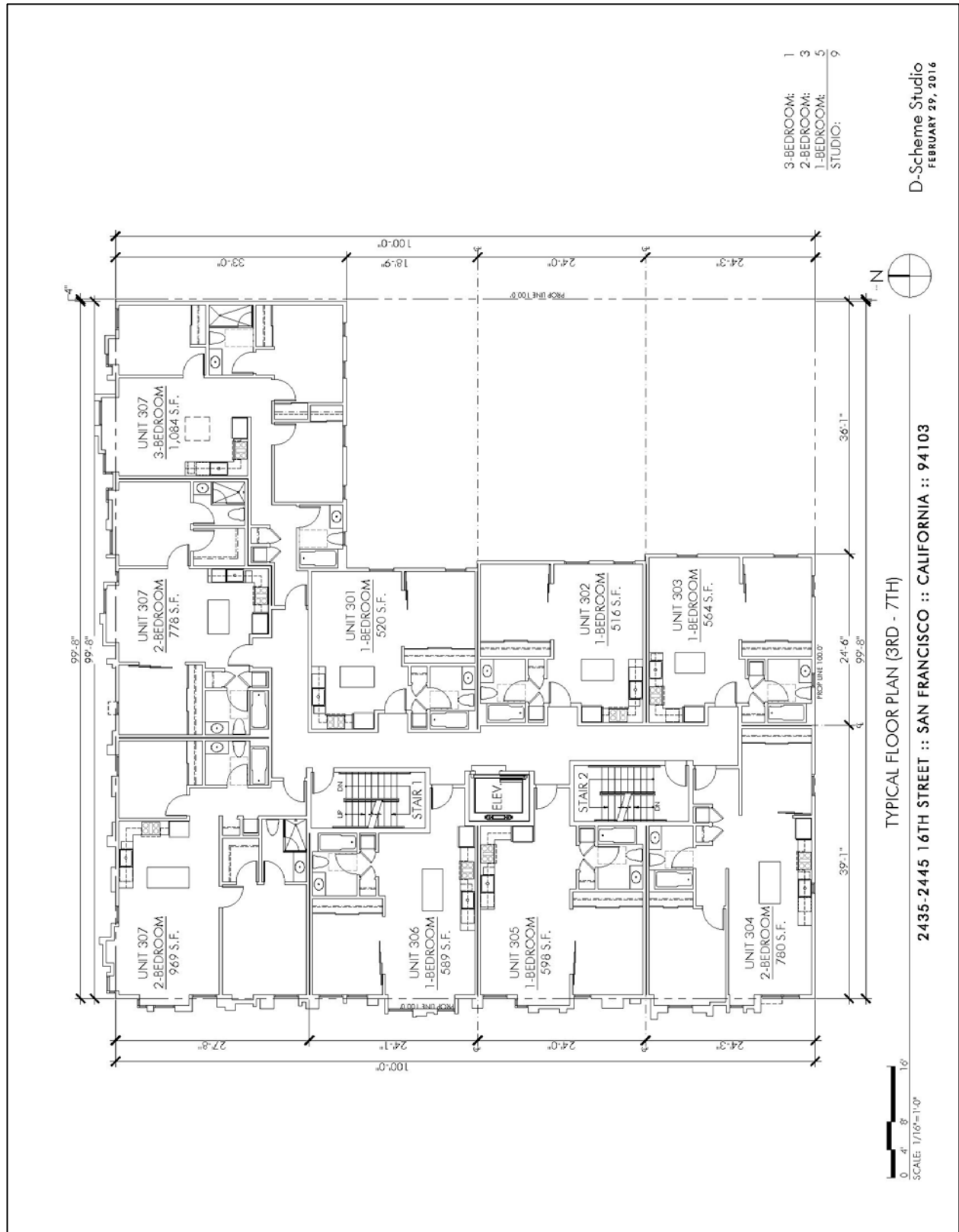


Figure 5. Third through Seventh Floor Plan

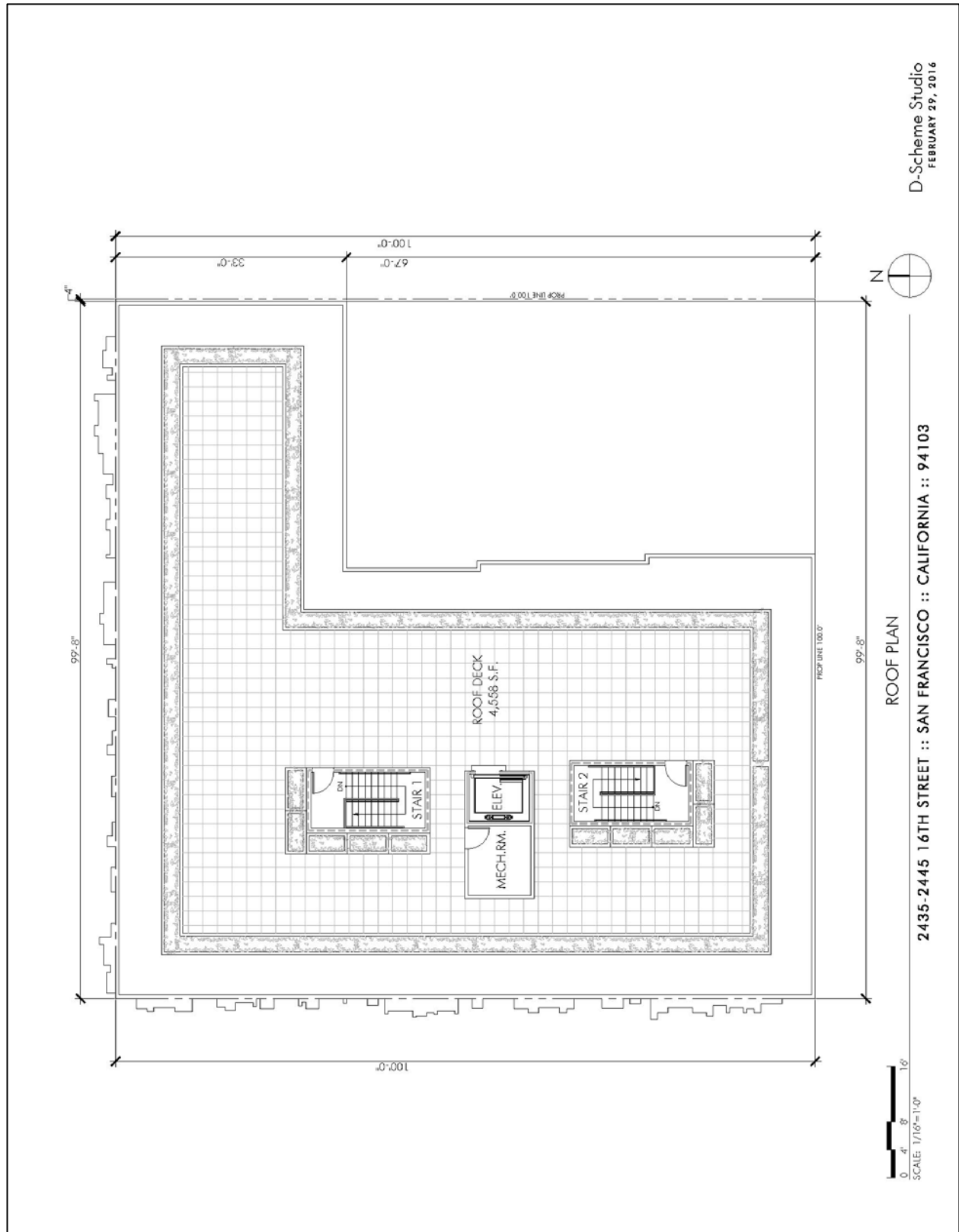


Figure 6. Rooftop Plan

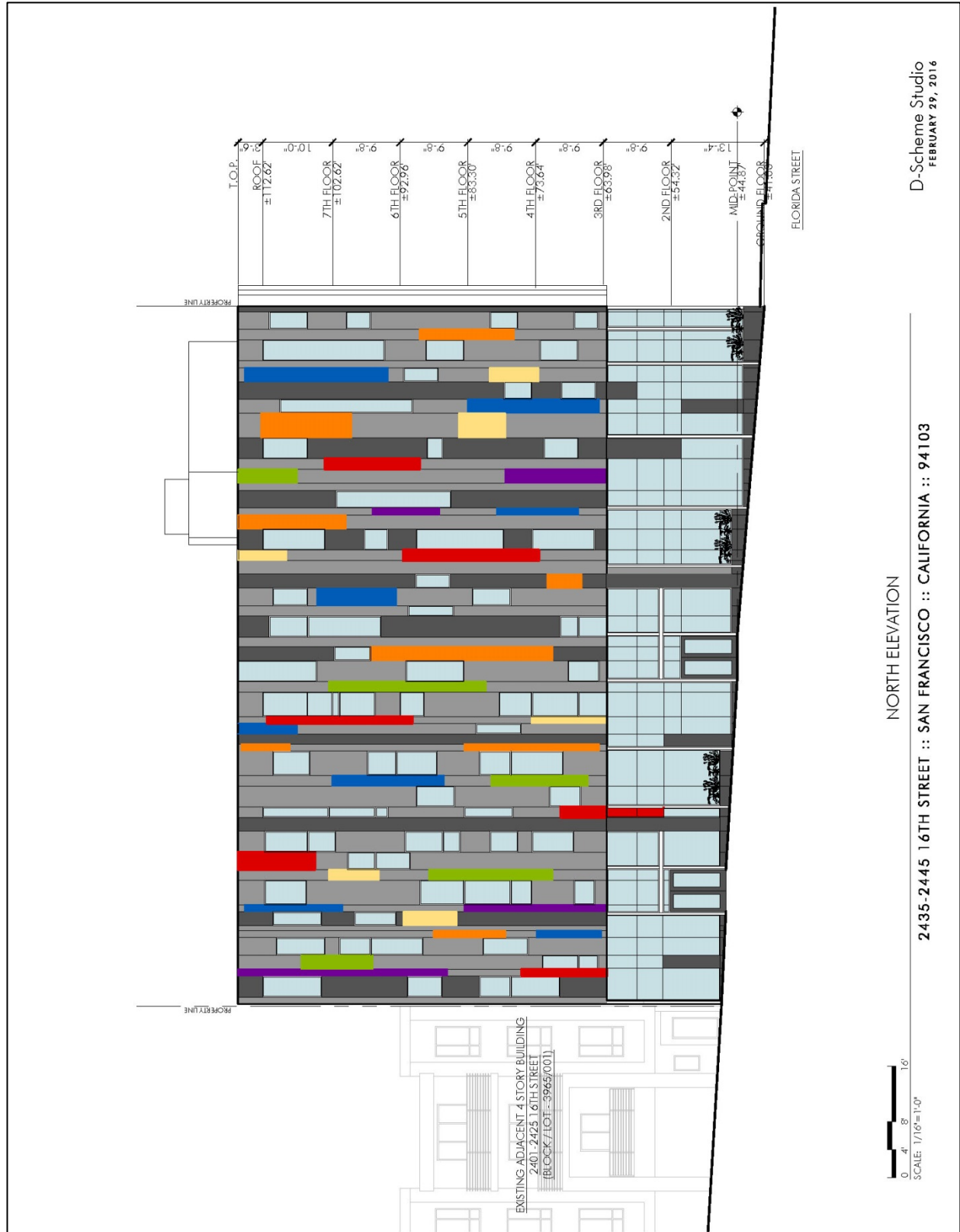


Figure 7. North Elevation

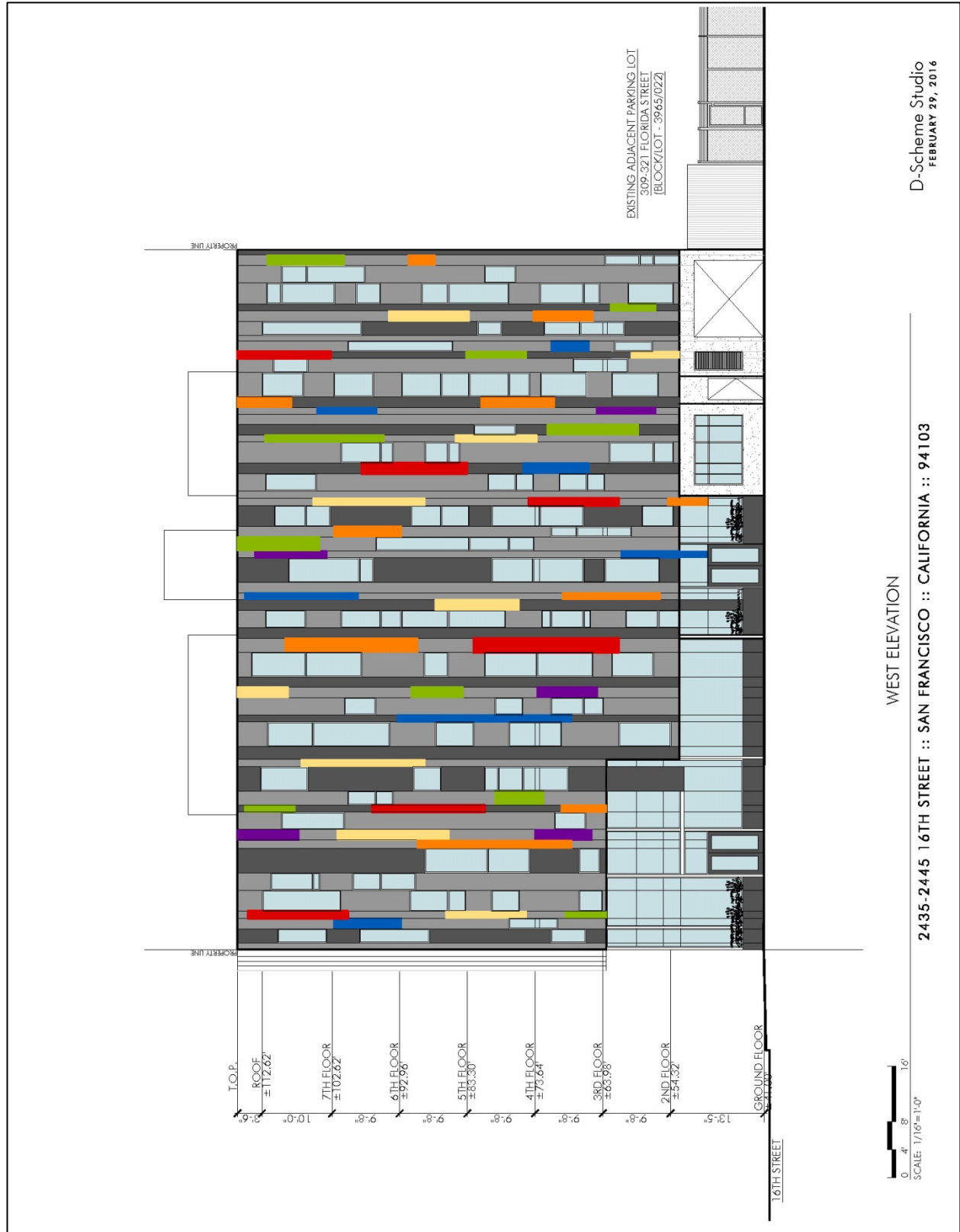


Figure 8. West Elevation

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods Plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regarding Aesthetics, Parking Impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT) effective March 2016 (see “CEQA Section 21099” heading below);
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 2016;
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, the Transportation Sustainability Program process, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled (VMT) effective March 2016 (see Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see Checklist section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, effective December 2014, and Clean Construction Emissions, effective September, 2015 (see Checklist section “Air