



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2005.0408E
 Project Title: 2290-2298 Third Street Residential-Retail Project
 Zoning: Urban Mixed Use (UMU) District
 68-X Height and Bulk District
 Block/Lot: 4059/009
 Lot Size: 14,050 square feet
 Plan Area: Central Waterfront Area Plan
 Subarea of Eastern Neighborhoods Area Plan
 Project Sponsor: Build Inc. - Michael Yarne (415-551-7612)
 Staff Contact: Brett Bollinger - (415) 575-9024
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PROJECT DESCRIPTION:

The project site is located in the Central Waterfront Area adjacent to the Dogpatch neighborhood on the northwest corner of the intersection of Third and 20th Streets. The project block's boundaries are Nineteenth Street (north), Third Street (east), 20th Street (south), and Tennessee Street (west). The project sponsor proposes to demolish a vacant 4,125-square-foot (sf), one-story, 21-foot-tall commercial building, remove a 24-space surface parking lot, and construct a 68-foot-tall, six-story, 59,682-sf residential mixed-use building with up to 71 residential units and approximately 1,783 sf of ground-floor neighborhood-serving retail, and a 7,910 sf, ground-floor parking garage, including up to six ground-floor townhome-style residential units. Approximately 8,767 sf of common usable open space would be provided by a podium-level rear yard and several interconnected roof decks.

Continued on the following page.

EXEMPT STATUS:

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

DETERMINATION:

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


 Sarah B. Jones
 Acting Environmental Review Officer

July 30, 2013
 Date

cc: Michael Yarne, Project Contact
 Cory Teague, Current Planning Division
 Vernaliza Byrd, M.D.F.

Supervisor Malia Cohen, District 10
 Exemption/Exclusion File

PROJECT DESCRIPTION (CONT'D.):

There would be about 20 studio units (419-sf average), 22 one-bedroom units (633-sf average), 25 two-bedroom units (902-sf average), and 4 three-bedroom units (954-sf average). The parking garage would contain between 30 to 48 residential spaces arranged on automated stackers and one car-share space. The garage would not include an off-street loading space; however, the garage would accommodate a 20-foot service van. The project would also include an approximately 2,670-sf semi-subterranean basement containing about 71 Class 1 bicycle parking spaces and assorted building services and storage. See Figures 1 through 8, pages 3 to 10.

The existing building located on the project site, constructed in 1917, has a National Register of Historic Places Status Code of 4D2, indicating that it has potential historical value as a contributor to a fully documented historic district that may become eligible for listing.

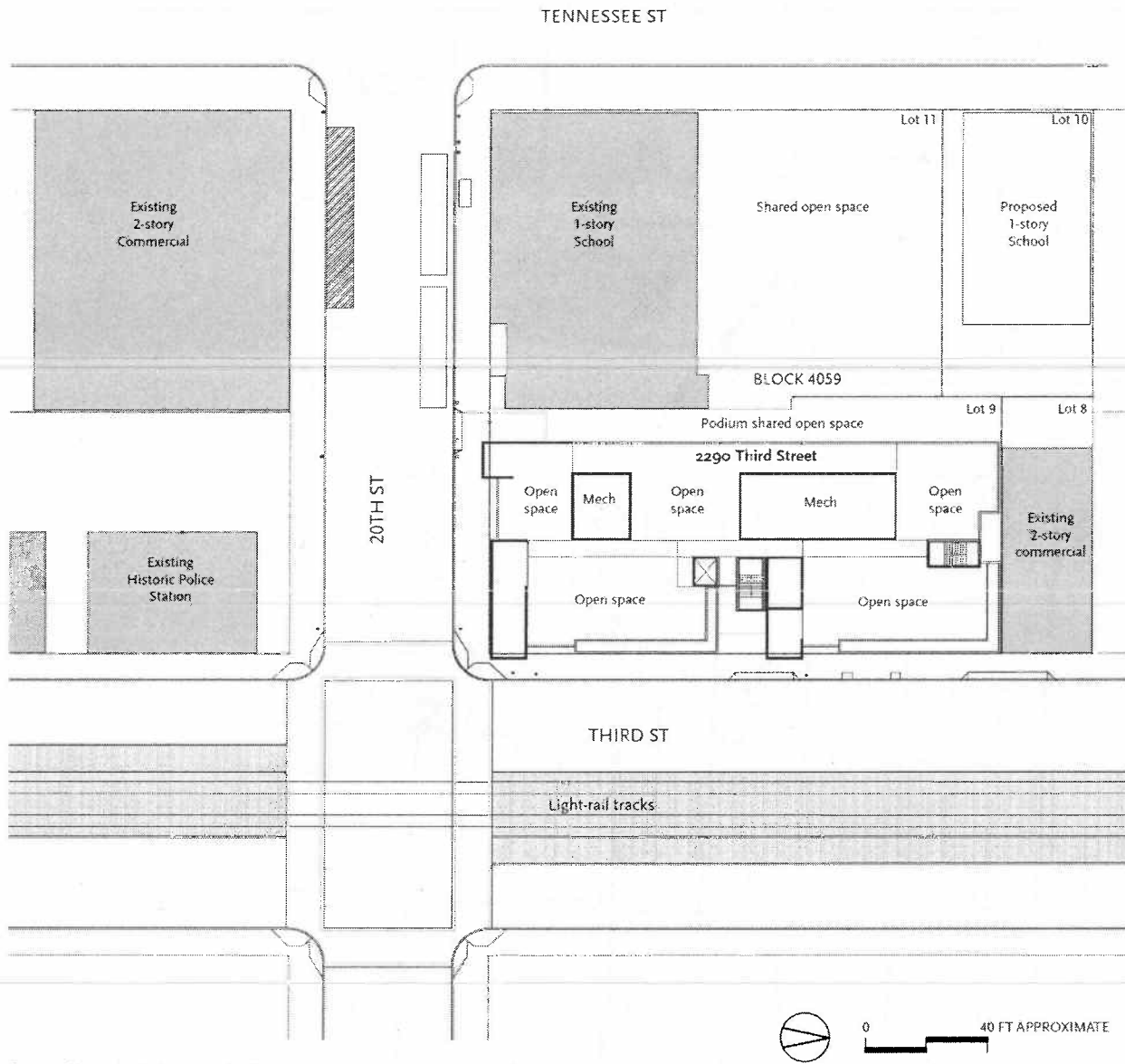
The proposed project would require Large Project Authorization (LPA) under *Planning Code* Section 329, which constitutes the Approval Action for the proposed project.



Source: During Associates

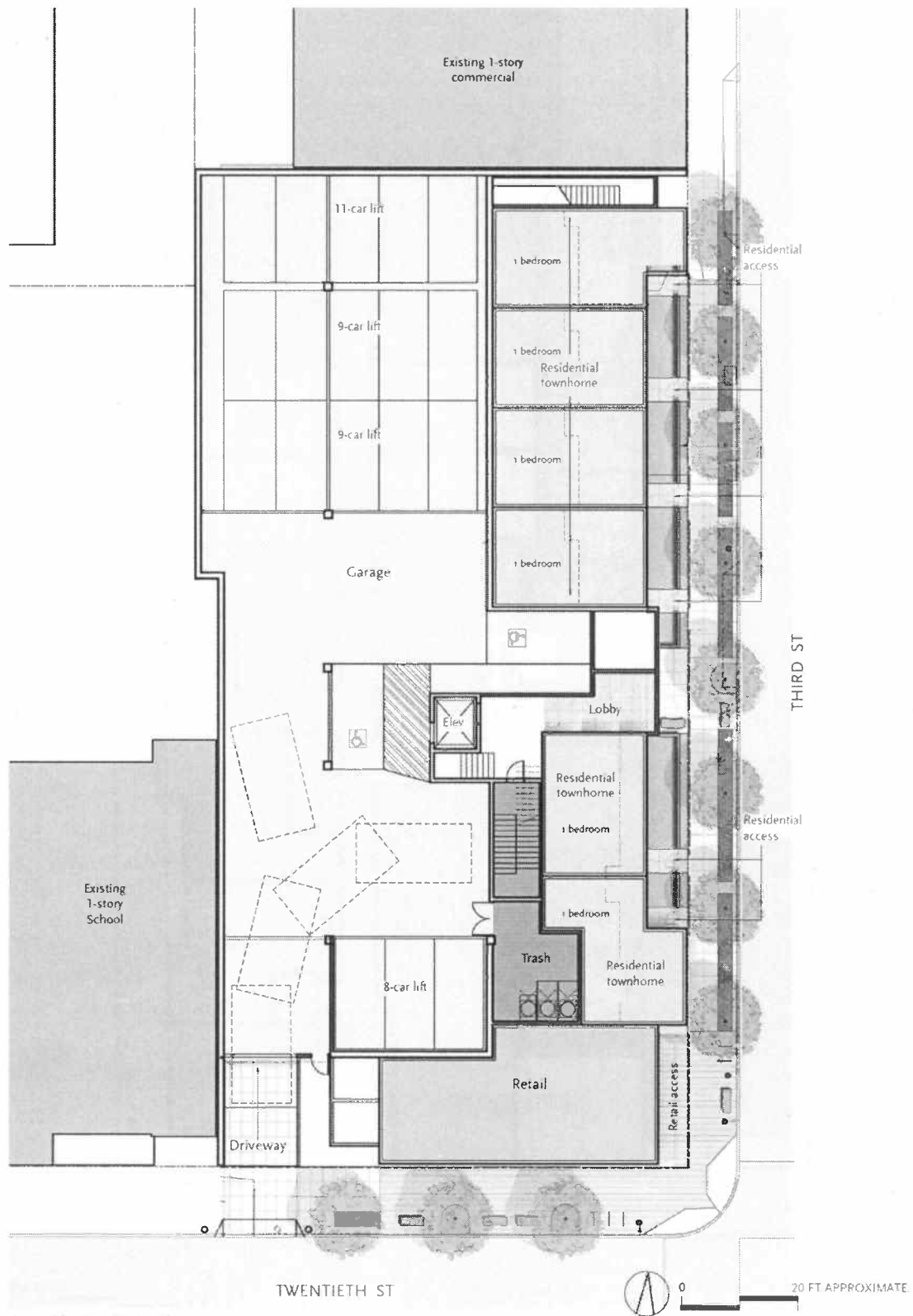
4/26/12

Project Site Location Figure 1



Source: Kennerly Architecture & Planning
5.31.13

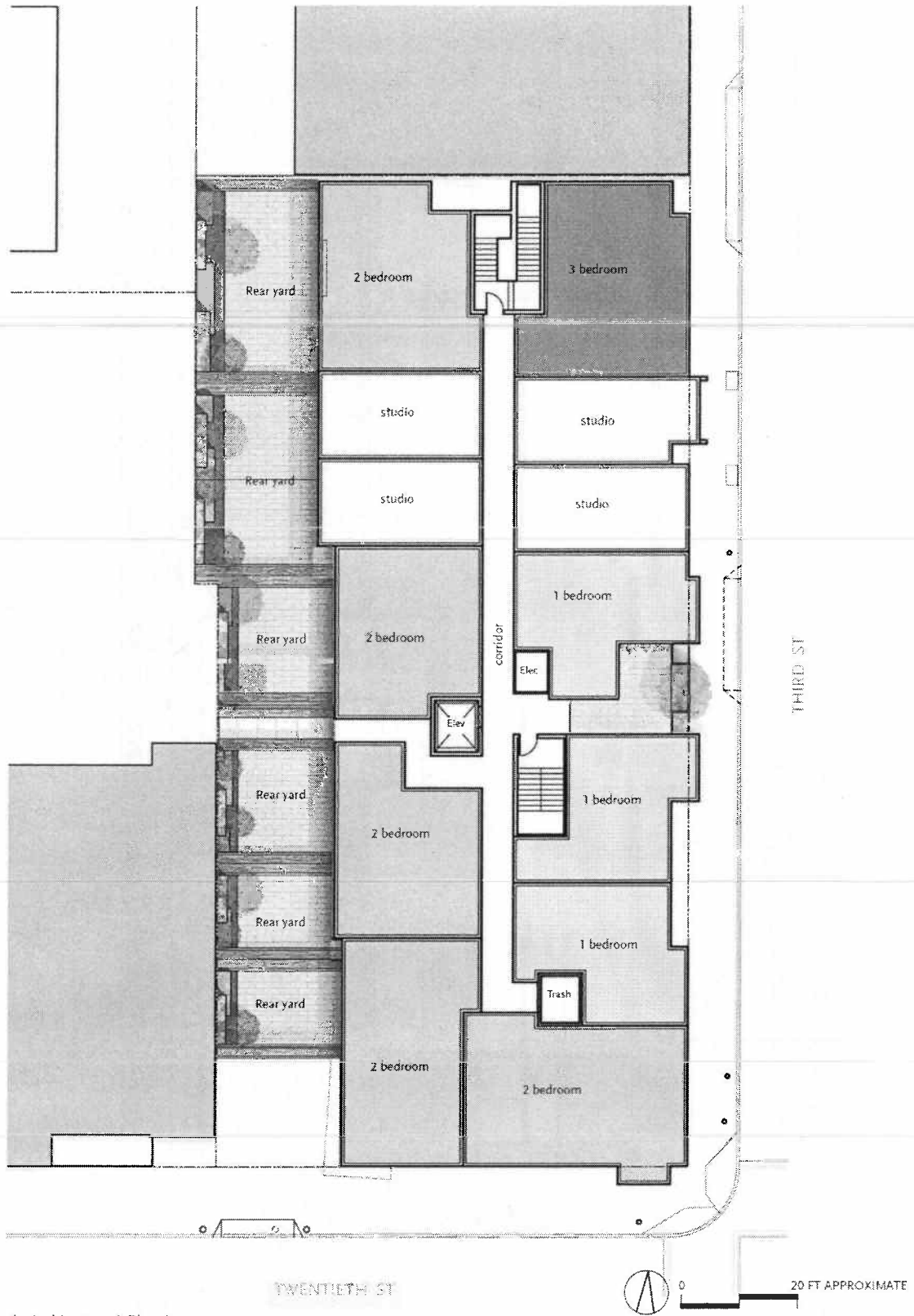
Site Vicinity/Proposed Roof Plan Figure 2



