



SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO CITY PLANNING COMMISSION MOTION NO. 17659

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CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED EASTERN NEIGHBORHOODS REZONING AND AREA PLANS PROJECT, AMENDMENTS TO THE SAN FRANCISCO PLANNING CODE AND ZONING MAPS, AMENDMENTS TO THE SAN FRANCISCO GENERAL PLAN, AND ADOPTION OF INTERIM HISTORIC PRESERVATION PROCEDURES. THE PLAN AREA GENERALLY INCLUDES THE EASTERN PORTION OF THE SOUTH OF MARKET AREA ("EAST SOMA"), THE MISSION, SHOWPLACE SQUARE/POTRERO HILL, AND THE CENTRAL WATERFRONT NEIGHBORHOODS OF SAN FRANCISCO AND MAKING OTHER RELATED FINDINGS.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case File No. 2004.0160E – Eastern Neighborhoods Rezoning and Area Plans Project (hereinafter "Project") based upon the following findings:

- 1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Sections 15000 et seq., (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - a. The Citywide Group of the Department filed for environmental evaluation on February 19, 2004 and the Major Environmental Analysis section of the Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on March 9, 2005.
 - b. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on March 9, 2005.
 - c. On June 30, 2007, the Department published the Draft Environmental Impact Report ("DEIR") and provided public notice in a newspaper of general circulation of the availability of the document for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

- d. On June 30, 2007, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse.
 - e. Notices of Availability of the DEIR and of the date and time of the public hearings were posted on the Planning Department's website and also in various locations in the project area by Department staff on June 30, 2007.
- 2) The Commission held a duly advertised public hearing on the DEIR on August 9, 2007 at which time opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 14, 2007.
 - 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing on the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, corrected errors in the DEIR, and prepared impact analysis for proposed revisions to the Area Plans. This material was presented in a Comments and Responses document, published on May 29, 2008, was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices and web site.
 - 4) A Final Environmental Impact Report has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law ("FEIR").
 - 5) Project environmental files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1650 Mission Street, Suite 400, and are part of the record before the Commission.
 - 6) On August 7, 2008, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.
 - 7) The Planning Commission hereby does find that the FEIR concerning Case File No. 2004.0160E – Eastern Neighborhoods Rezoning and Area Plans Project reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective. The Commission also finds that since publication of the DEIR there has been no significant new information or

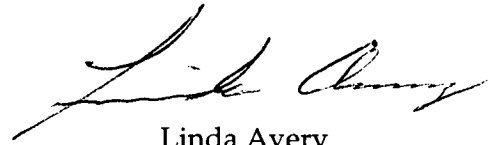
other factors that would require recirculation of the document pursuant to CEQA Guidelines Section 15088.5. Information to support this conclusion is found in the Final EIR document, which includes the Comments and Responses and in Department staff analysis. In furtherance of the above findings, the Planning Commission hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

The Commission, in certifying the completion of the FEIR, hereby does find that the proposed project described in the FEIR would have the following significant unavoidable environmental impacts, which could not be mitigated to a level of non-significance:

- a. The Preferred Project would result in a potentially significant, adverse cumulative land use impact related to the loss of Production, Distribution and Repair land supply and building space as identified for EIR Option C.
- b. The Preferred Project would result in a significant, adverse transit impact on Muni service affecting the following seven lines: 9-San Bruno, 22-Fillmore, 26-Valencia, 27-Bryant, 33-Stanyan, 48-Quintara, 49-Van Ness/Mission.
- c. A significant, adverse transportation impact to the following intersections would occur under Preferred Project conditions: 13th/Bryant, South Van Ness/Howard/13th, Seventh/Brannan, Seventh/Townsend, Eighth/Brannan, Eighth/Bryant, Eighth/Harrison, Third/César Chávez, and César Chávez/Evans.
- d. A significant, adverse environmental impact related to historical architectural resources would occur under Preferred Project conditions. Demolition or significant alteration of buildings that are identified as historical resources, potential resources or age-eligible properties could be anticipated to occur as a result of development secondary to project implementation. The EIR also identifies a significant, adverse cumulative impact related to the demolition, alteration, or other changes to one or more resources (including historic districts), such that the historical significance of those resources would be "materially impaired."
- e. A significant, adverse environmental impact related to potential shading of parks and public open spaces under the jurisdiction of the San Francisco Recreation and Parks Department would occur under Preferred Project conditions, because the feasibility of complete mitigation for potential new shadow impacts of currently unknown development proposals cannot be known at this time.

August 7, 2008
File No: 2004.0160E
Eastern Neighborhoods
Rezoning & Area Plans
Motion No. 17659

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission on August 7, 2008.



Linda Avery
Planning Commission Secretary

AYES: Borden, More, Lee, Olague

NOES: None

ABSENT: None

EXCUSED: Antonini, Miguel, Sugaya

ACTION: Certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR



SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO CITY PLANNING COMMISSION MOTION NO. 17661

ADOPTING ENVIRONMENTAL FINDINGS (AND A STATEMENT OF OVERRIDING CONSIDERATIONS) UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH THE ADOPTION OF THE EASTERN NEIGHBORHOODS REZONING AND AREA PLANS PROJECT AND RELATED ACTIONS NECESSARY TO IMPLEMENT SUCH PLANS. THE PLAN AREA GENERALLY INCLUDES THE EASTERN PORTION OF THE SOUTH OF MARKET AREA ("EAST SOMA"), THE MISSION, SHOWPLACE SQUARE/POTRERO HILL, AND THE CENTRAL WATERFRONT NEIGHBORHOODS OF SAN FRANCISCO.