Quality”);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see Checklist section “Recreation”);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Checklist section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section “Hazardous Materials”).

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods Plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods Plan areas, resulting in an increase of 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) throughout the lifetime of the Plan (year 2025).² 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.³ The growth projected in the Eastern Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).⁴

As of February 23, 2016, projects containing 9,749 dwelling units and 2,807,952 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review⁵ within the Eastern Neighborhoods Plan areas.⁶ This level of development corresponds to an overall population increase of approximately 23,758 to 25,332 persons. Of the 9,749 dwelling units that are under review or have completed environmental review, building permits have been issued⁷ for 4,531 dwelling units, or approximately 46 percent of those units (information is not available regarding building permit non-residential square footage).

Within the Mission Area Plan, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 800 to 2,100 net dwelling units and 700,000 to 3,500,000 non-residential space (excluding PDR loss) through the year 2025. This level of development corresponds to an overall population increase of approximately 4,719 to 12,207 persons. As of February 23, 2016, projects containing 2,451 dwelling units and 355,842 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Mission Area Plan. This level of development corresponds to an overall population increase of 8,764 to 10,650 persons. Of the 2,451 dwelling units that are under review or have completed environmental review, building permits have been issued for 994 dwelling units, or approximately 40 percent of those units. Therefore, anticipated growth from the Eastern Neighborhoods Rezoning and Area Plans is within the Eastern Neighborhoods PEIR growth projections.