Source: Kennerly Architecture & Planning

19-13

Proposed Ground Floor Plan Figure 3



Source: Kennerly Architecture & Planning

7-14-13

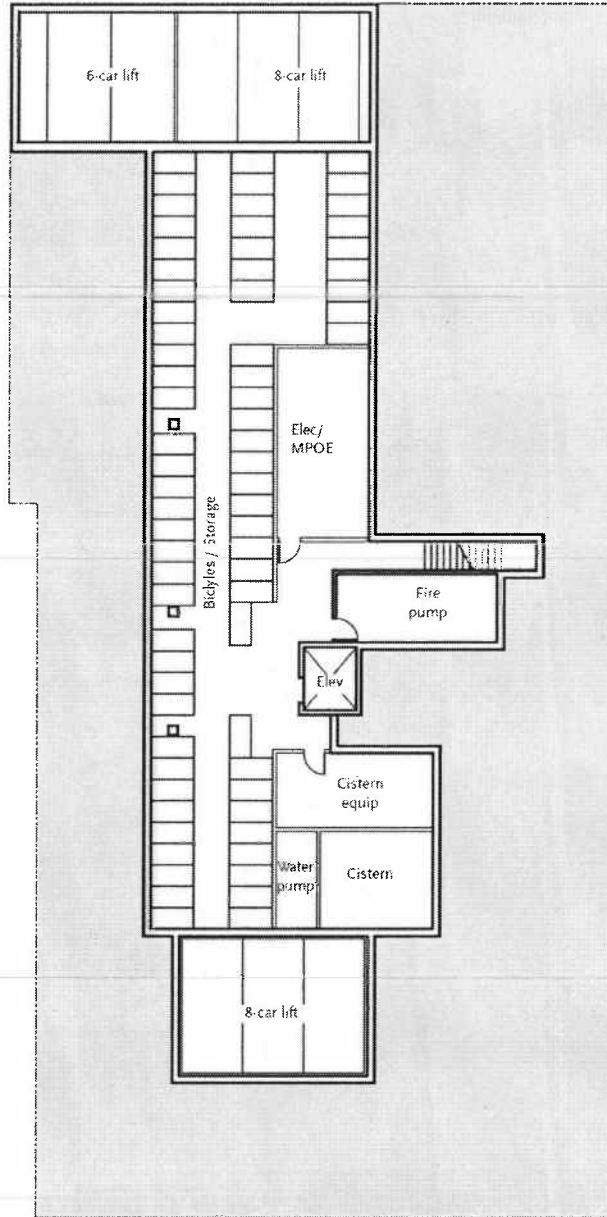
Proposed Residential Floor Plan—Podium Level Figure 4



Source: Kennerly Architecture & Planning

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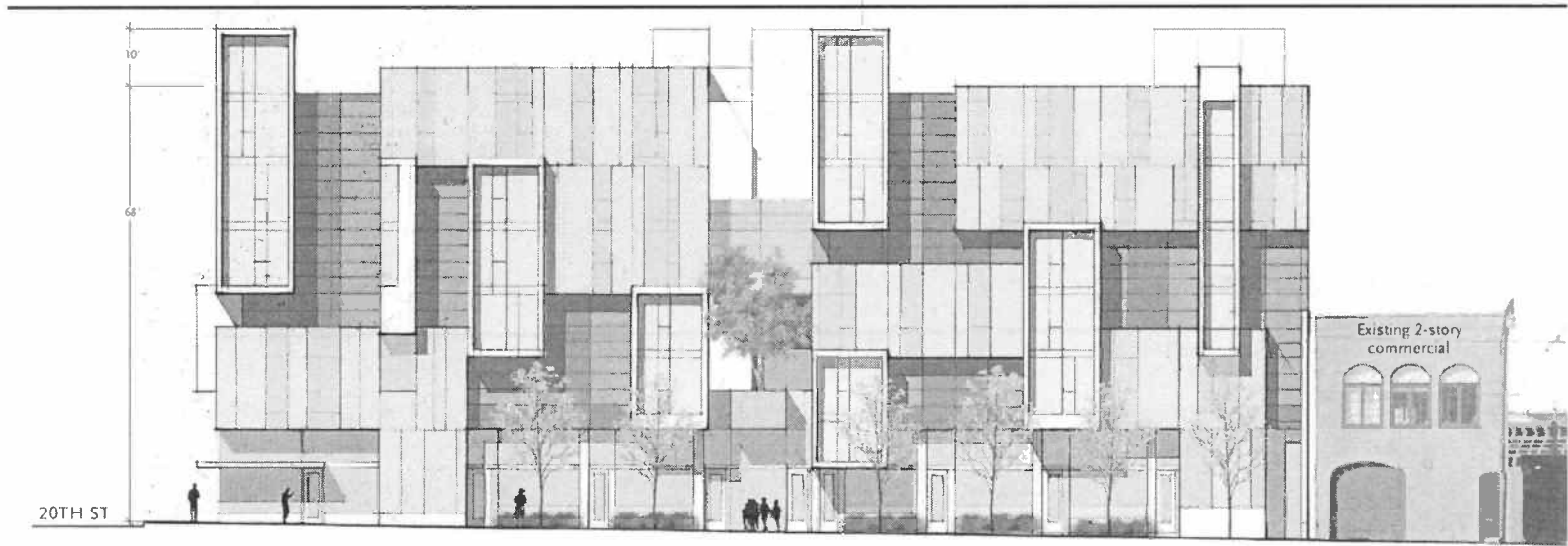
Proposed Typical Residential Floor Plan—Levels Three to Six Figure 5



Source: Kennerly Architecture & Planning

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Proposed Basement Floor Plan Figure 6



Third Street Elevation

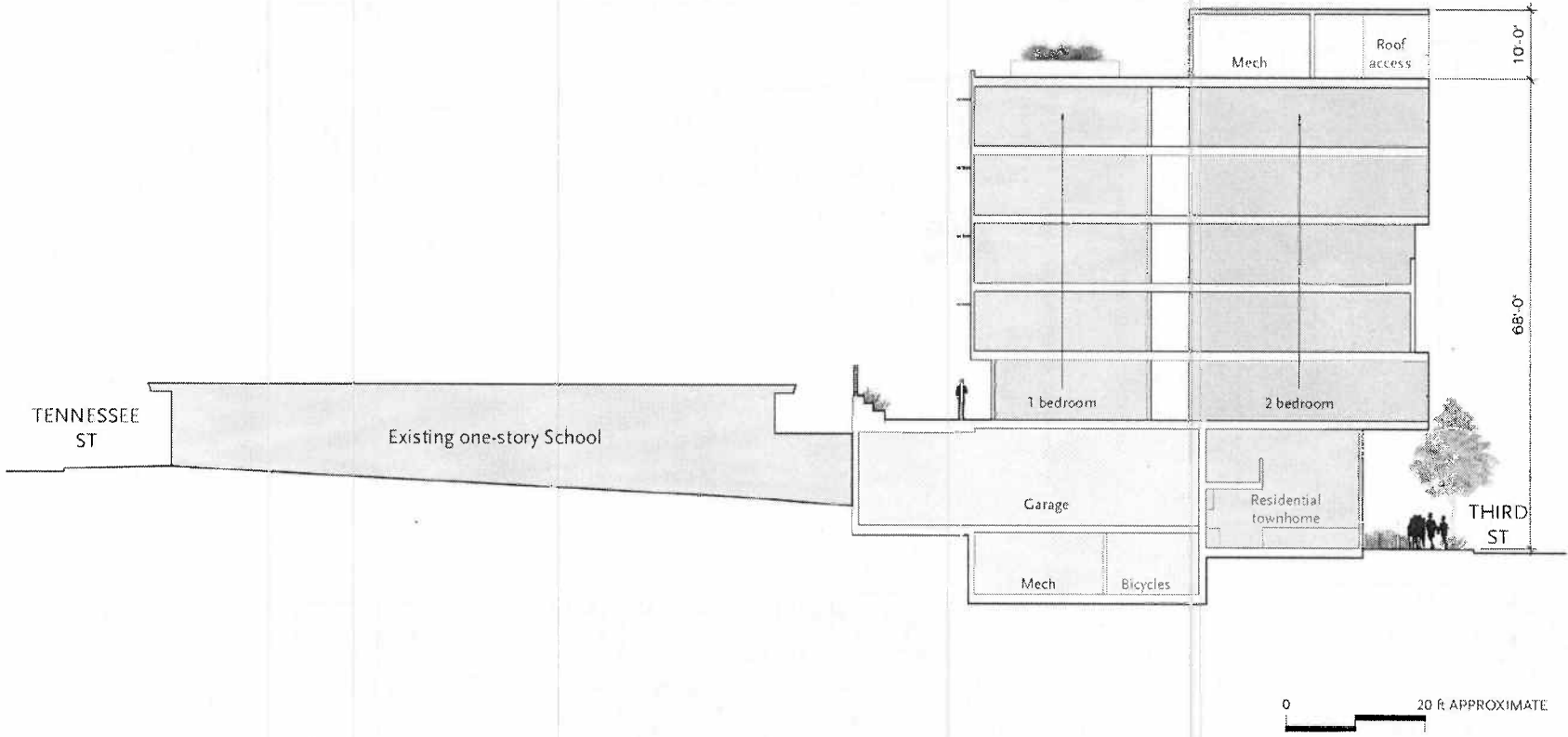


20th Street Elevation

Source: Kennerly Architecture & Planning

7/19/11

Proposed Project Elevations Figure 7



Proposed Project Section Figure 8

Source: Kennerly Architecture & Planning
7/19/13

REMARKS:

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

This determination evaluates the potential environmental effects specific to the 2290-2298 Third Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 2290-2298 Third Street to determine if there would be significant impacts attributable to the proposed project. These studies examined the proposed project's potential environmental effects on cultural resources, transportation, noise, air quality, and shadow.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods EIR that would be applicable to the proposed project at 2290-2298 Third Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects of the proposed project.

BACKGROUND

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Plan was adopted in December 2008. The Eastern Neighborhoods was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods also included changes to existing height and bulk districts in some areas, including the project site at 2290-2298 Third Street.

During the Eastern Neighborhoods Plan adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map

amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods EIR by Motion 17659¹ and adopted the Preferred Project for final recommendation to the Board of Supervisors.²

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

The Eastern Neighborhoods Final EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various alternative scenarios discussed in the Final EIR.