Whereas, the Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken a planning and environmental review process for the proposed Eastern Neighborhoods Rezoning and Area Plans Project ("Project") and provided for appropriate public hearings before the Planning Commission.

Whereas, the Planning Department seeks to increase housing supply by identifying appropriate locations for residential use in the City's industrially zoned land to meet a citywide need for more housing, affordable housing in particular, in conjunction with retaining some industrial land supply to meet the current and future needs of the City's production, distribution and repair (PDR) businesses and the City's economy.

Whereas, the Planning Department facilitated a public planning process, which refined a series of proposals for land use, building heights, bulk and design, historic preservation, community facilities, streets (transportation, parking and loading), open space, public benefits, and other controls for the Eastern Neighborhoods Plan Area. The resulting Eastern Neighborhoods Area Plans Project is a comprehensive proposal for the area, including new Planning Code (zoning) controls, implementation strategy and a public improvements funding structure.

Whereas, the Eastern Neighborhoods Area Plan proposes nine new zoning districts in the area of San Francisco generally located on the eastern edge of the City as described in the preamble, including the following: Urban Mixed Use (UMU); Mixed-Use General (MUG); Mixed-Use Office (MUO); Mixed-Use Residential (MUR); Neighborhood Commercial Transit District-2 (NCT-2); Production, Distribution, Repair-1-General (PDR-1-G); Production, Distribution, Repair-1 Design (PDR-1-D); the Life

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Sciences and Medical Special Use District (SUD); and the Innovative Industries Incubator SUD.

Whereas, the above mentioned use districts, depending on the District, would (1) permit only PDR uses; (2) permit at least some PDR uses in combination with commercial and/or residential uses; (3) permit a mix of residential and commercial uses; and (4) permit residential-only as described in detail in the *Materials for the Eastern Neighborhoods Initiation Hearing* (Volumes 1 through 3) transmitted to the City Planning Commission and made available to the general public on April 17, 2008. These use districts would replace existing industrial, commercial and residential single-use districts within the Project Area.

Whereas, the Planning Commission will consider— in conjunction with the proposed new use districts— adoption of General Plan amendments, including new and/or amended goals, objectives and policies as part of the East SoMa, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans in addition to other Planning Code amendments and procedures articulated in the *Materials for the Eastern Neighborhoods Initiation Hearing*. These include, but are not limited to, zoning map amendments, a community benefits fee program, and other zoning changes applicable not only to the Eastern Neighborhoods but other zoning districts.

Whereas, the actions listed in Attachment A hereto (“Actions”) are part of a series of considerations in connection with the adoption of the Eastern Neighborhoods Area Plans and various implementation actions (“Project”), as more particularly described in Attachment A hereto.

Whereas, the Planning Department determined that an Environmental Impact Report (“EIR”) was required for the proposed Eastern Neighborhoods Rezoning and Area Plans, and provided public notice of that determination by publication in a newspaper of general circulation on December 17, 2005.

Whereas, the Planning Department on June 30, 2007, published the Draft Environmental Impact Report (“DEIR”). The DEIR was circulated for public review in accordance with the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.* (“CEQA”), the State CEQA Guidelines, 14 California Code of Regulations, Section 15000 *et seq.*, (“CEQA Guidelines”), and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”). The Planning Commission held a public hearing on the DEIR on August 9, 2007.

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on May 29, 2008, which together with the DEIR and additional information that became available, constitute the Final Environmental Impact Report (“FEIR”).

Whereas, the Planning Commission, on August 7, 2008, by Motion No. 17659, reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

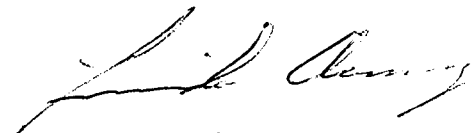
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Rezoning & Area Plans
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Whereas, the Planning Commission by Motion No. 17659, also certified the FEIR and found that the FEIR was adequate, accurate, and objective, reflected the independent judgment of the Planning Commission and that the Comments and Responses document contains no significant revisions to the DEIR that would have required recirculation under CEQA Guidelines Section 15088.5, and adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

Whereas, the Planning Department prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR and overriding considerations for approving the Preferred Project, including all of the actions listed in Attachment A hereto, and a proposed mitigation monitoring and reporting program, attached as Exhibit 1 to Attachment A, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration and actions.

THEREFORE BE IT RESOLVED, that the Planning Commission has reviewed and considered the FEIR and the actions associated with the Eastern Neighborhoods Area Plans Rezoning and hereby adopts the Project Findings attached hereto as Attachment A including a statement of overriding considerations, and including as Exhibit 1 the Mitigation Monitoring and Reporting Program.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of August 7, 2008.



Linda Avery
Commission Secretary

AYES: Borden, More, Lee, Olague, Sugaya
NOES: None
ABSENT: None
EXCUSED: Antonini, Miguel

ACTION: Adoption of CEQA Findings

ATTACHMENT A

EASTERN NEIGHBORHOODS REZONING AND AREA PLANS PROJECT

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS: FINDINGS OF FACT, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND STATEMENT OF OVERRIDING CONSIDERATIONS

SAN FRANCISCO PLANNING COMMISSION

In determining to approve the proposed Eastern Neighborhoods Rezoning and Area Plans Project and related approval actions (the “Preferred Project” or “Project”), the San Francisco Planning Commission (“Planning Commission” or “Commission”) makes and adopts the following findings of fact and statement of overriding considerations and adopts the following recommendations regarding mitigation measures and alternatives based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. (“CEQA”), particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Sections 15000 et seq. (“CEQA Guidelines”), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code.