² Tables 12 through 16 of the *Eastern Neighborhoods Draft EIR* and Table C&R-2 in the Comments and Responses show 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, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

³ 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.

⁴ San Francisco Planning Department, *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft*, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁵ For this and the Land Use and Land Use Planning section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the *Eastern Neighborhoods PEIR* for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

⁶ These estimates include projects that have completed environmental review and foreseeable projects (including the proposed project). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department.

⁷ An issued building permit refers to buildings currently under construction or open for occupancy. This number includes all units approved under CEQA (including CPEs, Categorical Exemptions and other types of CEQA documents).

Growth that has occurred within the plan areas since adoption of the Eastern Neighborhoods PEIR has been planned for and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the number of housing units under review is approaching or exceeds the residential unit projections for the Mission and Showplace Square/Potrero Hill Area Plans of the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is well below what was anticipated. Therefore, population growth associated with approved and reasonably foreseeable development is within the population that was projected for 2025. Furthermore, the number of constructed projects within Eastern Neighborhoods is well below what has been approved for all plan areas.

The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. The analysis of environmental topics covered in this checklist take into account the differing severities of effects of the residential and employee population.

In summary, projects proposed within the Eastern Neighborhoods Plan Areas have not exceeded the overall population growth that was projected in the Eastern Neighborhoods PEIR; therefore, foreseeable growth within the plan areas do not present substantial new information that was not known at the time of the PEIR and would not result in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

SENATE BILL 743

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁸ Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of

⁸ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 2435 – 2445 16th Street, March 16, 2016. 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. 2014.1201E.

transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)⁹ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

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

The Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the Plan Area throughout the lifetime of the Plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the Plan Area under the No Project scenario. Within the Mission Area Plan, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 3,370,000 square feet of PDR space through the year 2025. The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR space. This impact was addressed in a Statement of Overriding Considerations

⁹ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

As of February 23, 2016, projects containing the removal of 2,807,952 net square feet of PDR space have completed or are proposed to complete environmental review within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (1,788,733 square feet of PDR space loss) and foreseeable projects, including the proposed project (1,019,219 square feet of PDR space loss). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. As of February 23, 2016, projects containing the removal of approximately 355,842 net square feet of PDR space have completed or are proposed to complete environmental review within the Mission Area Plan. These estimates include projects that have completed environmental review (148,752 square feet of PDR space loss) and foreseeable projects, including the proposed project (207,090 square feet of PDR space loss).

Development of the proposed project would result in the net loss of approximately 10,000 square feet of PDR building space. This figure represents between about 2 and 0.2 percent and 2.2 and 0.3 percent of the anticipated loss of PDR space in the Eastern Neighborhoods Plan Area and the Mission Area Plan, respectively, during the lifetime of the Plan. In addition, the proposed project is located in an area with multiple properties that have a PDR zoning designation, with a number of lots within 1,000 feet of the project site that are identified as a PDR land use in the Planning Department's Geographic Information System (GIS) database. These lots support a variety of PDR activities, including warehousing, small manufacturing, vehicle repair, printing and binding, and transportation and delivery services. Given the substantial PDR presence in the vicinity of the project site and the small amount of loss that its conversion to a residential mixed use would represent, the proposed project would not contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.

The project site is located in the Urban Mixed Use District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area, and development is within the development density as envisioned for the site under the Eastern Neighborhoods PEIR. The proposed loss of 10,000 square feet of existing PDR uses does not represent a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR and would not result in significant impacts that were not identified or a more severe adverse impact than analyzed in the PEIR.

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and Area Plans do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the Urban Mixed Use District and is consistent with bulk, density, and land uses as envisioned in the Mission Area Plan. The project falls within the northeast Mission generalized zoning district, meant to maintain the mixed character of this industrial area by protecting PDR in some locations and encouraging housing and mixed uses in other blocks. The proposed residential and commercial use is consistent with this designation.^{10,11}

¹⁰ Susan Exline, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2435-2445 16th Street, October 27, 2015.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
2. POPULATION AND HOUSING—				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project includes 53 dwellings units, which would result in an increase of about 130 residents.¹² Based on the Transportation Impact Analysis Guidelines for Environmental Review, October 2002 (Transportation Guidelines), retail uses generate approximately one employee for every 350 gsf. For the 3,265-sf of commercial flex space, this would equate to about nine employees. The proposed project would not result in the displacement or elimination of any existing residential dwelling units. As stated in the “Changes in the Physical Environment” section above, these direct effects of the proposed project

¹¹ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2435-2445 16th Street, March 16, 2016.

¹² Estimated number of new residents based on average household size (2.45) of occupied housing units in the Census Tract 177 per the 2013 American Community Survey Five-Year Estimates and the proposed project’s 53 new dwelling units [53 * 2.45 = 130 residents].

on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts on population and housing that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The current building at 2435-2445 16th Street was constructed in 1924 and contains two businesses related to automotive repair. The existing building was evaluated in the Showplace Square – Northeast Mission Historic Survey, given a status of 6L and found ineligible for national, state, or local listing.¹³ The project

¹³ San Francisco Planning Department, *Showplace Square – Northeast Mission Historic Survey*. This document is available at: <http://www.sf-planning.org/index.aspx?page=2666>. A California Historical Resource Status Code of 6L is defined as follows: “Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.”

site is not within a designated or eligible historic district. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

For these reasons, the proposed project would not result in significant project-level or cumulative impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR 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 proposed project would involve approximately 7,040 cubic yards of excavation to depths of 19 feet in an area where no previous archeological studies have been prepared. Therefore, the proposed project is subject to Eastern Neighborhoods PEIR Mitigation Measure J-2, which requires preparation of a Preliminary Archeological Sensitivity Study. However, a Preliminary Archeological Review (PAR) for the proposed project was conducted by Planning Department staff archeologists which determined that there would be no effect to CEQA-significant archeological resources because the project site is underlain by shallow bedrock where such resources would not be expected.¹⁴ As the proposed project would have no effect upon archeological resources, Eastern Neighborhoods PEIR Mitigation Measure J-2 has been complied with and no further mitigation is required.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

¹⁴ Randall Dean, San Francisco Planning Department, Environmental Planning Preliminary Archeological Review: 2435-2445 16th Street, June 18, 2015.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
4. TRANSPORTATION AND CIRCULATION – Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable. As discussed above under “SB 743”, in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis presented below evaluates the project’s transportation effects using the VMT metric.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable.