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

As a result of the Eastern Neighborhoods, the project site has been rezoned to Urban Mixed Use (UMU). The proposed project and its relation to PDR land supply and cumulative land use effects are discussed further below, in Land Use. The 2290-2298 Third Street project site, which is located in the Central Waterfront subarea of the Eastern Neighborhoods Plan area, was designated and envisioned as a site with a building up to 68 feet in height and containing a mix of uses.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans would undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential project at 2290-2298 Third Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. Further, this determination finds that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 2290-2298 Third Street project, and identified the mitigation measures applicable to the proposed project. The

¹ Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

² San Francisco Planning Commission Motion 17659, August 7, 2008.
http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parels_FINAL.pdf

proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 2290-2298 Third Street project is necessary.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods Final EIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed 2290-2298 Third Street project is in conformance with the height, use and density for the project site described in the Eastern Neighborhoods and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods EIR considered the incremental impacts of the proposed 2290-2298 Third Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods EIR. The following discussion demonstrates that the 2290-2298 Third Street project would not result in peculiar significant impacts beyond those analyzed and disclosed in the Eastern Neighborhoods, including project-specific impacts related to land use and planning, archeological resources, historic architectural resources, transportation and circulation, and noise, air quality, shadow, and hazardous materials,.

Land Use

The Eastern Neighborhoods Rezoning and Area Plans re-zoned much of the city's industrially-zoned land in the Mission, Central Waterfront, East South of Market and Showplace Square/Potrero Hill neighborhoods. The four main goals that guided the Eastern Neighborhood planning process were to reflect local values, increase housing, maintain some industrial land supply, and to improve the quality of all existing areas with future development. The re-zoning applied new residential and mixed-used zoning districts to parts of the Eastern Neighborhoods currently zoned for industrial, warehousing, and commercial service use.

Project Impact

The proposed project would intensify uses in the project vicinity by constructing a new residential mixed use building on the project site, which would consist of an approximately 68-foot tall, 59,682-sf mixed-use residential building containing 71 residential units, 1,783 sf of ground-floor retail space, 30-48 off-street parking spaces, and 71 bicycle parking spaces. However, the new land use would not have an effect on the character of the vicinity beyond what was identified in the Eastern Neighborhoods Final EIR. The proposed building is consistent with the height and bulk controls and the proposed uses are permitted within the Urban Mixed Use (UMU) District zoning controls. Further, the project is proposed on an in-fill site, and would not substantially impact the existing character of the vicinity and would not physically divide an established community.

In addition, the proposed project is consistent with the Eastern Neighborhoods rezoning and satisfies the requirements of the General Plan and the Planning Code. Therefore, the project is eligible for a Community Plan exemption.

Cumulative Impact

The Eastern Neighborhoods EIR identified a significant and unavoidable land use impact due to the cumulative loss of PDR under Option C. Option C, which would result in less PDR-only land than Options A or B and would rezone more existing PDR land and displace more existing PDR uses than the other two options, would result in a clear mismatch between the supply of and demand for PDR land and building space, with neither adequate land nor adequate building space available as a result of substantial changes in land use controls on Port land. The Eastern Neighborhoods EIR analysis also determined that a No-Project scenario would result in an unavoidable significant impact on the cumulative supply of land for PDR uses. The project site is located in an area formerly zoned for industrial use. The rezoning of the project site to UMU was part of the cumulative land use impact identified in the Eastern Neighborhoods EIR. Various businesses have occupied the site since it was constructed: saloon, restaurant, retail, and bank. None of these businesses are PDR uses as identified in Appendix D to Planning Commission Resolution 16727.³ Since there are no PDR uses on the project site and the lot is only 14,050 sf, the proposed project impact on cumulative land use would not be considerable; therefore, would not contribute to adverse impact to cumulative supply of land for PDR uses.

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

Cultural Resources**Archeological Resources**

Potential archeological impacts were identified in the Eastern Neighborhoods Rezoning and Area Plans Final EIR. *Mitigation Measure J-2: Properties with No Previous Studies* applies to properties within the project area 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. The project site is located within the *Properties with No Previous Studies* mitigation zone and would require preliminary archeological sensitivity review from the Planning Department to determine if an Archeological Sensitivity Study, to be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology, would be required.

Project Impact

The project site has a shallow, two-to-three-foot deep layer of soil underlain by bedrock making it unlikely that archeological resources are present.⁴ The site's original topsoil and geologic material to a depth of 45 feet was removed with the City's lowering of the project block in 1900. Based on the results of the preliminary sensitivity review, there are no known pre-historic or historic archeological resources on

³ Appendix D to Resolution 16727, Establishing Policies and Procedures for Development Proposals in Sections of the SoMa, Mission, and Showplace Square; February 12, 2004. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2004.0160E.

⁴ Earth Mechanics Consulting Engineers, *Geotechnical Investigation for the 2290 Third Street Project, San Francisco California*, December 3, 2004. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of File No. 2005.0408E.

or near the project site.⁵ Therefore, the Eastern Neighborhoods *Mitigation Measure J-2* would not need further implementation.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant and unavoidable cumulative archeological resource impact. Any development anticipated under the Eastern Neighborhoods rezoning effort would be subject to Archeological Mitigation Measure J-1 or J-2, and its impacts would be reduced to a less-than-significant level. Therefore, there would be no significant cumulative impact to archeological resources.

Historic Architectural Resources

Project Impact

The subject property and existing building onsite was surveyed in 2001 by the City of San Francisco Planning Department as part of the Central Waterfront Cultural Resources Survey and assigned a National Register Status Code of "4D2," or "may become eligible for the National Register as a contributor to a district." The findings of the survey were endorsed by the Planning Commission on June 13, 2002 by Motion No. 16431. In 2007, the existing building was reevaluated to comply with revision to the status codes made by the California Office of Historic Preservation. In the reevaluation, the subject building was assigned a new California Historical Resource Status Code of "5B," or "locally significant both individually and as a contributor to a district that is locally listed, designated, determined eligible or appears eligible through survey evaluation." The subject property is not included on the National or California Registers; however, based upon the previous survey findings, the property is presumed to be a historical resource for the purposes of CEQA review by the Planning Department.⁶

Based on the criteria and previous survey findings, Planning Department staff believes that the existing building is eligible for local designation individually and as a contributor to the documented Central Waterfront Historic District for its associated with events that have made a significant contribution to the broad patterns of San Francisco's history. Because both the 2002 Central Waterfront Survey and 2008 Central Waterfront Survey update were endorsed by the Planning Commission, Department guidelines consider them to be adopted local registers under CEQA, meeting the requirements of Public Resources Code Section 5024.1(g).

The Central Waterfront Historic District contains a significant concentration of mixed-use industrial properties, associated residential and commercial properties, and civic infrastructure oriented to water, railroad, and road transportation. The district was the epicenter of major industrial production beginning in the late 1850s, and continuing through the end of World War II. During the World Wars, the Central Waterfront was a centerpiece of the single-largest shipbuilding region in the Western United States, employing up to 18,500 workers at the height of World War II. The district also includes one of the only surviving groupings of workers' housing located adjacent to industrial sites in the City of San Francisco:

⁵ Debra Dwyer and Randall Dean, Planners, Major Environmental Analysis, San Francisco Planning Department, Memo to Sarah Jones, June 29, 2007, Subject: Archeological sensitivity – 2005.0408E.

⁶ Memorandum from Pilar La Valley, Preservation Technical Specialist, to Carol Roos, Planner, Major Environmental Analysis, October 16, 2008. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

the Dogpatch neighborhood. As the only banking institution within walking distance of workers of the San Francisco Yard and other neighborhood industries, the subject property is significantly associated with industrial development in the Central Waterfront area of San Francisco, and with the overall labor history of the city. As such, the building appears eligible for local designation.

As discussed in the Eastern Neighborhoods Area Plans EIR, “[Central Waterfront] rezoning proposals expand residential-permitting zoning along Minnesota, Tennessee, Third and Illinois streets between Mariposa and 25th streets, as well as along 280 between Mariposa and 20th. The vast majority of this land is currently zoned Heavy Industrial (M-2). The rezoning proposals would expand residential-permitting zoning to 43 parcels containing known or potential historical resources, including 34 structures that are known historical resources.” Adoption of the Eastern Neighborhoods rezoning proposals resulted in the zoning reclassification of the subject property from M-2 to UMU. The project site was identified in the Eastern Neighborhoods EIR as a potential historical resource in the Central Waterfront Historic District. The Eastern neighborhoods Rezoning Plan height limit increases for the Central Waterfront area were proposed along Third and Illinois streets, and in the southern portion of the plan area, between 22nd and 25th streets. The rezoning increased the height limits 15 feet or more for 53 known or potential historical resources in the Central Waterfront, which includes the 2290-2298 Third Street project site.

An analysis of the potential for the Eastern Neighborhoods rezoning to result in potential adverse environmental effects on known and potential resources, indicated height changes would affect properties generally along Third Street as well as the blocks east of Iowa Street south of 23rd Street. Other areas indicated that could be affected by rezoning due to changes in permitted land uses or intensification of use are generally in the area between Mariposa, Indiana, Illinois and 22nd Streets as well as on Pier 70. Figure 36 on page 472 and Table 59 on page 474 of the Eastern Neighborhoods EIR, identifies the 2290-2298 Third Street project site, along with surrounding known and potential historic resources, as having the potential to be impacted as a result of the rezoning.

As the demolition of a historical resource generally cannot be fully mitigated to a less-than-significant level, the impact of demolition of buildings that are identified as historical resources would be considered a significant and unavoidable impact of the proposed Eastern Neighborhoods Rezoning Plans project, because such demolition could be anticipated to occur as a result of development secondary to project implementation. Mitigation identified in Chapter V, Mitigation Measures, of the Eastern Neighborhoods EIR could in some cases reduce the nature of the impact, but it is assumed that demolition of historical resources could not be mitigated to a less-than-significant level.

The existing bank building on the project site has been identified as a contributor to a potential historic district (Central Waterfront Historic District), which was completed prior to the adoption of the Eastern Neighborhoods Rezoning Plan Area. While the immediate building context in the immediate project vicinity has a mixed visual character and variety of building heights, the proposed project is located within the boundary of a potential historic district. Since the completion of the Central Waterfront Survey, the area surrounding the subject property has undergone some redevelopment, however, the site and the identified potential historic district still convey their contextual significance.

The existing building on the project site was identified as a potential historic resource in the Eastern Neighborhoods Plan EIR. The EIR identified an unavoidable significant historical resource impact due to the potential loss of CEQA-defined historical resources. Future development projects that would be facilitated by the proposed changes to use districts and height limits in the Eastern Neighborhoods have

the potential to cause substantial adverse changes in either (a) the significance of one or more of the historical resources identified in this analysis, or (b) the significance of one or more of the historic districts in which some of these resources are located. As noted above, substantial adverse changes that may occur include demolition, destruction, relocation or alteration of one or more resources, such that the historical significance or resource and/or the historic district in which it is located is "materially impaired." Such an adverse change to a CEQA-defined historical resource would constitute a significant impact. Under the Eastern Neighborhoods Final EIR it was assumed that demolition of a historical resource could not be mitigated to a less-than-significant level and a Statement of Overriding Considerations related to the significant and unavoidable historical resources impacts was adopted as part of the EIR Certification and project approval on January 19, 2009.

The Statement of Overriding Considerations concluded, "As the demolition of a historical resource generally cannot be fully mitigated to a less-than-significant level, the impact of demolition of buildings that are identified as historical resources would be considered a significant and unavoidable impact of the proposed Eastern Neighborhoods Rezoning and Area Plans project, because such demolition could be anticipated to occur as a result of development secondary to project (Eastern Neighborhoods Rezoning Area Plan) implementation. Mitigation identified in Chapter V, Mitigation Measures (in the Eastern Neighborhoods Final EIR), could in some cases reduce the nature of the impact, but it is assumed that demolition of historical resources could not be mitigated to a less-than-significant level."

"Demolition of individual structures secondary to project (Eastern Neighborhoods Rezoning Area Plan) implementation would not necessarily result in a significant adverse effect on a historic district within which buildings are located. However, for purposes of a conservative assessment, it is presumed that the demolition of one or more contributing resources to any of the existing or potential historic districts identified in the Eastern Neighborhoods Final EIR would constitute a significant impact that could not be mitigated to a less-than-significant level."

As to the effects of the proposed new structure, given the surrounding context, the proposed massing is generally appropriate. Although the overall design of the new buildings lack references to either the industrial character of the potential historic district or to design elements from historic buildings within the district, it does not appear that the proposed project would result in a significant adverse impact to off-site historic resources due to its physical and visual separation from other contributing resources within the potential district. The loss of a single contributing building to the potential historic district would represent a relatively small effect, in terms of the overall number of potential district contributors in the project vicinity. However, the effect on the potential district of demolition of a single contributing resource, not identified as important enough to be individually eligible for the California Register, would not be of a sufficient degree to disqualify the Central Waterfront Historic District, or any sub-area project site vicinity, from consideration for listing as a National or California Register-eligible historic district.