I. Introduction

This document is organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the project, the Planning Commission actions to be taken, and the location of records;

Section II identifies the impacts found not to be significant that do not require mitigation;

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation;

Section IV identifies significant impacts that cannot be avoided or reduced to less-than-significant levels;

Section V discusses why a subsequent or supplemental EIR is not required;

Section VI evaluates the different project alternatives and the economic, legal, social, technological, and other considerations that support the rejection of the alternatives and access options analyzed; and

Section VII presents a statement of overriding considerations setting forth specific reasons in support of the Planning Commission's actions and its rejection of the Alternatives not incorporated into the Project.

Attached to these findings as Exhibit 1 is the Mitigation Monitoring and Reporting Program (“MMRP”) for the mitigation measures that have been proposed for adoption. The Mitigation Monitoring and Reporting Program is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation

measure listed in the Final EIR ("FEIR") that is required to reduce or avoid a significant adverse impact. Exhibit 1 also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

a. Project Description

The subject of the proposed rezoning is an approximately 2,200-acre project area that includes four neighborhoods on the eastern side of San Francisco as illustrated on FEIR Figure 1: East SoMa, the Mission, Showplace Square/Potrero Hill and the Central Waterfront. The proposed rezoning would introduce new use (zoning) districts, including: (1) districts that would permit some production, distribution and repair (PDR) uses in combination with commercial uses; (2) districts mixing residential and commercial uses; (3) residential and PDR uses; and (4) new residential-only districts. The new districts would replace existing industrial, commercial and residential single-use districts. The Project would also include certain adjustments to height limits.

In conjunction with the proposed rezoning, the Planning Department has developed area plans for inclusion within the General Plan for the four neighborhoods in the project area. These plans address policy-level issues pertaining to historic resources, urban design (including building heights and urban form), transportation, open space, and community facilities. Adoption of the proposed area plans would necessitate amendments to the Planning Code, zoning maps, General Plan as well as adoption of interim historic preservation procedures.

b. Environmental Review

The Planning Department determined that an Environmental Impact Report ("EIR") was required for the Project. The Planning Department published the Draft EIR and provided public notice of the availability of the Draft EIR for public review and comment on June 30, 2007.

On June 30, 2007, a Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse. Notices of availability for the Draft EIR of the date and time of the public hearings were posted on the Planning Department's website on June 30, 2007.

The Planning Commission held a duly noticed public hearing on the Draft EIR on August 9, 2007. At this hearing, opportunity for public comment was given, and public comment was received on the Draft EIR. The Planning Department accepted public comments on the Draft EIR from June 30, 2007 to September 14, 2007.

The Planning Department published the Comments and Responses on the Draft EIR on May 29, 2008. This document includes responses to environmental comments on the Draft EIR made at the public hearing on August 9, 2007 as well as written comments submitted on the Draft EIR from June 30, 2007 to September 14, 2007. The comments and responses document also contains text changes to the Draft EIR made by EIR prepares to correct or clarify information presented in the DEIR, including changes to the DEIR text made in response to comments.

c. Planning Commission Actions

The Planning Commission is being requested to take the following actions to approve and implement the Preferred Project.

- Certify the Final EIR.
- Adopt CEQA findings and a Mitigation Monitoring and Reporting Program.
- Determine consistency of the Eastern Neighborhoods Rezoning and Area Plans Project with the General Plan and Planning Code Section 101.1 Priority Policies, and recommend adoption to the Board of Supervisors.
- Approve adoption of amendments to the General Plan constituting the Eastern Neighborhoods Area Plans, pending approval by the Board of Supervisors.
- Approve and recommend to the Board of Supervisors related amendments to the San Francisco Planning Code and Zoning Maps.

d. Location of Records

The record upon which all findings and determinations related to the Project are based includes the following:

- The four Area Plans (East SoMa, Mission, Showplace Square/Potrero Hill and the Central Waterfront).
- The EIR, and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the proposed approvals and entitlements, the Project, and the alternatives ("Options") set forth in the EIR.
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR, or incorporated into reports presented to the Planning Commission.
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
- All applications, letters, testimony and presentations presented to the City by the project sponsor and its consultants in connection with the Project.
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the EIR.
- For documentary and information purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.

- The MMRP.
- All other documents comprising the record pursuant to Public Resources Code Section 2116.76(e)

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, Suite 400, San Francisco. Linda Avery, Commission Secretary, is the custodian of these documents and materials.

II. Impacts Found Not To Be Significant, Thus Requiring No Mitigation

Finding: Based on substantial evidence in the whole record of this proceeding, the City finds that the implementation of the Preferred Project and associated Area Plans would not result any significant environmental impacts in the following areas: Visual Quality and Urban Design; Population, Housing, Business Activity and Employment (Growth Inducement); Parks, Recreation and Open Space; Mineral and Agricultural Resources; Wind; Utilities and Public Services; Biology; Geology/Topography; Water; and Energy and Natural Resources. Each of these topics is analyzed and discussed in detail including, but not limited to, in the EIR (and Initial Study or “IS”) Chapters: [4.B](#); [4.C](#); [4.D](#); [4.H](#); [4.M](#); [6.D](#); [7.A-C](#) (IS); [8.A-C](#) (IS); [9.A, B](#) (IS); [10.A-C](#) (IS); [11.A-B](#) (IS).