Vehicle Miles Traveled (VMT) Analysis

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{15,16}

A project would have a significant effect on the environment if it would cause substantial additional VMT. For residential development, the regional average daily VMT per capita is 17.2.¹⁷ For retail development, regional average daily work-related VMT per employee is 14.9. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 568.

¹⁵ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁶ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹⁷ Includes the VMT generated by the households in the development.

Table 1. Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Bay Area</u>		<u>TAZ</u> <u>568</u>
	<u>Regional</u> <u>Average</u>	<u>Regional Average</u> <u>minus 15%</u>	
Households (Residential)	17.2	14.6	4.4
Employment (Retail)	14.9	12.6	10.2

The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

Existing plus Project Impact Evaluation

As mentioned above in Table 1, existing average daily residential VMT per capita is 4.4 for the transportation analysis zone the project site is located in, 568. This is 74 percent below the existing regional average daily residential VMT per capita of 17.2.

The existing regional average daily work-related VMT per retail employee is 10.2 for the transportation analysis zone the project site is located in, 568. This is 31 percent below the existing regional average daily work-related VMT per retail employee of 14.9.

Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential uses would not result in substantial additional VMT and impacts would be less-than-significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.

Cumulative Impact Evaluation

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined for existing conditions, but includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040. Projected 2040 average daily VMT per capita is 3.7 for the transportation analysis zone the project site is located in, 568. This is 77 percent below the projected 2040 regional average daily VMT per capita of 16.1.¹⁸

The projected average daily work-related VMT per retail employee is 9.9 for the transportation analysis zone the project site is located in, 568. This is 32 percent below the projected 2040 regional average daily work-related VMT per retail employee of 14.6. Given the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's residential uses would not result in substantial additional VMT. Therefore, the proposed project's residential uses would not contribute considerably to any substantial cumulative increase in VMT.

¹⁸*Ibid.*

Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant impact.¹⁹

Trip Generation

The proposed project entails construction of a mixed-use building with 53 dwelling units (26 two-bedroom and 27 one-bedroom), approximately 3,265-sf of commercial space, and a basement level parking lot accessed via a ramp from Florida Street with 40 vehicle and 60 Class 1 bicycle parking spaces. An additional eight Class 2 bicycle spaces would be available for retail customers and employees on Florida Street.

Localized trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Transportation Guidelines) developed by the San Francisco Planning Department.²⁰ The proposed project would generate an estimated 1,211 person trips (inbound and outbound) on a weekday daily basis, consisting of 632 person trips by auto, 291 transit trips, 207 walk trips and 82 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 147 person trips, consisting of 69 person trips by auto (47 vehicle trips accounting for vehicle occupancy data for this Census Tract), 43 transit trips, 22 walk trips and 13 trips by other modes.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).²¹ The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.²² In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension

¹⁹ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 2435 – 2445 16th Street, March 16, 2016.

²⁰ San Francisco Planning Department, *Transportation Calculations for 2435-2445 16th Street*, September 2, 2015.

²¹ Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

²² <http://tsp.sfplanning.org>

along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in Section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is located within a quarter mile of several local transit lines including Muni lines 9-San Bruno(L), 12-Folsom, 22-Fillmore, 27-Bryant, and 33-Ashbury. The proposed project would be expected to generate 291 daily transit trips, including 43 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 43 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 22-Fillmore, and the 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 47 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Conclusion

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The geotechnical investigation (see Geology and Soils Section below) prepared for the proposed project provides recommendations for the use and installation of various types of foundations (spread footings, a mat foundation, and drilled piers); none would involve the use of pile-driving and Eastern Neighborhoods PEIR Mitigation Measure F-1 would not apply.

Construction of the proposed project would result in temporary elevated noise levels at nearby residences. Project construction phases are expected to include excavation, ground clearing, shoring, utility and street improvements, and concrete work. In addition, project construction would include structural framing, exterior finishes, interior framing, and interior finishes. The noisiest of these activities

is typically excavation and grading, when heavy machinery would be in use. The project sponsor has therefore agreed to implement Eastern Neighborhoods PEIR Mitigation Measure F-2 as Project Mitigation Measure 1, as provided under the Mitigation Measures Section below. Compliance with this mitigation measure would result in a less-than-significant impact with regard to construction noise.

In addition, all construction activities for the proposed project (occurring over a period of approximately 14 to 18 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 14 to 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure F-2, which would reduce construction noise impacts to a less than significant level.

Eastern Neighborhoods PEIR Mitigation Measures F-3 Interior Noise Levels requires detailed analysis of noise levels when noise-sensitive uses that are not subject to Title 24 noise insulation standards are proposed along streets with noise levels above 60 dBA (Ldn). Although the project site is in an area where the noise levels are above 60dBA (Ldn), Mitigation Measure F-3 does not apply to the proposed project because the proposed commercial space is not a sensitive use and the residential portion of the project would be subject to Title 24 insulation standards.

Eastern Neighborhoods PEIR Mitigation Measure F-4 Siting of Noise-Sensitive Uses requires an analysis that identifies potential noise-generating uses within 900 feet of the project site and demonstration with reasonable certainty that Title 24 standards can be met for new noise-sensitive uses such as the proposed project. Note that in a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project and its residents may exacerbate existing environmental hazards.²³ In this instance, the proposed project would not exacerbate the existing noise environment and Mitigation Measure F-4 would not apply. The following information is provided for informational purposes only and not for mitigation of a noise impact.