The proposed demolition of the commercial bank building and construction of the proposed building would contribute to the significant historical resource impact identified in the Eastern Neighborhoods EIR. However, the California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Since the proposed demolition and construction would not result in any new significant or peculiar historical resource effects on the

environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, the environmental impacts of the project would not be substantially greater than described in the Eastern Neighborhoods Final EIR.

Eastern Neighborhoods Final EIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* is not relevant to the project since the Central Waterfront Historical Resource Survey was completed prior to the adoption of the Eastern Neighborhoods Plan Area.

Mitigation Measures K-2 and K-3 are not relevant to the 2290-2298 Third Street project since the project site is not located in either the South End Historic District (East SoMa) or Dogpatch Historic District (Central Waterfront).

In light of the above historical resources discussion, the proposed demolition of the existing commercial building on the project site would contribute to the significant historical resource impact identified in the Eastern Neighborhoods, but its contribution would not be considered a new significant impact beyond that identified in the Eastern Neighborhoods Plan EIR.

Cumulative Impact

Similarly, the proposed project's contribution to the cumulative historical resources impact identified in the Eastern Neighborhoods EIR would not be peculiar to the proposed project.

Transportation

A transportation analysis was conducted for the proposed project by an independent consultant; its findings are incorporated below.⁷

Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate up to 872 person trips (inbound and outbound) on a weekday daily basis, and up to 129 person trips during the weekday p.m. peak hour, consisting of 68 vehicle trips, 34 transit trips, 9 walk trips and 3 by other modes.

Traffic Impacts

The estimated 68 new p.m. peak hour vehicle trips (43 inbound and 25 outbound) would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with

⁷ LCW Consulting, *2290 Third Street Transportation Impact Study*, Final, July 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

The transportation analysis considered a slightly larger project than the currently proposed project; therefore, the effects of the analyzed project would be somewhat greater than those of the proposed project, and the analysis presented here is likewise conservative.

extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

Table 1 on the following page presents the Existing plus Project intersection levels of service for the weekday p.m. peak hour. As shown on Table 1, the addition of project-generated traffic would result in small increases in the average delay per vehicle at the study intersections. The eastbound approach at the unsignalized intersection of Mariposa/I-280 Southbound On-ramp would continue to operate at LOS F. As for Existing conditions, peak hour signal warrants would be met at this intersection for Existing plus Project conditions. All other study intersections would continue to operate at acceptable levels (LOS D or better). Given that the proposed project would add approximately 68 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

Intersection	Existing		Existing plus Project	
	Delay ¹	LOS ²	Delay	LOS
1. Third Street/Mariposa Street	24.2	C	24.4	C
2. Third Street/19th Street	10.7	B	10.8	B
3. Third Street/20th Street	21.1	C	21.2	C
4. Third Street/22nd Street	12.7	B	12.7	B
5. Tennessee Street/19th Street ²	7.3 (nb, sb)	A	7.4 (nb, sb)	A
6. Tennessee Street/20th Street ²	7.4 (sb, eb, wb)	A	7.6 (sb, wb)	A
7. Mariposa/I-280 NB Off-Ramp	37.1	D	37.8	D
8. Mariposa/I-280 SB On-Ramp ³	>50 (eb)	F	>50 (eb)	F

Notes:

1. Delay presented in seconds per vehicle.
2. Intersections operating at LOS E or LOS F highlighted in **bold**.
3. For intersections that are all-way or two-way stop sign controlled, the delay and LOS is presented for the worst approach, indicated in parentheses (). nb = northbound, sb = southbound, eb = eastbound, wb = westbound. In some instances, multiple approaches operate with the same level of delay, and therefore multiple approaches indicated in the parentheses.
4. Intersection two-way stop sign controlled, with only the eastbound approach subject to the stop sign control. Delay and LOS presented for the eastbound approach.

Source: LCW Consulting, July 12, 2013.

At the study intersection of Mariposa/I-280 Southbound on-ramp, the proposed project would add a total of five vehicles during the p.m. peak hour to the eastbound movement that would operate at LOS F under Existing plus Project conditions. The five vehicles the proposed project would add to the eastbound right lane onto I-280 represents 0.8 percent of the total p.m. peak hour eastbound right-turn volume of 663 vehicles under Existing plus Project conditions (because an exclusive right-turn lane onto I-280 is provided and because the proposed project would add vehicles only to the eastbound right

movement, the critical movement contribution was calculated based on the right-turn movement). The project contribution to this movement that operates poorly (i.e., at LOS F) would be minimal, and therefore the project's contribution to the existing LOS F conditions would not be considered significant. The proposed project impacts on traffic operations would therefore, be less than significant. As previously stated, as part of the Mission Bay Redevelopment Plan, this intersection will be signalized, and, along with the intersection of Mariposa/I-280 Northbound off-ramp, reconfigured.

The access gate for the project off-street garage on 20th Street would be recessed about 20 feet from the building edge, which would allow for off-street queuing of one vehicle while waiting for the gate to open. Due to the limited number of parking spaces within the garage (i.e., between 30 and 48 parking spaces), and because the garage would serve long-term parking demand which does not result in high volume of inbound and outbound vehicle trips, it is not anticipated that there would be any queue spillback from the parking garage onto 20th Street, and therefore the proposed project would not result in substantial conflicts between project-generated vehicles destined to the parking garage and traffic on 20th Street. Also see Parking Impacts, below, regarding parking garage operations.

Traffic Impacts – Cumulative Conditions

Table 2 presents the 2035 Cumulative intersection operating conditions for the weekday p.m. peak hour. Under 2035 Cumulative conditions, vehicle delays would increase at the study intersections over Existing conditions. With the improvements required as part of the Mission Bay Redevelopment project, all study intersections would operate at LOS D or better under 2035 Cumulative conditions, with the exception of the intersection of Third/20th Streets, which would operate at LOS F conditions during the PM peak hour.

Table 2 Intersection Level of Service 2035 Cumulative Conditions – Weekday PM Peak Hour			
Intersection	Existing	Existing plus Project	2035 Cumulative
	Delay/LOS ^{1,2}	Delay/LOS	Delay/LOS
1. Third Street/Mariposa Street ³	24.2/C	24.4/C	49.7/D
2. Third Street/19th Street	10.7/B	10.8/B	29.7/C
3. Third Street/20th Street	21.1/C	21.2/C	>80/F
4. Third Street/22nd Street	12.7/B	12.7/B	35.8/D
5. Tennessee Street/19th Street ⁴	7.3 (nb, sb)/A	7.4 (nb, sb)/A	8.7 (nb)/A
6. Tennessee Street/20th Street ⁴	7.4 (sb, eb, wb)/A	7.6 (sb, wb)/A	10.2 (wb)/B
7. Mariposa/I-280 NB Off-Ramp ⁵	37.1/D	37.8/D	49.2/D
8. Mariposa/I-280 SB On-Ramp ⁵	>50 (eb)/F	>50 (eb)/F	16.3/B

Notes:

1. Delay presented in seconds per vehicle.
2. Intersections operating at LOS E or LOS F highlighted in **bold**.
3. Mission Bay Redevelopment Plan calls for configuration of signal and additional roadway capacity. The recently-approved UCSF Medical Center at Mission Bay calls for additional increase in roadway capacity.
4. Intersections 4-way STOP-controlled. Delay and LOS presented for worst approach, indicated in (). wb = westbound, sb = southbound, nb = northbound.
5. Mission Bay Redevelopment Plan calls for new signal at southbound on-ramp, group control of signals, and additional roadway capacity.

Source: LCW Consulting, July 12, 2013.

To assess the effect of the new vehicle-trips generated by the proposed project on the intersection of Third/20th Streets, the contribution to the 2035 Cumulative traffic volumes was determined for the weekday p.m. peak hour conditions (see Appendix D). At the intersection of Third/20th Streets, the proposed project would add 52 vehicle trips during the p.m. peak hour. At this intersection, the northbound through/right critical movement is projected to operate at LOS F. The project would not add any vehicle trips to the northbound through/right movement, and therefore the project contribution to this poorly-operating critical movement would not be cumulatively considerable. Therefore, the proposed project contribution to the overall intersection LOS F conditions would not be considered significant cumulative impacts.

Overall, under 2035 Cumulative conditions, the traffic associated with the proposed project would not represent a considerable contribution to the 2035 Cumulative conditions at the study intersection of Third/20th Streets that would operate at LOS F conditions. Therefore, the proposed project would not result in significant traffic impacts at this intersection, and project impacts on 2035 Cumulative traffic operations would be less than significant.

Transit Impacts

As indicated above, the proposed project is estimated to add about 34 transit trips during the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines K-T

Ingleside-Third, 22 Fillmore, and 48 Quintara. The Muni lines in the vicinity of the project site operate at less than capacity during the weekday p.m. peak hour, and the addition of the 39 new transit trips would not substantially affect transit conditions.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above transit lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of about 34 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should the project be approved. As a result, the proposed project would have a less-than-significant contribution to the significant and unavoidable transit impact under 2025 Cumulative conditions identified in the Eastern Neighborhoods EIR. The proposed project's minimal increase of transit trips under cumulative conditions would not result in a significant impact.

On 20th Street, the proposed project would not affect the existing bus stop at the approach to Tennessee Street or existing bus layover, which extends the length of 20th Street between Third Street and Tennessee Street. The existing layover is approximately 180 feet in length (the entire length of 20th Street between Third and Tennessee streets), and accommodates up to three 22 Fillmore buses. With implementation of SFMTA's Transit Effectiveness Project changes, the 22 Fillmore line would be rerouted and would no longer travel on 20th Street. However, as part of the TEP, the 33 Stanyan would also be rerouted to cover the Potrero Hill segment of the 22 Fillmore, and would utilize the existing layover bus zone on 20th Street.⁸ The headways between buses on the 33 Stanyan would not change from existing conditions (15-minutes during the daytime peaks), and would be greater (i.e., longer) than existing headways between buses on the 22 Fillmore route (between eight and nine minutes during the daytime peaks), and, based on SFMTA review of this project, it is anticipated that the 33-Stanyan layover needs may be met within a shorter layover zone. The project sponsor worked with SFMTA with respect to the design of the project driveway on 20th Street, and SFMTA indicated that the project driveway would not conflict with bus operations.

Two improvement measures (Improvement Measure 1: Timing of Proposed On-Street Commercial Loading Spaces and Improvement Measure 2: Installation of Eyebolts) would reduce the potential for conflicts between project-generated vehicular travel and demand and transit operations on Third and 20th streets. Improvement Measure 1 would require the project sponsor to apply for proposed conversion of the parking spaces on the south side of 20th Street to commercial vehicle loading/unloading spaces at the start of project construction to ensure that SFMTA's approval and legislation phase is completed and new curb regulations implemented prior to the proposed project's becoming operational. Improvement

⁸ See <http://www.sfmta.com/cms/mtep/tepovert.htm>. Accessed June 9, 2013.

Measure 2 would require the project sponsor to meet with and review with SFMTA the potential need to install eyebolts in the new residential building to support Muni's overhead wire system on Third Street and/or 20th Street. Improvement Measures 1 and 2 would not result in new secondary environmental impacts on the transportation network.

Because the proposed project would not substantially affect the capacity utilization of the local and regional transit lines, and would not affect the operations of the adjacent and nearby Muni bus and rail lines, transit impacts of the proposed project would be less than significant.

Pedestrian Impacts

Pedestrian trips generated by the proposed project would include walk trips to and from the residential and retail uses, plus walk trips to and from the bus and light rail stops. Overall, the proposed project would add about 46 pedestrian trips to the surrounding streets (this includes 34 transit trips and 12 walk or "other" trips) during the weekday p.m. peak hour. These new pedestrian trips could be accommodated on the existing sidewalks and crosswalks adjacent to the project site and would not substantially affect the current pedestrian conditions along Third Street (with 9-foot wide sidewalks) or 20th Street (with 12-foot wide sidewalks). As p.m. peak period pedestrian activity on both streets was observed to be relatively low, pedestrian conditions with the addition of the 46 project-generated pedestrian trips during the PM peak hour would continue to remain acceptable.

On Third Street, the proposed project would recess the building five feet to provide wider sidewalks and planted areas adjacent to the project site. Reconstruction of sidewalks would be made in accordance with the ADA specifications for curb ramps at street corners.