III. Findings of Potentially Significant Impacts That Can Be Avoided Or Reduced To A Less Than Significant Level

Finding: The California Environmental Quality Act (CEQA) requires agencies to adopt mitigation measures that would avoid or substantially lessen a project’s identified significant impacts or potential significant impacts if such measures are feasible.

The findings in this Section III and in Section IV concern mitigation measures set forth in the FEIR. These findings discuss mitigation measures as proposed in the FEIR and recommended for adoption by the Board of Supervisors, which can be implemented by City agencies or departments. Except for minor revisions shown in double underline and ~~strike-through~~ text in the language of [Mitigation Measures F-3, G-2, G-3, E-11, K-2 and K-3](#) in Response to Comments on the DEIR, the mitigation measures proposed for adoption in this section are identical to the mitigation measures identified in the FEIR.

As explained previously, **Exhibit 1**, attached, contains the Mitigation Monitoring and Reporting Program required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. It provides a table setting forth each mitigation measure listed in Chapter V of the EIR that is required to reduce or avoid a significant adverse impact. **Exhibit 1** also specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

The Planning Commission finds that, based on the record before it, the mitigation measures proposed for adoption in the FEIR are feasible, and that they can and should be carried out by the identified agencies at the designated time. This Planning Commission urges other agencies to adopt and implement applicable mitigation measures set forth in the FEIR that are within the jurisdiction and responsibility of such entities. The Planning Commission acknowledges that if such measures are not adopted

and implemented, the Project may result in additional significant unavoidable impacts. For this reason, and as discussed in Section VI, the Planning Commission is adopting a Statement of Overriding Considerations as set forth in Section VII.

All mitigation measures identified in the FEIR that would reduce or avoid significant adverse environmental impacts are proposed for adoption and are set forth in **Exhibit 1**, in the Mitigation Monitoring and Reporting Program. With the exception of Mitigation Measure A-1 which is rejected due to infeasibility, all mitigation measures set forth in the FEIR are agreed to and adopted by the Planning Commission.

A. Transportation

1. Impact – Delays at Unsignalized Intersections

a) Potentially Significant Impact

Implementation of the Preferred Project could result in degradation of service levels to unsignalized study intersections in the Eastern Neighborhoods, a significant, adverse environmental impact.

b) Mitigation Measure E-1 and Conclusion

The City finds the potentially significant impacts listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure E-1](#), which would require the installation of traffic signals at the following intersections: De Haro/Division/King; Rhode Island/16th Streets; Rhode Island/Division Streets; and, 25th/Indiana. [EIR p. 502](#) indicates that a number of proposed developments in the immediate vicinity of these intersections would contribute to growth in future traffic volumes and increased delays, and that implementation of signalization at specific intersections could be linked to subsequent development projects.

B. Noise

1. Impact – Construction Noise, Pile-driving

a) Potentially Significant Impact

Subsequent development proposals under the Preferred Project in the Eastern Neighborhoods plan area could entail pile-driving activities as part of construction. Pile driving would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. In general, pile-driving noise could be between about 90 and 105 dBA at 50 feet from pile-driving activity.

b) Mitigation Measure F-1 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-1](#), which would require that project sponsors ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration; no impact pile drivers shall be used unless absolutely necessary. Contractors would be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory

sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. Individual project sponsors shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

2. Impact – Construction Noise, Site Specific Noise Reduction Measures

a) Potentially Significant Impact

Subsequent development proposals under the Preferred Project in the Eastern Neighborhoods plan area could generate intermittent and temporary noisy construction procedures in proximity to sensitive land uses.

b) Mitigation Measure F-2 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-2](#). This measure, as discussed in detail on [EIR pp. 507-508](#), requires the sponsors of subsequent development projects to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. Measures could include, but are not limited to: erecting temporary noise barriers, utilizing noise control blankets, monitoring noise attenuation measures and posting signs during construction with contractor contact information of who to notify of complaints.

3. Impact – Interior Noise Levels

a) Potentially Significant Impact

For subsequent residential development not subject to the California Noise Insulation Standards (e.g., single-family dwellings) that could be developed in the Eastern Neighborhoods plan area, traffic noise could potentially result in a significant effect if interior noise were not adequately reduced, consistent with the state standards for multi-family housing. Other noise-sensitive uses such as schools, libraries, churches, and hospitals, where General Plan-recommended threshold for detailed noise reduction analysis is 65 dBA (Ldn) would be subject to this measure at many locations in the plan area.

b) Mitigation Measure F-3 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-3](#). This measure, as described in detail on [EIR p. 508](#), would require the project sponsors of subsequent development projects to conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.

4. Impact – Siting of Noise-Sensitive Uses

a) Potentially Significant Impact

The Preferred Project would facilitate some residential development in proximity to a mix of other uses including PDR uses that can generate operational noise, as well as other non-residential uses such as retail and entertainment, cultural/institutional/educational uses, and offices in the Eastern Neighborhoods plan area. Potential, short-term exceedences of ambient noise levels would result in a potentially significant effect on nearby sensitive receptors, if present in proximity to the noise sources.

b) Mitigation Measure F-4 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-4](#). This measure, as described in detail on [EIR p. 508](#), would be implemented by the Planning Department, which would require the preparation of an analysis that includes a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

5. Impact – Siting of Noise-Generating Uses

a) Potentially Significant Impact

Given that the Preferred Project proposes a mix of land use types existing and new use districts adjacent to one another, subsequent development proposals in the Eastern Neighborhoods plan area could generate noise from industrial, commercial or entertainment uses in proximity to sensitive land uses in excess of General Plan-recommended levels.

b) Mitigation Measure F-5 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-5](#). To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the

proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses.