²³ *California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>

Since certification of the PEIR, San Francisco adopted Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of the regulations is to address noise conflicts between residential uses and in noise critical areas, such as in proximity to highways, country roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. Residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design will limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

The regulations and procedures set forth by the San Francisco Noise Regulations Relating to Residential Uses Near Places of Entertainment are consistent with the provisions of PEIR Mitigation Measure F-3 and F-4.²⁴ In accordance with the San Francisco Noise Regulations Relating to Residential Uses Near Places of Entertainment, the project sponsor has conducted an environmental noise study (Exterior Noise Evaluation) demonstrating that the proposed project can feasibly attain acceptable interior noise levels of no more than 45 dBA.²⁵ The Exterior Noise Evaluation found that the primary noise source affecting the site is vehicular traffic on 16th and Florida streets. A noise survey conducted over a four-day period from September 19 to September 22, 2012 determined that the average noise levels were 71.9 dBA on 16th Street, 72.7 dBA at the corner of 16th and Florida streets, and 63.1 dBA on Florida Street. The Exterior Noise Evaluation provided the minimum sound ratings for the exterior shell of the proposed building (the wall assemblies and windows) in order to meet Title 24 interior standards. These minimum sound ratings take into account the expected 10 percent increase in traffic and traffic noise over the next 10 years. As the Exterior Noise Evaluation has demonstrated that the proposed project can meet Title 24 standards, Eastern Neighborhoods PEIR Mitigation Measure F-4 has been met and requires no further mitigation.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The proposed project does not include such noise-generating uses and Mitigation Measure F-5 is not applicable to the project.

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses. As discussed above, the December 17, 2015 California Supreme Court decision in *California Building Industry Association v. Bay Area Air Quality Management District* held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project and its residents may exacerbate existing environmental hazards.²⁶ Mitigation Measure F-6 would not apply because the proposed project would not exacerbate the existing noise environment.

²⁴ Note that the project site is not within 1,000 feet of a place of entertainment.

²⁵ Walsh, Norris & Associates, Inc. *Exterior Noise Evaluation 2435-2445 16th Street, San Francisco, CA*. October 7, 2014.

²⁶ *California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>

The following information is provided for informational purposes only and not for mitigation of a noise impact.

The proposed project includes 3,500 sf of common open space (4,100 sf on a rooftop deck and 2,110 sf on a second floor rear deck) and about 240 sf of private open space divided between three of the dwelling units on the second floor. As noted, the Exterior Noise Evaluation determined that the ambient noise level is approximately 72 dBA on 16th Street and 62 dBA on Florida Streets. The proposed building would reduce ambient noise from the street for users of the second floor deck. While a noise impact to users of the rooftop deck would not occur, Improvement Measure 1 (Reduce Noise on Rooftop Deck) could be implemented to further reduce less than significant noise to users of that open space. Improvement Measure 1 would involve development of a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant to reduce noise in the area of the rooftop deck.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 5 e and f from the Community Plan Exemption Checklist are not applicable.

For the above reasons, the proposed project would not result in significant project-level or cumulative noise impacts that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
6. AIR QUALITY—Would the project:				
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses²⁷ as a result of exposure to elevated levels of

²⁷ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, PEIR Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. 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 Construction Dust Control Ordinance is to reduce the quantity of fugitive 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 DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states: "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."²⁸ The BAAQMD's CEQA Air Quality Guidelines (Air Quality Guidelines) provide screening criteria²⁹ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The project would entail demolition of an existing one-story building housing two automotive repair shops and construction of a seven-story, 68-foot-tall mixed-use

²⁸ San Francisco Planning Department, *Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report*. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

²⁹ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2011. See pp. 3-2 to 3-3.

residential building with 53 dwelling units, about 3,265-sf of ground-floor retail space, and an off-street parking garage. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria as the proposed 53-unit residential building would be below the 240 dwelling unit construction criteria pollutant screening size and 451 dwelling unit operational criteria pollutant screening size. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the Eastern Neighborhoods PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. As defined in Article 38, and based on health vulnerability factors, proximity to freeways and modeling of all known air pollutant sources, the Air Pollutant Exposure Zone comprises those areas that exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The project site is not within the Air Pollutant Exposure Zone.

Construction

The project site is not located within an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is not applicable to the proposed project.

Siting Sensitive Land Uses

The proposed project would include development of 53 dwelling units and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Article 38 is not applicable to the proposed project. Therefore, PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project, and impacts related to siting of new sensitive land uses would be less than significant.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

Conclusion

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
7. GREENHOUSE GAS EMISSIONS –				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E³⁰ per service population,³¹ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*³² presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,³³ exceeding the year 2020 reduction goals outlined in the BAAQMD’s *2010 Clean Air Plan*,³⁴ Executive Order S-3-05³⁵, and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{36,37} In addition, San Francisco’s GHG reduction goals are consistent with, or more aggressive than, the long-term goals

³⁰ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

³¹ Memorandum from Jessica Range to Environmental Planning 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 PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

³² San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

³³ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

³⁴ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

³⁵ Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

³⁶ California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill_asm_ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

³⁷ Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

established under Executive Orders S-3-05³⁸ and B-30-15.^{39,40} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site with the demolition of an approximately 10,000-square-foot (sf), one-story, auto repair and services shop and construction of a seven-story mixed-use residential building with 53 dwelling units and approximately 3,265 sf of commercial space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the Transportation Sustainability Fee, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁴¹ Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴² and reducing the energy required to produce new materials.