Overall, while the addition of the project-generated pedestrian trips would incrementally increase pedestrian volumes on Third Street and on 20th Street, the additional trips would not substantially affect pedestrian flows; therefore, the proposed project impacts on pedestrians would be less than significant.

Bicycle Impacts

It is anticipated that a portion of the three "other" trips generated by the proposed project would be bicycle trips, which could be accommodated on streets around the project site. Neither Third Street nor 20th Street are designated bicycle routes (the nearest routes being Illinois and Indiana Streets in the north/south direction), and during field observations in July/August 2012 and May 2013, few bicyclists were observed riding on 20th Street. Therefore, the proposed project's about 68 vehicle trips into and out of the project garage on 20th Street during the PM peak hour are not anticipated to result in substantial vehicle-bicycle conflicts.

The proposed project would be required to provide 31 Class 1 bicycle parking spaces (see Section 155.5 of the Planning Code) for the 71 residential units. No bicycle parking spaces would be required for the retail use, because less than 25,000 square feet of retail uses would be provided and because no parking spaces would be provided for the retail uses. Because the primary use of the proposed project would be residential, shower and locker facilities are not required to be provided. The proposed project would provide a total of 71 Class 1 bicycle parking spaces for the residential uses, and would, therefore, meet the Planning Code requirement.

Improvement Measure 3: Installation of Bicycle Racks on the Adjacent Sidewalk would install bicycle racks on the sidewalks adjacent to the project site to accommodate retail visitors and employees arriving by bicycle. Implementation of Improvement Measure 4 would not result in new secondary impacts on the transportation network.

The proposed project would not conflict with adopted policies regarding bicycle facilities, or decrease the performance or safety of bicycle facilities, and therefore, bicycle impacts of the proposed project would be less than significant.

Loading

Planning Code Section 152.1 does not require off-street loading for residential development less than 100,000 square feet or for retail uses less than 10,000 square feet, such as the proposed project. The proposed project would not include an off-street loading space; however, the garage entry has been designed to accommodate a 20-foot van/service vehicle.

In addition, the project sponsor would request that a commercial loading zone approximately 60 feet in length be designated on the south side of 20th Street directly east of Tennessee Street. The proposed 60-foot commercial loading zone would displace three unrestricted on-street parking spaces, and would accommodate up to three small vans, or one to two trucks, depending on truck type and length. The project sponsor would apply through SFMTA's Parking and Traffic Color Curb Program for the proposed conversion from unrestricted parking to a commercial loading zone on 20th Street, between Third and Tennessee Streets. If SFMTA staff recommends the request for implementation, the proposed changes in curb regulation would be reviewed at a public hearing through the SFMTA.

The new residential and retail uses would generate two to three truck freight and service vehicle trips per day, which would result in a demand for less than one loading space during the peak hour and average hour of loading activities. The loading demand could be accommodated within the proposed on-street commercial loading space. In addition, some loading trips could be accommodated within the parking garage, which would accommodate a 20-foot service van. Additionally, vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Third and 20th Streets.

As indicated above, as part of the proposed project, the project sponsor would apply to SFMTA to convert a 60-foot-long segment of the south curb of 20th Street between Third and Tennessee Streets to a commercial loading zone. If approved, the on-street space would be able to accommodate project-generated loading demand not accommodated within the on-site loading spaces (e.g., Federal Express and UPS deliveries, and trucks longer than 20 feet). The on-street loading zone, if approved, would reduce the potential of delivery vehicle stops double parking on Third Street or illegally parking within the Muni bus layover on 20th Street. The proposed commercial loading zone would displace three unrestricted parking spaces on 20th Street, if approved.

Residential move-in and move-out activities would occur from the south curb on 20th Street (across the street from the project site) and carted to the residential elevators through the entry lobby or garage. Parking within the bus layover zone would impact Muni operations, and is not permitted. The project sponsor has indicated that move-in and move-out operations, as well as larger deliveries, would be scheduled and coordinated through building management. Residents would be instructed to conduct

move-in and move-outs using trucks 30-feet long or smaller. Curb parking on 20th Street would need to be reserved through SFMTA.

Trash and recycling rooms would be provided within the garage at the ground floor level. For the residential trash/recycling pickup, trash containers would be transported by the building staff from the trash rooms to the 20th Street curb at the time of trash pickup and returned following pick-up, or Recology personnel would access the trash rooms to retrieve the trash containers. For the commercial uses, each tenant would be required to provide adequate trash storage within the leased space, and trash collection would be arranged independently by each tenant. Trash would be carted to the curb by tenants of the commercial spaces, or Recology personnel would access the trash rooms to retrieve the trash containers. Building management would coordinate with the appropriate disposal and recycling company regarding the specific locations of garbage containers.

Because the proposed project loading demand would be minimal and would be accommodated within the proposed on-street commercial loading zone on 20th Street and the off-street garage loading space, loading impacts would be less than significant. If SFMTA does not approve the proposed loading zone, the loading impact would not be significant since the loading demand is minimal for the proposed project.

Two improvement measures (Improvement Measure 1: Timing of Proposed On-Street Commercial Loading Spaces, identified above, and Improvement Measure 4: Coordination of Move-In/Move-Out Activities and Large Deliveries, which would require move-in, move-out, and larger deliveries to be scheduled and coordinated through building management) would facilitate further accommodation of the proposed project loading demand. Improvement Measures 1 and 4 would not result in new secondary impacts on the transportation network. Implementation of Improvement Measures 1 and/or 4 would not result in new secondary impacts on the transportation network

Parking

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

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

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

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the demand for parking would be 89 spaces. The proposed project would provide 30-48 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of 41-59 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit of 41-59 spaces would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

Further, the project site is located in an Urban Mixed-Use (UMU) district where under Section 151 of the *Planning Code*, the proposed project would not be required to provide any off-street parking spaces.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. In many cases the Planning Commission does not support the parking ratio proposed by the project sponsor and the ratio is substantially reduced. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission does not support the provision of any off-street parking spaces.

This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit. Therefore, the provision of off-street parking is not a requirement for the development of the residential project, and the residential use of the proposed project would not be constrained by a lack of parking.

Here, if no off-street parking spaces were provided, the proposed project would have an unmet demand of 89 spaces. As mentioned above, the unmet parking demand of 41-59 spaces could be accommodated by existing facilities, as could the unmet demand of 89 spaces that could occur if no off-street parking is approved by the Planning Commission. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking deficit with or without the off-street parking currently proposed that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, impacts related to parking would be less than significant.

Conclusion: Transportation and Circulation

Based on the discussion above, the project would not have a significant project-specific or cumulative transportation and circulation impact.

Noise

Project Impact

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni vehicles, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and retail uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the proposed project design. In areas where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Illinois Street are between 65.1 and 70.0 dBA. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. The Department of Building Inspections (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods EIR is not applicable.

The Eastern Neighborhoods EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn),⁹ where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors (residential uses), *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* applies to the proposed project. Pursuant to this measure, a noise study was conducted by an independent consultant that included a 24-hour noise measurement and site survey of noise at the project site, and a survey of noise-generating uses

⁹ The equivalent noise level for a continuous 24-hour period with a 10-decibel penalty imposed during nighttime and morning hours (10:00 pm to 7:00 am).

within 900 feet of the project site.¹⁰ The noise assessment for the 2290-2298 Third Street project site was conducted Tuesday through Thursday, December 20 to December 22, 2011.

The 24-hour noise measurement recorded a day-night noise average of 69-70 dBA (Ldn) on 20th Street and 72 dBA (Ldn) on Third Street. These measurements are slightly higher than forecasted by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 60.1 dBA and 70 dBA (Ldn) for the project block of 20th and Third Streets (and surrounding blocks). The noise analysis site survey did not identify any additional land uses that generate unusual noise within 900 feet of the project site.

To achieve the necessary noise reduction required to meet the requirements of the State Building Code, some form of forced air mechanical ventilation, satisfactory to DBI, would be required in all residential units with partial or full line of sight to transportation noise sources (i.e., all four building façades). Given the anticipated exterior noise levels at the ground floor residential units proposed along Third and 20th Streets, it would also be necessary to provide sound-rated windows and doors to maintain interior noise levels at or below 45 dBA (Ldn). Interior noise levels would vary depending on the final design of the proposed building and construction materials and methods.

Interior noise level calculations were made based on a review of the project's building elevations and floor plans. Façade windows and doors facing 20th Street would require a Sound Transmission Class (STC) rating of 30.¹¹ Façade windows and doors facing Third Street would require an STC rating of 34, and façade windows and doors of the corner units would require an STC rating of 36. Given the noise environment at the project site, the noise analysis concluded that standard residential construction methods and forced-air ventilation systems would be sufficient for the remainder of the units in the proposed project. The noise insulation features noted would reduce interior noise levels in all units to less than 45 dBA (Ldn) with an adequate margin of safety, satisfying the City's interior noise level requirements. No additional noise insulation treatments would be required.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed development does not propose any uses that would be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). 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)

¹⁰ Illingworth & Rodkin, Inc., *2290-2298 Third Street Environmental Noise*, January 19, 2012. This document is on file and is available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 450, San Francisco, CA.

¹¹ Sound Transmission Class (STC). A single figure rating designed to give an estimate of the sound insulation properties of a partition. Numerically, STC represents the number of decibels of speech sound reduction from one side of the partition to the other. The STC is intended for use when speech and office noise constitute the principal noise problem.

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 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* would reduce effects to a less-than-significant level. Since construction of the proposed project does not require pile driving, *Mitigation Measure F-1* is not applicable to the proposed project.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant and unavoidable cumulative noise impact. Any development anticipated under Eastern Neighborhoods rezoning would be subject to Mitigation Measure F-3, F-4, F-5, and/or F-6, which would reduce its potential noise impact to a less-than-significant level. Therefore, there would be no significant cumulative noise impact.

Air Quality

Project Impact

The Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), prepared an updated 2011 BAAQMD CEQA *Air Quality Guidelines* (Air Quality Guidelines),¹² which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of the proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project would be well below the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants. Therefore,

¹² Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

construction and operation of the proposed project does not have the potential to result in criteria air pollutant impacts not identified in the Eastern Neighborhoods Plan EIR.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced to less than significant levels. The proposed project would be subject to and would be required to comply with the Construction Dust Control Ordinance; therefore, the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and has identified portions of the City where air pollutant exposures may result in additional health risks for affected populations (air pollution “hot spots”). Citywide air pollution hot spots are identified based on two health-based criteria:

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

Sensitive receptors¹³ within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions from construction activities. Construction activities are temporary and variable in nature and would cease upon completion of the proposed project construction duration.

The project site is not located within an identified air pollution hot spot. However, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is applicable to the proposed project. Compliance with project Mitigation Measure 1 - Construction Emissions Minimization measures would reduce to a less-than-significant level impacts from construction vehicles and equipment. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1.

¹³ The BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) Residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, page 12.

Project Mitigation Measure 1 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR).

The project sponsor and/or their contractors shall maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of a specific maintenance program to reduce emissions from equipment that would be in frequent use for much of the construction period.

The Eastern Neighborhoods Final EIR identified a significant impact related to air quality for sensitive land uses and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. In response to this concern, Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM_{2.5}¹⁴ concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 µg/m³).¹⁵ Sponsors of projects on sites where the PM_{2.5} concentration exceeds the 0.2 µg/m³ threshold are required to install ventilation systems or otherwise redesign the project to reduce indoor PM_{2.5} concentrations in habitable areas of the dwelling units by 80% of outdoor levels. Since the 2290-2298 Third Street project proposes to locate sensitive residential receptors within an area identified by the Department of Public Health (DPH) as potentially exceeding roadway particulate matter thresholds, an analysis of annual exposure to roadway related particulate matter was conducted. Results of the air quality modeling indicate that the maximum average annual exposure for sensitive receptors at the 2290-2298 Third Street project site would exceed the action level of 0.2 micrograms per cubic meter annual exposure.¹⁶ Therefore, the proposed project would be required to install air filtration systems capable of removing 80% of outdoor PM_{2.5} concentration indoors for all residential dwelling units. Compliance with Article 38 would ensure that the proposed project sensitive land uses would not be substantially effected by existing air pollution.

The Eastern Neighborhoods Plan EIR identified a significant impact related to siting of uses that emit diesel particulate matter (DPM) and determined that *Mitigation Measure G-3: Siting of Uses that Emit DPM* would reduce these effects to a less-than-significant level. As stated in the Eastern Neighborhoods Plan EIR, to minimize potential exposure of sensitive receptors to DPM, for new development including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 45 refrigerated trucks per day, the Planning Department shall require that such uses be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would not be expected to be served by at least 100 trucks per day or 45 refrigerator trucks per day; therefore, Mitigation Measure G-3 is not applicable.