6. Impact – Open Spaces in Noisy Environments

a) Potentially Significant Impact

Depending on the type and design of residential development proposed, outdoor areas associated with subsequent residential uses that could be developed in the Eastern Neighborhoods plan area could also be exposed to noise levels above 60 dBA (Ldn). Residential developments often provide a roof deck or an interior courtyard that could create a noise-protected location for exterior recreation. Where such features are included, balconies associated with each residential unit are considered an architectural feature, not an outdoor recreational area that must comply with the San Francisco Land Use Compatibility Guidelines for Community Noise. However, these exterior features could be subject to potentially significant noise impacts if located in particularly noisy locations.

b) Mitigation Measure F-6 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure F-6](#). The Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

C. Air Quality

1. Impact – Construction Air Quality

a) Potentially Significant Impact

Construction activities associated with subsequent development projects in the Eastern Neighborhoods plan area would occur intermittently at different sites in the project area as individual projects are proposed, approved, and implemented. Although the related impacts at any one location would be temporary, construction of these subsequent development projects could cause adverse effects on local air quality within the plan area. Construction activities could generate dust (including PM-10 and PM-2.5) primarily from fugitive sources (e.g., emissions released through means other than through a stack or tailpipe) and other criteria air pollutants primarily from operation of heavy construction equipment and machinery (primarily diesel operated) and construction worker trips.

b) Mitigation Measure G-1 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure G1](#) and shall condition approval of individual development proposals under the proposed project upon implementation of an appropriate dust abatement program, patterned after the Bay Area Air Quality Management District (BAAQMD) approach.

The BAAQMD approach to dust abatement, as put forth in the BAAQMD CEQA Guidelines, calls for “basic” control measures that should be implemented at all construction sites, “enhanced” control measures that should be implemented at construction sites greater than four acres in area, and “optional” control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reason, may warrant additional emissions reductions. Specific actions of the overall program as described in detail on [EIR pp. 509-511](#) include, but are not limited to: watering active construction sites, covering trucks hauling soils and loose materials, applying soil stabilizers and sweeping streets, limiting traffic speeds, replanting vegetation, and installing wind breaks.

San Francisco Ordinance 175-91 requires that non-potable water be used for dust control activities. Therefore, project sponsors would require that construction contractors obtain reclaimed water from the Clean Water Program for this purpose. Each subsequent project sponsor/contractor would also be required 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.

2. Impact – Air Quality for Sensitive Land Uses

a) Potentially Significant Impact

Implementation of the Preferred Project would result in new use districts in the Eastern Neighborhoods plan area that could include housing and potentially other sensitive receptors within close proximity to high-volume roadways, as defined in the [EIR, p. 511](#). This could result in potentially adverse affects health effects to sensitive receptors related to the exposure of PM2.5 (fine particulate matter of 2.5 microns or less, including diesel particulate matter, or DPM) and other pollutant emissions.

b) Mitigation Measure G-2 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure G-2](#). Within the Eastern Neighborhoods, new residential development that is proposed within 500 feet of the I-80, US 101, and I-280 freeways, or at any other location where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles, shall, as part of its CEQA review, include

an analysis of PM2.5 and shall, if warranted based on the results, incorporate upgraded ventilation systems to minimize exposure of future residents to PM2.5 (which includes DPM) and other pollutant emissions, as well as odors. The analysis shall employ either site-specific modeling of PM2.5 concentrations or other acceptable methodology to determine whether the annual average concentration of PM2.5 from the roadway sources within 500 feet would exceed the threshold or action level of 0.2 micrograms per cubic meter.

If the incremental annual average concentration of PM2.5 concentration (from roadway sources only) were to exceed 0.2 micrograms per cubic meter at the project site, the project sponsor shall be required to install a filtered air supply system to maintain all residential units under positive pressure when windows are closed. The ventilation system, the specifics of which are described on EIR p. 511, shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution.

Sponsors of subsequent developments in the Eastern Neighborhoods shall also ensure the disclosure to buyers and renters regarding the findings of the analysis and consequent and inform occupant's proper use of any installed air filtration. If active recreation areas such as playgrounds are proposed as part of any future residential development, such areas shall be located at least 500 feet from freeways, if feasible.

Within the Eastern Neighborhoods, new residential development that is proposed within 1,000 feet of warehousing and distribution centers or other uses served by at least 100 trucks per day or 40 refrigerated trucks per day, or uses that generate toxic air contaminants (TACs) as part of everyday operations, the Planning Department shall require a screening-level health risk assessment or other comparable analysis prior to approval of such new residential development to ensure that the lifetime cancer risk from DPM or other TACs emitted from the uses described above is less than 10 in one million, or that the risk can be reduced to less than 10 in one million through mitigation, such as air filtration described above. The standard shall also apply to other sensitive uses such as schools, daycare facilities, and medical facilities.