³⁸ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

³⁹ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

⁴⁰ San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

⁴¹ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴² Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

Compliance with the City’s Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴³ Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.⁴⁴

Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
8. WIND AND SHADOW – Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 68-foot-tall (78-foot-tall with elevator penthouse) building would be approximately 10 to 20 feet taller than the immediately adjacent buildings, this difference in height that would not create excessive wind impacts. For the above reasons, the proposed project is not anticipated to cause significant project-level or cumulative impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with

⁴³ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴⁴ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 2435 – 2445 16th Street Project (Case No. 2014.1201E)*, October 14, 2015.

taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would result in the construction of a 68-foot-tall building (78-foot-tall with elevator penthouse); therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.⁴⁵ The preliminary shadow fan analysis indicated that the proposed project potentially would cast shadows on Franklin Square, a 4.4-acre recreational resource subject to Planning Code Section 295 that is approximately 200 feet west of the project site. Accordingly, a focused shadow analysis was prepared to determine the extent (if any) which the proposed building would result in net new shadow on Franklin Square.⁴⁶

The focused shadow analysis determined that Franklin Square has 714,505,078.60 square-foot-hours of Theoretically Available Annual Sunlight (TAAS), which is the amount of theoretically available sunlight on the park, annually, if there were no shadows from structures, trees, or other facilities. However, shadows currently exist on Franklin Square, predominately in the morning and evening hours. The existing “shadow load” for Franklin Square is 39,896,906.64 square-foot-hours annually, or about 5.6% of the total TAAS for Franklin Square. The proposed project would add about 212,630 net new square-foot-hours of shadow on Franklin Square, representing about a 0.030% annual increase in shadow as a percentage of the TAAS. Any net new shadow from the proposed project would occur during the last hour of the day (sunset minus one hour) and would not start earlier than 5:45 p.m. The maximum net new shadow (or worst shadow day) would occur on September 6, when the proposed project would cast about 43.5 minutes of net new shadow on Franklin Square during the last hour of the day. The shadow area on Franklin Square caused by the proposed project, at its maximum extent, would be about 4,561sf at the northwestern corner of Franklin Square.

As discussed in the focused shadow analysis, Franklin Square has a regulation-size soccer field, pedestrian pathways, a recently renovated playground, and open space and seating areas. At its maximum extent, the net new shadow that would be caused by the proposed project would fall short of the western end line of the soccer field in an area that has grass, trees and a path but not active recreational programming. People watch soccer games from this area and, when no soccer game is occurring, people presumably sit or otherwise recreate in the area (walking, playing catch, picnic, etc.). The focused shadow analysis determined that this area is already shadowed at various times of the day by trees and existing buildings located on Bryant Street just opposite the park. As this negligible amount of net new shadow would occur during the last hour of the day in an area that is not occupied by the soccer field or playground, the proposed project would not substantially impair use or enjoyment of Franklin Square. Therefore, the proposed project would have a less than significant impact with regard to shading of a park under the jurisdiction of the Recreation and Park Department.

⁴⁵ San Francisco Planning Department, *Preliminary Shadow Fan Analysis, 2435-2445 16th Street Project*. September 4, 2015.

⁴⁶ CADP, *2435-2445 16th Street Shadow Analysis*, July 7, 2015.

Section 295 prohibits the issuance of building permits for structures or additions to structures greater than 40 feet in height that would shade property under the jurisdiction of, or designated to be acquired by, the Recreation and Park Commission, during the period from one hour after sunrise to one hour before sunset, unless the Planning Commission, following review and comment by the general manager of the SFRPD, in consultation with the Recreation and Park Commission, determines that such shade would have an insignificant impact on the use of such property.

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION – Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

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

As part of the Eastern Neighborhoods Plan adoption, the City adopted impact fees for development in the Eastern Neighborhoods Plan area that go towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood

Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where proposed new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are set to open in 2015 and 2016, respectively. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

As the proposed project would not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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"/>

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes City-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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11. PUBLIC SERVICES – Would the project:

a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

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

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that

implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is located within Mission Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR 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 PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation was prepared for the proposed project to inform excavation and construction in regards to any potential geologic hazards.⁴⁷ Two soil borings encountered serpentine bedrock at depths of one-half to one foot below the ground surface and reached a practical point of refusal at a maximum depth of two feet below the ground surface. Groundwater was not encountered in the two borings and the geotechnical investigation states that free groundwater would be below the proposed excavation depth of about 19 feet. The geotechnical investigation states that the proposed project is not located in an Alquist-Priolo Earthquake Fault zone, notes that the nearest active fault is about seven miles to the southwest. Additionally, there are no mapped active faults crossing the project site and there is a low risk of surface rupture that could damage the structure. Given the shallow depth to bedrock, the project site is not susceptible to liquefaction, lateral spreading, densification or other seismically-induced ground failure. However, the proposed structure would likely be exposed to strong ground shaking during an earthquake event and the geotechnical investigation states that applicable Building Code recommendations should be followed in order to reduce potential damage. The proposed project would require excavation of approximately 7,040 cubic yards of surface soil and underlying rock.

The geological investigation concludes that the site is appropriate for the proposed construction with incorporation of the recommended measures. Detailed recommendations with regard to excavation of bedrock, setting the foundation in competent bedrock, support of temporary slopes and neighboring structures during excavation, sub-grade preparation, and seismic shaking and related effects during earthquakes are provided in the geotechnical investigation. Additional recommendations regarding the foundation, sub-grade retaining walls, and site drainage are also provided. The geotechnical investigation notes that excavation of the underlying bedrock would require heavy ripping, hoe rams or jack-hammering (but not pile-driving).

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical investigation during its review of the building permit application for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant project-level or cumulative impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts related to geologic hazards that were not identified in the Eastern Neighborhoods PEIR.

⁴⁷ H. Allen Gruen, *Report Geotechnical Investigation Planned Development at 2435-2445 16th Street*, San Francisco, California. October 12, 2014.