¹⁴ PM_{2.5} is a measure of smaller particles in the air. PM₁₀ has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM_{2.5} the new "standard".

¹⁵ See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

¹⁶ San Francisco Department of Public Health, Memorandum to During Associates, 2290 third Street Air Quality Assessment, December 11, 2009. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit TACs as part of everyday operations and determined that *Mitigation Measure G-4: Siting of Uses that Emit Other TACs* would reduce these effects to a less-than-significant level. The proposed project (construction of 71 residential units and 1,861 sf of retail with 42-46 off-street parking spaces) does not include uses that would emit a substantial amount of TACs; therefore, the proposed project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

As discussed above, the proposed project would have a less-than-significant project-specific air quality impact.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable air quality impact. Other development in the vicinity would be subject to Mitigation Measure G-1, G-2, G-3, and/or G-4. Therefore, the proposed project would result in a less than significant impact since the project's contribution would not be cumulatively considerable.

Shadow

Project Impact

Planning Code Section 295 generally prohibits new buildings that would cast new shadow 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. To determine whether the proposed project would conform to Section 295, a preliminary shadow fan analysis was prepared by Planning Department staff. This analysis determined that the proposed project would have the potential to cast new shadow on Esprit Park, which is under the jurisdiction of the Recreation and Park Department. However, the preliminary shadow fan analysis does not take into consideration local topography and intervening buildings. Therefore, a more detailed analysis was undertaken. This analysis determined that the proposed project's shadow would not reach Esprit Park throughout the year, and therefore there would be no net new project-related shadow on Esprit Park.¹⁷ The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA. In light of the above, the project would not result in a significant effect with regard to shadow, nor would the project contribute to any potential cumulative shading impacts.

Cumulative Impact

The Eastern Neighborhoods EIR identified a significant unavoidable shadow impact for potential future development in the Eastern Neighborhoods rezoning area. However, the proposed project would not generate a shadow impact peculiar to the project that is not anticipated in the Eastern Neighborhoods

¹⁷ CADP, *2290 Third Street Shadow Analysis*, July 29, 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

EIR. Therefore, the proposed project's contribution to any potential cumulative shadow impact was anticipated in the Eastern Neighborhoods EIR, and the project would not have any peculiar project-specific contribution to cumulative shadow conditions.

Hazardous Materials

Project Impact

The project site is currently occupied by a vacant bank building. An independent consultant prepared a Phase I Environmental Site Assessment for the project site.¹⁸ An ESA assesses potential environmental concerns related to on-site or nearby chemical use, storage, handling, spillage, or on-site disposal, with particular focus on potential degradation of soil or groundwater quality. Various other businesses have occupied the site since it was constructed: saloon, restaurant, and retail. No underground storage tanks (UST) exist on the project site. The ESA did not identify substantial evidence indicating subsurface groundwater and soil contamination of the project site from contaminants originating on other nearby, agency-listed sites where chemicals are used, stored, or have been released, and no further investigation is required. Based on the Phase 1 report's findings, the proposed project's hazardous groundwater and soils impacts would be less than significant and mitigation measures would not be required.

Results of subsurface investigation for a development project at 2225-2235 Third Street indicate that soils in the area are underlain by weathered serpentine bedrock. The proposed project would involve construction throughout the project site, potentially releasing 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.¹⁹ 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 93105,²⁰ and are enforced by the Bay Area Air Quality Management District (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

¹⁸ PIERS Environmental Services, Inc., Phase I Environmental Site Assessment Report, 2290 – 2298 Third Street, San Francisco, California, November 23, 2004. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

¹⁹ 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 April 15, 2013.

²⁰ California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

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.

The project site is within the San Francisco Health Code, Article 22A (Maher Area). Any time 50 cubic yards or more of soil is disturbed on the site, such as under the proposed project, the project proponent shall comply with Article 22A prior to applying or gaining a building permit from the City and County of San Francisco Department of Building Inspections.

The Eastern Neighborhoods identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials*, which would require project proponents properly dispose of equipment containing PCBs and DEPH, would reduce effects to a less-than-significant level. Since there is an existing building at the project site, *Mitigation Measure L-1* would apply to the project.

Project Mitigation Measure 2 – Hazardous Materials (Eastern Neighborhoods Mitigation Measure L-1- Hazardous Building Materials in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

The City shall condition future development approvals to require that the subsequent project sponsors 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 fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Implementation of Mitigation Measure L-1 would reduce project impacts related to hazardous building materials to a less-than-significant level.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable cumulative hazardous materials impact. Any other development anticipated under Eastern Neighborhoods rezoning would be subject to Mitigation Measure K-1, which would reduce its potential hazardous materials impact to a less-than-significant level. Therefore, the proposed project would have a less-than-significant cumulative hazardous materials impact.

MITIGATION AND IMPROVEMENT MEASURES

Mitigation Measures

The project sponsor has agreed to implement the following mitigation measures.

Project Mitigation Measure 1 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

The City would also condition project approval such that each subsequent project sponsor would require the contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Project Mitigation Measure 2 – Hazardous Materials (Eastern Neighborhoods Mitigation Measure L-1-Hazardous Building Materials in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

The City shall condition future development approvals to require that the subsequent project sponsors 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 fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Improvement Measures

The project sponsor has agreed to implement the following Improvement Measures:

Project Improvement Measure 1: Timing of Proposed On-Street Commercial Loading Spaces

As an improvement measure to ensure that SFMTA's approval and legislation phase for conversion of three unrestricted on-street parking spaces to commercial loading spaces is completed and new curb regulations implemented prior to the Proposed project's opening, the project sponsor should apply for the commercial vehicle loading zone on 20th Street at the start of construction. The project sponsor would need to apply through the SFMTA's Parking and Traffic Color Curb Program.

Project Improvement Measure 2: Installation of Eyebolts

As an improvement measure to reduce pole clutter, the project sponsor could review with SFMTA whether it would be appropriate to install eyebolts in the renovated building to support Muni's overhead wire system on 20th Street and/or Third Street would be appropriate.

Project Improvement Measure 3: Installation of Bicycle Racks on the Adjacent Sidewalk

As an improvement measure to accommodate retail visitors arriving by bicycle, the project sponsor would request that SFMTA install bicycle rack(s) on the sidewalks adjacent to the project site on 20th Street and/or Third Street. The project sponsor would work with SFMTA as to the final number and location of the bicycle racks.

Project Improvement Measure 4: Coordination of Move-In/Move-Out Activities and Large Deliveries

As an improvement measure to reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Third Street or within the Muni bus layover on 20th Street, residential move-in and move-out activities should be scheduled. Moving trucks should be parked on the south side of 20th Street within the proposed commercial loading zone, and curb parking should be reserved through SFMTA. In addition, larger deliveries should be scheduled and coordinated through building management.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on July 29, 2011 to adjacent occupants and owners of properties within 300 feet of the project site regarding the previously proposed project that included demolition of the existing vacant, 4,125-sf building and surface parking lot and construction of 57,000 square feet of residential uses with up to 62 residential units and up to 60 parking spaces, with up to 13,000 sf of ground-floor commercial.

Since issuance of the "Notification of Project Receiving Environmental Review" and as discussed in this Certificate of Determination, the project proposal has been revised to consist of demolition of the existing building and parking lot and construction of up to 71 residential units, 1,783 sf of ground-floor commercial, and 30 to 48 off-street parking spaces, and 71 bicycle parking spaces. The concerns expressed by the public regarding the previously proposed project were also addressed in the Certificate of Determination above.

CONCLUSION

The Eastern Neighborhoods EIR incorporated and adequately addressed all potential impacts of the proposed 2290-2298 Third Street project. As described above, the 2290-2298 Third Street project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods EIR. Thus, the proposed 2290-2298 Third Street project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, the proposed project is exempt from environmental review under Section 15183 and Section 21083.3 of the California Public Resources Code.

Attachment A Community Plan Exemption Checklist

Case No.: 2005.0408E
Project Title: 2290-2298 Third Street Residential-Retail Project
Zoning: Urban Mixed Use (UMU) District
68-X Height and Bulk District
Block/Lot: 4059/009
Lot Size: 14,050 square feet
Plan Area: Central Waterfront Area Plan
Subarea of Eastern Neighborhoods Area Plan
Staff Contact: Brett Bollinger – (415) 575-9024
brett.bollinger@sfgov.org

A. PROJECT DESCRIPTION:

The project site is located in the Central Waterfront Area adjacent to the Dogpatch neighborhood on the northwest corner of the intersection of Third and 20th Streets. The project block's boundaries are Nineteenth Street (north), Third Street (east), 20th Street (south), and Tennessee Street (west). The project sponsor proposes to demolish a vacant 4,125-square-foot (sf), one-story, 21-foot-tall commercial building, remove a 24-space surface parking lot, and construct a 68-foot-tall, six-story, 59,682-sf residential mixed-use building with up to 71 residential units and approximately 1,783-sf of ground-floor neighborhood-serving retail, and a 7,910-sf, ground-floor parking garage, including up to six ground-floor townhome-style residential units. Approximately 8,767 sf of common usable open space would be provided by a podium-level rear yard and several interconnected roof decks.

There would be about 20 studio units (419-sf average), 22 one-bedroom units (633-sf average), 25 two-bedroom units (902-sf average), and 4 three-bedroom units (954-sf average). The parking garage would contain between 30 to 48 residential spaces arranged on automated stackers and one car-share space. The garage would not include an off-street loading space; however, the garage would accommodate a 20-foot service van. The project would also include an approximately 2,670-sf semi-subterranean basement containing about 71 Class 1 bicycle parking spaces and assorted building services and storage.

The existing building located on the project site, constructed in 1917, has a National Register of Historic Places Status Code of 4D2, indicating that it has potential historical value as a contributor to a fully documented historic district that may become eligible for listing.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic Final EIR ("FEIR") for the plan area. Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Project Contributes to Sig. Impact

Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination for each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the FEIR. Any impacts not identified in the FEIR will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/ No Impact and is discussed in the Checklist below.

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

Please see Certificate of Determination for discussion of this topic.

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

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?				

Project Impact

The Eastern Neighborhoods Rezoning and Area Plans Final EIR (“Eastern Neighborhoods FEIR”) evaluated three land use options. The Eastern Neighborhoods FEIR states that under each of these options it was not anticipated that the proposed project would substantially damage scenic resources that contribute to a scenic public setting. As a proposed rezoning and planning process, the project would not directly result in any physical changes. Rather, any changes in urban form and visual quality would be the secondary result of individual development projects that would occur subsequent to the adoption of changes in zoning and community plans.

With respect to views, the Eastern Neighborhoods FEIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. In addition, the Eastern Neighborhoods FEIR concluded that light and glare impacts would be less than significant because new construction in the project area could generate additional night lighting, but not in amounts unusual for a developed urban area. Furthermore, additional glare from new buildings would not result in a substantial change as use of reflective glass would be restricted by Planning Commission Resolution 9212.

The Eastern Neighborhoods FEIR also noted that new development anticipated by the Central Waterfront Area Plan would be required to comply with the design guidelines and standards of the Central Waterfront Neighborhood Plan. The guidelines promote pedestrian-oriented development, like the proposed project, along prominent streets such as Third Street. The guidelines also address building massing and façade articulation and detailing, thus further assuring new buildings would be compatible with existing development and provide visual interest.

The proposed project would replace a vacant 21-foot-tall, single-story, 4,125-sf commercial structure, formerly used as a bank, with a 68-foot-tall, six-story, 59,682-sf residential mixed-use building. While the new building would change the visual appearance of the site, it would not substantially degrade its visual character or quality. In addition, projects involving demolition of existing structures and construction of new structures were foreseen in the Eastern Neighborhoods FEIR. Furthermore, the proposed building would not be substantially taller than some of the taller existing development in the project vicinity, and therefore would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

In light of the above, the project’s impacts with respect to visual character, scenic view, and light and glare would be less than significant.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not result in such a change. As described in the Certificate of Determination, the proposed building envelope meets Planning Code requirements for the UMU zoning district.

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

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable aesthetic impact. Therefore, the proposed project would not contribute to a significant cumulative aesthetic impact.

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

Project Impact

One of the objectives of the Eastern Neighborhoods FEIR was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. The FEIR concluded that the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply because the increase in population that would be expected to occur as a secondary effect of the proposed rezoning and adoption of the proposed area plans would not, in itself, result in adverse physical effects.