3. Impact – Siting of Uses that Emit Diesel Particulate Matter (DPM)

a) Potentially Significant Impact

Implementation of the Preferred Project would result in new use districts in the Eastern Neighborhoods that could permit commercial, industrial, or other uses that could emit diesel particulate matter in proximity to sensitive receptors, as detailed below.

b) Mitigation Measure G-3 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure G-3](#). To minimize potential exposure of sensitive receptors to diesel particulate matter (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 40 refrigerated trucks per day, based on the ARB Air Quality and Land Use Handbook, the Planning Department shall require that

such uses generating substantial DPM emissions be located no less than 1,000 feet from residential units and other sensitive receptors, including schools, children's day care centers, parks and playgrounds, hospitals, nursing and convalescent homes, and like uses.

4. Impact – Siting of Uses that Emit Other Toxic Air Contaminants (TACs)

a) Potentially Significant Impact

Implementation of the Preferred Project would result in new use districts in the Eastern Neighborhoods that could permit commercial, industrial, or other uses that could emit toxic air contaminants in proximity to sensitive receptors, as detailed below.

b) Mitigation Measure G-4 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure G-4](#). For new development including commercial, industrial or other uses that would be expected to generate toxic air contaminants (TACs) as part of everyday operations, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, prior to the first project approval action. This measure shall be applicable, at a minimum, to the following uses: dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops; metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers; and any use served by at least 100 trucks per day.

D. Archeological Resources

1. Impact – Soils Disturbing Activities on Properties with Previous Studies

a) Potentially Significant Impact

Construction of subsequent development projects in the Eastern Neighborhoods plan area on properties with previously conducted studies could result in soils disturbing construction activities, which would have the potential to adversely affect archeological resources.

b) Mitigation Measure J-1 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure J-1](#). This measure would apply to those properties within the project area for which a final archeological research design and treatment plan (ARDTP) is on file at the Northwest Information Center and the Planning Department (Archeological Mitigation Zone A as shown in Figure 29, Chapter IV of the EIR). Properties (listed by Assessor Block) within the project area subject to this measure include the following: 3749, 3762, 3763, 3764, 3765, 3766 in East SoMa; 3531 in the

Mission; 3780, 3781, 3782, 3783, 3910, 3915, and 3935 in Showplace Square/Portero Hill.

Any project resulting in soils-disturbance of 2.5 feet or greater below existing grade proposed within the AMM-A shall be required to submit to the Environmental Review Officer (ERO) for review and approval an addendum to the respective ARD/TP prepared by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology and follow the reporting requirements as set forth on [pp. 512-514 of the EIR](#).

2. Impact – Soils Disturbing Activities on Properties with No Previous Studies

a) Potentially Significant Impact

Construction of subsequent development projects in the Eastern Neighborhoods plan area on properties with no previously conducted studies could result in soils disturbing construction activities, which would have the potential to adversely archeological resources.

b) Mitigation Measure J-2 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure J-2](#). This measure would apply to those 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 (CEQA Guidelines § 15064.5(a)(1)(3) and (c)(1)(2)), with the exception of those properties within Archeological Mitigation Zone B as shown in Figure 29 in Chapter IV, for which Mitigation Measure J-3, below, is applicable). That is, this measure would apply to the entirety of the study area outside of Archeological Mitigation Zones A and B.

For projects proposed outside Archeological Mitigation Zones A and B, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology and follow the reporting requirements as set forth on [pp. 514-515 of the EIR](#).

Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHP-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level.

3. Impact – Soils Disturbing Activities in the Mission Dolores Archeological District

a) Potentially Significant Impact

Construction of subsequent development projects in the Mission Dolores Archeological Zones could result in soils disturbing construction activities, which would have the potential to adversely affect archeological resources.

b) Mitigation Measure J-3 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure J-3](#). This measure would apply to any project within the Mission Dolores Archeological District (Archeological Mitigation Zone B as shown in EIR Figure 29) involving installation of foundations, construction of a sub-grade or partial sub-grade structure including garage, basement, etc, grading, soils remediation, installation of utilities, or any other activities resulting in soils disturbance of 2.5 feet or greater below existing grade.

Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measure shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. At the direction of the ERO, the archeology consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an ARD/TP. The archeological consultant shall undertake an archeological testing and monitoring program, as specified in detail on [EIR pp. 515-518](#).

In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

E. Hazardous Materials

1. Impact – Hazardous Materials during Construction

a) Potentially Significant Impact

The Preferred Project could increase the potential for exposure to hazardous materials, through increased demolition and renovation activities at properties within the Eastern Neighborhoods plan area. To the extent that the Preferred Project would encourage construction activity, temporary impacts or risks would occur during subsequent development in the plan area.

b) Mitigation Measure L-1 and Conclusion

The City finds the potentially significant impact listed above would be reduced to a less-than-significant level with implementation of [Mitigation Measure L-1](#). 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.

IV. Significant Impacts That Cannot Be Avoided or Reduced to a Less Than Significant Level

Finding: Based on substantial evidence in the whole record of these proceedings, the City finds that, where feasible, changes or alterations have been required, or incorporated into, the Plan to reduce the significant environmental impacts listed below as identified in the FEIR. The City determines that the following significant impacts on the environment, as reflected in the FEIR, are unavoidable, but under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the City determines that the impacts are acceptable due to the overriding considerations described in [Section VII](#) below. This finding is supported by substantial evidence in the record of this proceeding.