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14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or 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, tsunamis, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The entire project site is currently occupied by a one-story structure; the proposed project would also occupy the entire project site and there would not be any change in the amount of impervious surface coverage. During construction, and pursuant to Public Works Code Sections 146 and 147, the proposed project would be required to implement and maintain Best Management Practices (BMPs) to minimize

surface runoff erosion, and also comply with a Stormwater Control Plan. As a result, the proposed project would not increase stormwater runoff, alter the existing drainage, or violate water quality or waste discharge standards.

Therefore, the proposed project would not result in any significant project-level or cumulative impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

The proposed project would not expose people or structures to flooding risks or hazards, or impede or redirect flood flows in a 100-year flood hazard area, because the project site is not located within a 100-year flood zone. Because the project site is not located within a flood hazard zone or near a water reservoir with a dam or levee, the proposed project would not 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. Similarly, the project site also is not located within a tsunami hazard zone and would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or tsunami.⁴⁸

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15. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

⁴⁸ San Francisco Planning Department, *San Francisco General Plan, Community Safety Element*. (Map 05, Tsunami Hazard Zones, page 15). October 2012. Available online at: http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf, accessed November 13, 2014.

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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"/>

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

Hazardous Building Materials

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

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, has been expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The Maher Ordinance is administered and overseen by the Department of Public Health (DPH). The over-

arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and, when necessary, mitigation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project would involve excavation of about 7,040 cubic yards to a depth of about 20 feet below ground surface. As noted, the project site has been developed since 1924 and over the past several decades has been occupied by various commercial and industrial businesses including auto repair facilities. A 550-gallon gasoline underground storage tank (UST) was installed under the 16th Street sidewalk in front of the project site in 1947 and removed in 2010. Given past auto repair activities and the past presence of a UST, the project is subject to the Maher Ordinance and the project sponsor is required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and an ESA was prepared in 2010 to assess the potential for site contamination.⁴⁹ The Phase I ESA determined that the gasoline UST had been removed under permit from the DPH in 2010 and the case was closed with no requirement for further action. An inspection made on June 16, 2010 of the current auto repair businesses occupying the project site showed no evidence of any improper, inappropriate or illegal activities regarding hazardous materials, chemicals or regulated substances. No potential PCB-containing items were observed and the relatively small amount of hazardous material (solvents, lubricants, etc.) on-site appeared to be appropriately managed. Similarly, a reconnaissance of the surrounding neighborhood revealed no evidence of active gasoline stations or other businesses that, at present, might have active underground tanks or fuel distribution systems. The Phase I ESA did note that underground tanks may have been in use by local businesses in the past. A search of five different hazardous materials databases revealed that the project site was not subject to any past violations and no conditions that are considered Recognized Environmental Concerns. The 2010 Phase I ESA made no recommendations regarding any further investigation or remediation of the project site.

An update to the 2010 Phase I ESA was prepared on August 8, 2014.⁵⁰ The 2014 update to the 2010 Phase I ESA determined that the environmental conditions at and surrounding the project site have not significantly changed, there were no significant environmental concerns with the project site, and there was no evidence that any additional environmental investigation was warranted. Again, the 2014 Update to the Phase I ESA made no specific recommendations for any further investigation or remediation of the project site. However, as of 2012, the project site has been included in areas subject to the Maher Ordinance. As the proposed project would establish a residential use at the site of a former industrial use, an investigation of the underlying material and – if it is encountered – groundwater must be conducted to definitively determine whether or not any subsurface contamination exists. Accordingly, a Work Plan for Subsurface Investigation at the project site was reviewed and approved by the DPH.⁵¹

⁴⁹ John Carver Consulting, *Phase I Environmental Site Assessment at 2435 – 2445 16th Street, San Francisco, California*. July 30, 2010.

⁵⁰ John Carver Consulting, *Update of Phase I Environmental Site Assessment, 2435 – 2445 16th Street, San Francisco, California*. August 8, 2014.

⁵¹ Letter from Stephanie K.J. Cushing, Principal Environmental Health Inspector, San Francisco Department of Public Health to Marc Dimalanta, Project Sponsor. October 29, 2015.

The Subsurface Investigation will analyze excavated material for the presence of a variety of contaminants. If the Subsurface Investigation finds potential soil and/or groundwater contamination then, in accordance with Article 22A of the Health Code, it must be remediated according to a Site Management Plan approved by DPH. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

Naturally Occurring Asbestos

The proposed project would involve up to approximately 19 feet of excavation below ground surface in an area that is underlain by serpentine bedrock. Excavation could potentially release serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.⁵² To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 9310531 and are enforced by the BAAQMD.

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

Therefore, the proposed project would not result in significant project-level or cumulative impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

⁵² California Air Resources Board, *Fact Sheet #1 Health Information on Asbestos*, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed August 18, 2014.

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16. MINERAL AND ENERGY RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or 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 DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
17. AGRICULTURE AND FOREST RESOURCES: – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<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"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Noise

Project Mitigation Measure 1 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)

The sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Hazardous Materials

Project Mitigation Measure 2 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)

In order to minimize impacts to public and construction worker health and safety during demolition of the existing structure, the sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of

according to applicable federal, state, and local laws prior to the start of renovation, and that any florescent 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.

IMPROVEMENT MEASURE

Noise

Project Improvement Measure 1 – Reduce Noise on Rooftop Deck

While the proposed project would not result in any significant noise impact to the users of the rooftop deck, the project sponsor should encourage development of a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the Planning Department to ensure that maximum feasible noise attenuation for users of the outdoor deck areas will be achieved. As determined feasible by the qualified acoustical consultant, these attenuation measures may include construction of noise barriers between noise sources and open space, consistent with other principles of urban design.