The proposed project would increase the population on site by constructing up to 71 new dwelling units and approximately 1,783 sf of ground-floor commercial uses. This increase in population would not be expected to have an adverse physical environmental impact. The proposed project is not anticipated to create a substantial demand for increased housing because the housing provided would more than offset

the amount of new commercial jobs generated by the 1,783 sf of commercial uses, which would generate an estimated five or six new jobs.

Additionally, the proposed project would not displace any residents because the project site contains no residence. As such, construction of replacement housing would not be necessary.

The proposed new mixed-use residential building is consistent with the density and scale of development considered in the Eastern Neighborhoods FEIR, and there would be no significant environment effects with respect to population and housing peculiar to the project or its site. No mitigation measure was identified in the Eastern Neighborhoods FEIR, and none would be required for the proposed project.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant and unavoidable cumulative population and housing impact. Therefore, the proposed project could not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
5. TRANSPORTATION AND CIRCULATION—				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels 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"/>

Please see Certificate of Determination for discussion of this topic.

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

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

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
7. 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 checked="" 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 checked="" 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"/>

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
8. GREENHOUSE GAS EMISSIONS— Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impact

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO₂E).¹

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.²

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO₂E (MMTCO₂E), or about 535 million U.S. tons.³ The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use

¹ Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

² California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

³ California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

(primarily for heating) accounted for 9 percent of GHG emissions.⁴ In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCO₂E emitted in 2007.⁵ Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.⁶

Regulatory Setting

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.⁷ The Scoping Plan estimates a reduction of 174 million metric tons of CO₂E (MMTCO₂E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 3, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.⁸ Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

⁴ Ibid.

⁵ Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

⁶ Ibid.

⁷ California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

⁸ California Air Resources Board. AB 32 Scoping Plan. Available Online at: http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

Table 3. GHG Reductions from the AB 32 Scoping Plan Sectors⁹

GHG Reduction Measures By Sector	GHG Reductions (MMT CO ₂ E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	174
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste	
• Commercial Recycling	
• Composting	
• Anaerobic Digestion	
• Extended Producer Responsibility	
• Environmentally Preferable Purchasing	9
Total	42.8-43.8

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

⁹ Ibid.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The 2010 CEQA Air Quality Guidelines provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance have been incorporated into this analysis accordingly.

The most common GHGs resulting from human activity are CO₂, CH₄, and N₂O.¹⁰ State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

Project Impact

The proposed project would increase the activity by replacing a vacant lot with a mixed-use development that would result in additional vehicle trips and an increase in energy use. The development could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The development could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the 2010 CEQA Air Quality Guidelines. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions to the BAAQMD.¹¹ This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the

¹⁰ Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed March 3, 2010.

¹¹ San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's Strategies to Address Greenhouse Gas Emissions identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO₂E and 2005 GHG emissions are estimated at 7.82 MMTCO₂E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's Strategies to Address Greenhouse Gas Emissions and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."¹²

Based on the BAAQMD's 2010 CEQA Air Quality Guidelines, projects that are consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's Strategies to Address Greenhouse Gas Emissions, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 4.

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

Table 4. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (San Francisco Environment Code, Section 421)	All employers of 20 or more employees must provide at least one of the following benefit programs: 1. A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Using a rate of one employee per 350 square feet of retail; the proposed project's 1,861 sf of retail space would be expected to employ up to 6 people. Any employer of more than 20 employees would be subject to this ordinance; therefore, Section 421 of the Environment Code would not be applicable to the proposed project. If the "flex" units were used for retail, none would be expected to employ more than 2-3 people; therefore, Section 421 would not be applicable.
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Retail leaseholders of the project would comply with the Emergency Ride Home Program by enrolling in the program, and complying with its provisions, either by paying travel expenses for employee emergencies, which would be reimbursable by the City, or by notifying employees of the program.
Transportation Management Programs (San Francisco Planning Code, Section 163)	Requires new buildings or additions over a specified size (buildings >25,000 sf or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City's eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Section 163 applies to new office development of between 25,000 and 100,000 sf, depending on the district in which the development is located. The project does not include office uses and therefore Section 163 does not apply.
Transit Impact Development Fee (San Francisco Planning Code, Section 411)	Establishes the following fees for all commercial developments. Fees are paid to DBI and provided to SFMTA to improve local transit services. Review Planning Code Section 411.3(a) for applicability.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Planning Code Section 411.3(e) identifies the City's Transit Impact Development Fee (TIDF) schedule, which levies retail space at \$10.00/sf. The proposed project would be subject to the TIDF, and the project sponsor would be required to pay \$10 per sf for the proposed retail space.
Jobs-Housing Linkage Program (San Francisco Planning Code Section 413)	The Jobs-Housing Program found that new large scale developments attract new employees to the City who require housing. The program is designed to provide housing for those new uses within San Francisco, thereby allowing employees to live close to their place of employment. The program requires a developer to pay a fee or contribute land suitable for housing to a housing developer or pay an in-lieu fee.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Section 413 is applicable to projects that increase some commercial uses, including retail, by 25,000 net new square feet. The proposed project, with 1,861 sf of retail, would not be subject to Section 413.
Bicycle Parking in New and Renovated Commercial Buildings (San Francisco Planning Code, Section 155.4)	Professional Services: (A) Where the gross square footage of the floor area is between 10,000-20,000 feet, 3 bicycle spaces are required. (B) Where the gross square footage of the floor area is between 20,000-50,000 feet, 6 bicycle spaces are required. (3)Where the gross square footage of the floor	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project does not include any professional services, and would include 1,861 sf of retail use, less than the 25,000-sf threshold for retail use. Section 155.4 would not apply to the proposed project.

Regulation	Requirements	Project Compliance	Discussion
	area exceeds 50,000 square feet, 12 bicycle spaces are required. Retail Services: (A) Where the gross square footage of the floor area is between 25,000 square feet - 50,000 feet, 3 bicycle spaces are required. (2) Where the gross square footage of the floor area is between 50,000 square feet- 100,000 feet, 6 bicycle spaces are required. (3) Where the gross square footage of the floor area exceeds 100,000 square feet, 12 bicycle spaces are required.		
Bicycle parking in parking garages (San Francisco Planning Code, Section 155.2)	(C) Garages with more than 500 automobile spaces shall provide 25 spaces plus one additional space for every 40 automobile spaces over 500 spaces, up to a maximum of 50 bicycle parking spaces.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would include parking ancillary to the residential and retail uses—it would not be considered a privately owned parking garage subject to Section 155.2. This requirement would not apply to the proposed project.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project, with 71 residential units, would be required to include 30 bicycle parking spaces. It would include 71 bicycle spaces, thereby complying with this requirement.
San Francisco Green Building Requirements (San Francisco Building Code, Chapter 13C.106.5 and 13C.5.106.5)	Requires New Large Commercial projects, New High-rise Residential projects and Commercial Interior projects to provide designated parking for low-emitting, fuel efficient, and carpool/van pool vehicles. Mark 8% of parking stalls for such vehicles.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project, at 6 stories, would not be considered a high-rise project, and these requirements would not apply.
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	With no commercial parking spaces provided by the proposed project, Table 166 of Section 166 does not require any car share spaces for the retail use. With 71 residential units, Section 166, Table 166 requires 1 car share space. The proposed project would provide 1 car share space, thereby complying with this requirement.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Planning Code Section 151.1, Table 151.1, principally permits 0.75 parking spaces for residential units (≤ 2BR and 1,000 sf) in UMU districts; therefore 53 spaces for the proposed project. With 42-46 residential parking spaces, would comply with this requirement. Planning Code Section 151.1, Table 151.1, permits one retail parking space for retail uses of 1,500 sf; the proposed project's 1,861 sf of retail use would therefore be permitted one retail parking space. With no retail parking spaces proposed, the 2290-2298 project would comply with this requirement.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C.5.201.1.1)	New construction of non-residential buildings requires the demonstration of a 15% energy reduction compared to 2008 California Energy Code, Title 24, Part 6.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Energy Efficiency; enforceable through the building permit process.
San Francisco Green Building Requirements for Energy Efficiency (LEED EA3, San Francisco Building Code, Chapter 13C.5.410.2)	For New Large Commercial Buildings - Requires Enhanced Commissioning of Building Energy Systems For new large buildings greater than 10,000 square feet, commissioning shall be included in the design and construction to verify that the components meet the owner's or owner	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Energy Efficiency; enforceable through the building permit process.

Regulation	Requirements	Project Compliance	Discussion
	representative's project requirements.		
Commissioning of Building Energy Systems (LEED prerequisite, EAp1)	Requires Fundamental Commissioning for New High-rise Residential, Commercial Interior, Commercial and Residential Alteration projects	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project, at 6 stories, would not be considered a high-rise project, and these requirements would not apply.
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be a minimum of 14% more energy efficient than Title 24 energy efficiency requirements. As of 2008 large commercial buildings are required to have their energy systems commissioned, and as of 2010, these large buildings are required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings are required to have their systems commissioned by 2009, with enhanced commissioning as of 2011.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Energy Efficiency; enforceable through the building permit process.
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Energy Efficiency; enforceable through the building permit process.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to the City's Stormwater ordinance and stormwater design guidelines; enforceable through the building permit process.
San Francisco Green Building Requirements for water efficient landscaping (San Francisco Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 square feet are required to reduce the amount of potable water used for landscaping by 50%.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would include approximately 1,861 sf of retail space; therefore these requirements would not be applicable.
San Francisco Green Building Requirements for water use reduction (San Francisco Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would include approximately 1,861 sf of retail space; therefore these requirements would not be applicable.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2, 13C.303.2.)	<p>If meeting a LEED Standard: Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals. New large commercial and New high rise residential buildings must achieve a 30% reduction. Commercial interior, commercial alteration and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al.</p> <p>If meeting a GreenPoint Rated Standard: Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with Indoor Water Efficiency requirements; enforceable through the building permit process.
San Francisco Water Efficient Irrigation	Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable	The proposed project, with a 2,955-sf rear yard at the podium level, would be required to comply with the Tier 2 of the Water Efficient Irrigation

Regulation	Requirements	Project Compliance	Discussion
Ordinance	<p>projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption.</p> <p>Tier 1: 1,000 sf <= project landscape < 2,500 sf Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals. See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape</p>	<input type="checkbox"/> Project Does Not Comply	<p>ordinance, enforceable through the building permit process.</p>
Commercial Water Conservation Ordinance (San Francisco Building Code, Chapter 13A)	<p>Requires all existing commercial properties undergoing tenant improvements to achieve the following minimum standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. 	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	<p>The existing building would be demolished and would not include tenant improvements. This requirement would not apply.</p>
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	<p>Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. <p>Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	<p>The proposed project would comply with the residential water conservation ordinance; enforceable through the building permit process.</p>
Residential Energy Conservation Ordinance (San Francisco Building Code, San Francisco Housing Code, Chapter 12)	<p>Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and install a time-clock on the burner.</p> <p>Although these requirements apply to existing buildings, compliance must be completed</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	<p>The proposed project would comply with the residential energy conservation ordinance.</p>

Regulation	Requirements	Project Compliance	Discussion
	through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (San Francisco Building Code, Chapter 13C)	As of 2012, all new large commercial buildings are required to either generate 1% of energy on-site with renewables, or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6, or achieve an additional 10% beyond Title 24 2008. Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Renewable Energy; enforceable through the building permit process.
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would include street trees planted in accordance with <i>Planning Code</i> Section 428.
Light Pollution Reduction (San Francisco Building Code, Chapter 13C5.106.8)	For nonresidential projects, comply with lighting power requirements in CA Energy Code, CCR Part 6. Requires that lighting be contained within each source. No more than .01 horizontal lumen footcandles 15 feet beyond site, or meet LEED credit SSc8.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Construction Site Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1).	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.

Regulation	Requirements	Project Compliance	Discussion
	Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information: www.sfwater.org/CleanWater		
Enhanced Refrigerant Management (San Francisco Building Code, Chapter 13C.5.508.1.2)	All new large commercial buildings must not install equipment that contains chlorofluorocarbons (CFCs) or halons.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be in compliance with the Enhanced Refrigerant Management requirements.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	<p>If meeting a LEED Standard: Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36. (Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard: Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Low-emitting materials (San Francisco Building Code, Chapters 13C.4.103.2.2,	<p>For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points.</p> <p>For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points.</p> <p>For Alterations to residential buildings submit documentation regarding the use of low-emitting materials.</p> <p>If meeting a LEED Standard: For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable.</p> <p>If meeting a GreenPoint Rated Standard: Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	<p>If meeting a LEED Standard: Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113. (Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard: Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	<p>If meeting a LEED Standard: Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1. (Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard: Carpet systems, carpet cushions, carpet</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.