A. Land Use

1. Impact – Loss of PDR land supply, building space, and jobs

a) Potentially Significant Impact

Implementation of the Eastern Neighborhoods Rezoning and Area Plan Project would result in a potentially significant, adverse impact in the cumulative supply of land for PDR uses and would not be mitigable without substantial change in use controls on land under Port of San Francisco jurisdiction.

b) Mitigation Measure and Conclusion

The EIR identifies [Mitigation Measure A-1](#), which urges the the Planning Commission and Board of Supervisors to ensure that the community planning process currently under way in Western SoMa places a priority on the maintenance of land use to controls to accommodate PDR uses and restricts potentially incompatible uses, such as residential and office development, to minimize conflicts with existing and potential future PDR businesses. Specifically, the land use controls adopted for Western SoMa could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones.

The above measure is judged to be infeasible, because the outcome of the community-based Western SoMa planning process cannot be known at this time. Moreover, the above measure could be seen to conflict with other City policy goals, including the provision of affordable housing.

B. Transportation

c) 1. Significant Impact - Intersection Level of Service (LOS) Failures

A significant, adverse level-of-service impact would occur to the following intersections under Preferred Project conditions: Seventh/Harrison, 13th/Bryant, 13th/Folsom, South Van Ness/Howard/13th, Seventh/Brannan, Seventh/Townsend, Eighth/Bryant, Eighth/Harrison, Third/César Chávez, Third/Evans, and César Chávez/Evans.

d) Mitigation Measure and Conclusion

The EIR identifies [Mitigation Measures E-2 through E-4](#) to address level of service failures at study intersections within the Eastern Neighborhoods. These measures address congestion, primarily peak-period traffic congestion, in the project area by calling for implementation of Intelligent Traffic Management System (SFGo) strategies, which could include system prioritization in critical corridors, using smart parking technology to reduce excessive driving in search of parking, and progressive signal metering; enhanced funding for congestion management programs and alternate modes of transport; as well as measures to reduce the incentive to drive to destinations within the Eastern Neighborhoods, such as by implementing policies that favor short-term parking and progressive parking rate structures to discourage commuter and long-term parking, better management of the residential parking permit program and reductions in the provision of off-street parking for subsequent uses that could be developed in the project area.

In sum, while these measures may reduce traffic congestion and improve intersection levels of service and operational conditions across the Eastern Neighborhoods transportation network, the EIR judged that adverse effects at local intersections could not be fully mitigated. Also, given the inability to determine whether adequate funding would be available to implement the measures detailed above, the feasibility of these mitigation measures is deemed uncertain. Thus, the EIR finds that level of service impacts to Eastern Neighborhood study intersections is significant and unavoidable.

2. Impact - MUNI Service

a) Significant Impact

The Preferred Project would result in a significant, adverse transit impact on Muni service affecting the following seven lines: 9-San Bruno, 22-Fillmore, 26-Valencia, 27-Bryant, 33-Stanyan, 48-Quintara, 49-Van Ness/Mission.

b) Mitigation Measures and Conclusion

The EIR identifies [Mitigation Measures E-5 through E-11](#) to address impacts to Muni service. These measures address increased transit demand through calling for sufficient funding of transit operations; by focusing on transit corridor improvements (e.g., along Mission Street between 14th and Cesar Chavez Streets, 16th Street between Mission and Third Streets, Bryant Street or other parallel corridor between Third and Cesar Chavez Streets, a north-south corridor through portions of SoMa west of Fifth Street, and service connecting Potrero Hill with SoMa and downtown) to reduce headways, so that capacity utilization factors meet Muni's capacity standard of 85 percent; implementing service recommendations from the Transit Effectiveness Project (TEP), Better Streets Plan and Bicycle Plan when available and as feasible; provide additional funding for MUNI maintenance and storage facilities; increase passenger amenities, such as expanded installation of the Next Bus service and new bus shelters; expand use of Transit Preferential Street technologies to prioritize transit circulation in the Eastern Neighborhoods; as well as expansion of the Transportation Demand Management program in the project area to promote the use of alternate modes of transportation.

While these measures may reduce operating impacts and improve transit service within the Eastern Neighborhoods, the EIR judged that adverse effects to the above transit lines could not be fully mitigated. Also, given the inability to determine the outcome of ongoing studies (e.g., TEP, Better Streets, etc.) and whether adequate funding would be available to implement the measures detailed above, the feasibility of these mitigation measures is deemed uncertain. Thus, the EIR finds that impacts to transit impacts in the Eastern Neighborhood study area are significant and unavoidable.

C. Historic Architectural Resources

1. Impact – Material Impairment to Historic Architectural Resources

a) Significant Impact

Implementation of the Preferred Project in the Eastern Neighborhoods plan area would result in a significant, adverse environmental impact related to historical resources. Demolition or significant alteration of buildings that are identified as historical resources, potential resources, or age-eligible properties could be anticipated to occur as a result of development subsequent to implementation of the Preferred Project. The EIR indicates that such impacts could occur individually (to single buildings) as well as cumulatively (to known or potential historic districts).

b) Mitigation Measures and Conclusion

The EIR identifies [Mitigation Measures K-1 through K-3](#) to address impacts historic architectural resources. Measure K-1 entails specific interim actions that the Planning Department would take as part of its review of subsequent building applications for projects in the Eastern Neighborhoods. These actions would take effect upon adoption of the Preferred Project and would sunset when the Landmarks Preservation Advisory Board (LPAB) endorses the Project's

completed historic resource survey findings. Specific measures that could reduce adverse effects to historic resources, though not a level of insignificance, include: LPAB review of all new construction, demolition or major alteration within the entire Plan Area over 50 feet, or 10 feet taller than adjacent buildings, built before 1963; review by a historic technical specialist all permit applications that propose exterior modifications to the street facade(s) of historic resources (as defined in Preservation Bulletin 16); and registration of neighborhood associations in the Department's Block Book Notification program for permit activity on blocks and lots of particular interest.