Regulation	Requirements	Project Compliance	Discussion
	adhesives, and at least 50% of resilient flooring must be low-emitting		
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	If meeting a LEED Standard: Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure. If meeting a GreenPoint Rated Standard: Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District 	<input type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): <ul style="list-style-type: none"> • All diesel generators to be registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology. 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with Article 30 of the San Francisco Health Code.

Depending on a proposed project’s size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State’s ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City’s ability to meet San Francisco’s local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco’s sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project’s contribution to climate change; and (5) San Francisco’s Strategies to Address Greenhouse Gas Emissions meet BAAQMD’s requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco’s regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco’s Strategies to Address Greenhouse Gas Emissions.¹³

In addition, the project site is located within the Central Waterfront Area Plan analyzed under the Eastern Neighborhoods Rezoning EIR. The Eastern Neighborhoods Rezoning EIR assessed the GHG emissions that could result from rezoning of the Central Waterfront 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 carbon dioxide equivalents (CO₂E)¹⁴ per service population¹⁵,

¹³ Morgan Gillespie, During Associates, Greenhouse Gas Analysis: Compliance Checklist for 2290-2298 Third Street, June 12, 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

¹⁴ Greenhouse gas emissions are typically measured in CO₂E, or carbon dioxide equivalents. This common metric allows for the inclusion of the global warming potential of other greenhouse gases. Land use project’s, such as this, may also include emissions from methane (CH₄) and nitrous oxide (N₂O), therefore greenhouse gas emissions are typically reported at CO₂E.

respectively.¹⁶ The Eastern Neighborhoods EIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods EIR adequately addressed greenhouse gas emissions and the resulting emissions were determined to be less than significant. Therefore, the project would not result in any significant impacts related to GHG emissions.

As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable cumulative GHG impact. Therefore, the proposed project would not contribute to such an impact.

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

Wind

Project Impact

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods FEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods FEIR.

Based on the height and location of the proposed 68-foot-tall building, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near

¹⁵ SP= Service Population. Service population is the equivalent of total number of residents + employees.

¹⁶ *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*. April 20, 2010. Memorandum from Jessica Range, MEA to MEA staff. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

the project site. As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable cumulative wind impact. Therefore, the proposed project would not contribute to such an impact.

Shadow

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
10. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Project Impact

The Eastern Neighborhoods FEIR concluded that 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 FEIR.

The proposed project would provide approximately 8,767 sf of on-site open space for passive recreational use for project residents through a combination of a podium-level rear yard and several interconnected roof decks. The project location is served by the following existing parks/open spaces: Esprit Park (about 0.1 miles away); Woods Yard Park (about 0.2 miles away); Pennsylvania Garden (about 0.3 miles away); Agua Vista Park (about 0.3 miles away); Progress Park (about 0.5 miles away); and Warm Water Cove Park (about 0.6 miles away).

With the proposed addition of 71 dwelling units, the proposed project would be expected to generate minimal additional demand for recreational facilities. The increase in demand would be to some extent

offset by the proposed on-site open space, and would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use, and therefore the proposed project would not result in substantial physical deterioration of existing recreational resources. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable cumulative recreation impact. Therefore, the proposed project would not contribute to such an impact.

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

Project Impact

The Eastern Neighborhoods Initial Study analyzed growth projections and determined that the programmatic impacts on the provision of water, wastewater collection, and treatment, and solid waste

collection and disposal would not be significant. No mitigation measures with respect to utilities and service systems were identified in the Eastern Neighborhoods FEIR. The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB) and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. The proposed project would have sufficient water supply available from existing entitlement, and solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would not result in a significant solid waste generation impact. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

The project would be subject to the City’s Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential need for expanding or construction new facilities. Thus, the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already considered in the Eastern Neighborhoods FEIR.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable utilities and service systems impact. Therefore, the proposed project would not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
12. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impact

The Eastern Neighborhoods Initial Study analyzed growth projections and determined that the programmatic impacts on public services such as fire protection, police protection, and public schools would not be significant. No mitigation measures related to public services were identified in the Eastern Neighborhoods FEIR. Impacts on parks are discussed under Topics 9 (Wind and Shadow) and 10 (Recreation).

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already considered in the Eastern Neighborhoods FEIR with respect to public services.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable public services impact. Therefore, the proposed project would not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
13. BIOLOGICAL RESOURCES—				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, 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"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
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"/>

Project Impact

The Eastern Neighborhoods FEIR found that there would be no significant impact on biological resources. The project site, containing a vacant formerly commercial structure, is located in a developed urban area which does not support or provide habitat for any known rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. The project site is almost entirely covered with impervious surfaces. There are a total of four “non-protected” trees and other vegetation along the rear lot line near the northwest corner of the project site, all which would be removed as part of the project. There are two protected street trees along Third Street adjacent to the project site that would either be protected or replaced as part of the proposed project.

The proposed project would result in less-than-significant impacts on sensitive species, special status species, native or migratory fish species, or wildlife species. The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively referred to as “protected trees,” located on private and public property. Landmark Trees, having the highest level of protection, are trees that meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city’s character and that have been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. Significant trees are trees either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, which are greater than 20 feet in height or which meet other criteria. DPW requires adjacent street trees be protected during construction, replaced if damaged, and additional street trees be added as feasible. The final number and placement requirements of additional street trees and required street tree protection during construction would be subject to review and approval by DPW. The four “non-protected” trees on the project site would be removed; however they are not within 10 feet of the public right-of-way and are not subject to Sections 802.-8.11. The proposed project would comply with Sections 8.02-8.11 and DPW requirements.

The project would include protection or replacement of the existing street trees and new street trees along Third and 20th Streets in compliance with Planning Code Section 138.1, which addresses requirements for improvements of the public right-of-way associated with development projects. As a result, the project would not conflict with any local policies or ordinances protecting trees and would not result in significant impacts on migratory birds.

The San Francisco Board of Supervisors adopted Standards for Bird-Safe Buildings, Planning Code Section 139, on July 14, 2011.¹⁷ The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments. The standards impose requirements for both location-related hazards and feature related hazards. The proposed project would be subject to the Standards for Bird-Safe Buildings, and therefore it would not result in significant impacts on birds.

In light of the above, the proposed project would not result in significant impacts with respect to biological resources.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable biological resources impact. Therefore, the proposed project would not contribute to such an impact.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
14. GEOLOGY AND SOILS— Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<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"/>

¹⁷ San Francisco Planning Department. *Standards for Bird-Safe Buildings*, Adopted on July 14, 2011. Available online at: <http://www.sf-planning.org/index.aspx?page=2506>. Accessed June 26, 2013.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
e) 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"/>

Project Impact

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

The project would involve excavation to a maximum depth of approximately 11 feet 10 inches over a portion of the site and excavation of approximately for the mechanical parking stackers and excavation of approximately 3,598 cubic yards of soil. The completed project would not alter the overall topography of the site. The final building plans would be reviewed by the Department of Building Inspection (DBI). During DBI's review of building permits for the project site, they would require the preparation of a geotechnical report pursuant to the State Seismic Hazards Mapping Act. In addition, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for project mitigation measures. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

The proposed project would not result in a significant effect related to geology.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable geology and soils impact. Therefore, the proposed project would not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
15. HYDROLOGY AND WATER QUALITY—				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion 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, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impact

The Eastern Neighborhoods Initial Study evaluated population increases on the combined sewer system and the potential for combined sewer outflows, and concluded that programmatic effects related to hydrology and water quality would not be significant. No mitigation measures relative to hydrology and water quality were identified in the Eastern Neighborhoods FEIR.

In 2007, the Federal Emergency Management Agency (FEMA) issued preliminary Flood Insurance Rate Maps (FIRMs) for review and comment by the City.¹⁸ The preliminary FIRMs identify: 1) Special Flood Hazard Areas (SFHAs), areas that are subject to inundation during a flood having a one-percent chance of occurrence in a given year (also known as a “base flood” or “100-year flood”); 2) Zone A (areas of coastal flooding with no wave hazard; or waves less than three feet in height); and 3) Zone V (areas of coastal flooding subject to the additional hazards associated with wave action).¹⁹ The project site is not located within a SFHA, Zone A, or Zone V.^{20,21} As a result, the project would not result in a significant impact with respect to flooding including coastal flooding.

The Eastern Neighborhoods FEIR also concluded that with the implementation of requirements in the City’s Industrial Waste Ordinance, the impacts to groundwater would be less than significant. In the event that project excavation encounters groundwater, the project would be subject to the City’s Industrial Waste Ordinance, which requires that groundwater meet specified water quality standards before it is discharged into the sewer system. Therefore, the project’s impacts to groundwater would be less than significant.

Effects related to water resources would not be significant. The project would be subject to the Stormwater Management Ordinance, which became effective May 22, 2010. As addressed in Public Works Code Section 147.2, stormwater design guidelines have been instituted to minimize the disruption of natural hydrology. In compliance with the Stormwater Management Ordinance, the project would maintain or reduce the existing volume and rate of stormwater runoff discharged from the site by implementing and installing appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before they enter the combined sewer collection system. In addition, the stormwater management system would capture and treat stormwater runoff and mitigate stormwater quality effects by promoting treatment or infiltration of stormwater runoff prior to discharging to the separate sewer system and entering the bay or ocean. Compliance with the Stormwater Management Ordinance would ensure that the project’s impact on runoff and drainage would be less than significant.

Therefore, the project’s effects related to hydrology and water quality would not be significant, either individually or cumulatively.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable utilities and service systems impact. Therefore, the proposed project would not contribute to such an impact.

¹⁸ Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 120 of 260, Map Number 0675C0120A*, September 21, 2007. Available online at: <http://sfgsa.org/Modules/ShowImage.aspx?imageid=2672>. Accessed February 11, 2013.

¹⁹ City and County of San Francisco, Office of the City Administrator. *National Flood Insurance Program Flood Sheet*, January 25, 2012. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=7520>. Accessed February 11, 2013.

²⁰ Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 120 of 260, Map Number 06075C0120A*, September 21, 2007. Available online at: <http://sfgsa.org/Modules/ShowImage.aspx?imageid=2672>. Accessed February 11, 2013.

²¹ City and County of San Francisco, Office of the City Administrator. *Final Draft San Francisco Interim Floodplain Map, Citywide, July, 2008*. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761>. Accessed June 26, 2013.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
16. HAZARDS AND HAZARDOUS MATERIALS— Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input 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"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
17. MINERAL AND ENERGY RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impact

The Eastern Neighborhoods FEIR concluded that the Eastern Neighborhoods Rezoning and Area Plans would not result in significant impacts with respect to mineral and energy resources as there are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. As a result, no mitigation measures relative to mineral and energy resources were identified in the Eastern Neighborhoods FEIR.

The proposed project would not result in use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for the proposed building would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the San Francisco Department of Building Inspection (DBI). The project area does not include any natural resources routinely extracted, and the proposed project does not result in any natural resource extraction program.

In light of the above, the proposed project would not result in a significant physical environmental impact with respect to mineral and energy resources.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable mineral and energy resources impact. Therefore, the proposed project would not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
—Would the project				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impact

The Eastern Neighborhoods FEIR concluded that no agricultural resources are located in the project area, and the project would have no effect on agricultural resources. The project site does not contain agricultural uses and is not zoned for such uses. Therefore, the proposed project would not result in any significant impacts related to agricultural resources.

Cumulative Impact

The Eastern Neighborhoods EIR did not identify a significant unavoidable agriculture and forest resources impact. Therefore, the proposed project would not contribute to such an impact.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/No Impact</i>
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections, and transit impacts), cultural (demolition of historical resources), and shadow (impacts on parks).

The proposed project would involve: 1) demolition of a vacant 21-foot-tall, single-story, 4,125-sf formerly commercial structure; and 2) construction of a 68-foot-tall, six-story, 59,682-sf residential mixed-use building consisting of up to 71 residential units and 1,783 sf of ground-floor neighborhood-serving retail. The project would include approximately 8,767 sf of common usable open space provided by a podium-level rear yard and several interconnected roof decks. As discussed in this document and the CPE Certificate of Determination, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and considered in the Eastern Neighborhoods FEIR.

C. DETERMINATION

On the basis of this Initial Study:

- The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; AND
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (FEIR) for the Plan Area. And all applicable mitigation measures have been incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the FEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the FEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.

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