The EIR also identifies [Mitigation Measures K-2 and K-3](#), as detailed in [EIR pp. 520-522](#) to address potentially significant impacts to the South End and the Dog Patch Historic Districts. These measures require rigorous review of building permit applications in both historic districts, to address potentially adverse changes to individual resources and the integrity of the overall district associated with increased building heights and alterations to the districts' character-defining features.

For purposes of a conservative analysis, and pending completion of historical resources surveys for the entire project area, the Preferred Project's indirect effect on historical resources is judged to be significant and unavoidable even with implementation of the above-cited mitigation, as it is unlikely that no future development proposal in the Eastern Neighborhoods could result in demolition, alteration, or other changes to one or more historical resources such that the historical significance of those resources would be "materially impaired."

D. Shadow

1. Impact – Shadow on Existing Parks and Open Spaces

a) Significant Impact

Implementation of the Preferred Project could result in significant, adverse shadow impacts on the following parks and open spaces in the Eastern Neighborhoods: Victoria Manalo Draves Park, South of Market Recreation Center/Eugene Friend Recreation Center, Alice Street Community Gardens, and South Park in East SoMa; KidPower Park, Franklin Square, Mission Playground, Alioto Mini-Park, 24th and York Mini Park and the James Rolph Playground in the Mission; Potrero del Sol Park and Jackson Playground in Showplace Square/Potrero Hill; and, Esprit Park, Warm Water Cove and Wood Yard Mini-Park in the Central Waterfront.

b) Mitigation Measure and Conclusion

Potential shadow impacts from future proposed development—including from buildings not subject to Section 295—would be evaluated on a project-specific basis, and shadow effects could be limited through design of individual projects, in accordance with existing Planning Department guidelines (e.g., Residential Design Guidelines, Industrial Design Guidelines, pertinent provisions of the Planning Code, etc.) that takes into consideration shading effects on nearby parks. However, because the feasibility of complete mitigation for potential new shadow impacts cannot be determined at this time, it cannot be concluded that shadow effects of the Preferred Project would be less than significant, and therefore the impact is judged to be significant and unavoidable.

V. Why Subsequent Environmental Analysis or Recirculation is Not Required

Finding: For the reasons set forth below and elsewhere in the Administrative Record, none of the factors are present which would necessitate recirculation of the Final EIR under CEQA Guideline Section 15088.5 or the preparation of a subsequent or supplemental EIR under CEQA Guideline Section 15162. The Comments and Responses document thoroughly addressed all public comments that the Planning Department received on the Draft EIR. In response to these comments, the Department added new and clarifying text to the EIR and modified some mitigation measures. In addition, since publication of the Draft EIR, the staff, in response to public comments and additional staff evaluation of the Eastern Neighborhoods proposal, modified Option B and related Eastern Neighborhood documents in order to craft the Preferred Project as described more fully in the Eastern Neighborhood staff reports and attached materials.

The Comments and Responses document, which is incorporated herein by reference, analyzed all of these changes, including the Preferred Project, and determined that these changes did not constitute new information of significance that would alter any of the conclusions of the EIR. Further, additional changes to the Preferred Project have been incorporated into the project after publication of the Comments and Responses document. These changes have been addressed orally by staff or in staff reports, which statements and reports are incorporated herein by reference, and based on this information, the Planning Department has determined that these additional changes do not constitute new information of significance that would alter any of the conclusions of the EIR.

Based on the information set forth above and other substantial evidence in light of the whole record on the Final EIR, the Commission determines that the Preferred Project, is within the scope of project analyzed in the Final EIR; (2) approval of Preferred Project will not require important revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) taking into account the Preferred Project and other changes analyzed in the Final EIR, no substantial changes have occurred with respect to the circumstances under which the Project are undertaken which would require major revisions to the Final EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Final EIR; and (4) no new information of substantial importance to the Project has become available which would indicate (a) the Preferred Project or the approval actions will have significant effects not discussed in the Final EIR, (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment. Consequently, there is no need to recirculate the Final EIR under CEQA Guideline 15088.5 or to prepare a subsequent or supplemental EIR under CEQA Guideline Section 15162.

VI. Evaluation of Project Alternatives

This Section describes the EIR alternatives (“EIR Options”) and the reasons for rejecting the Alternatives. This Article also outlines the Preferred Project's purposes and provides the rationale for selecting or rejecting alternatives, and describes the Preferred Project alternative components analyzed in the EIR.

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project, which would “feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen effects of the project, and evaluate the comparative merits of the project.” (CEQA Guidelines, Section 15126.6(a)). As discussed on EIR p. I-5:

Unlike most EIRs, this EIR contains no separate chapter analyzing alternatives to the proposed project. This is because this EIR does not analyze a preferred project; instead, this EIR evaluates Rezoning Options A, B, and C, as well as a future No-Project scenario (i.e., the circumstance in which none of the rezoning options is adopted; also identified as the 2025 No-Project scenario), at an equal level of detail, as EIR alternatives, throughout this document.

CEQA requires that every EIR evaluate a “No Project” alternative as part of the range of alternatives analyzed in the EIR. The Eastern Neighborhoods Rezoning and Area Plans EIR’s No Project analysis was prepared in accordance with CEQA Guidelines Sections 15126.6(e)(3)(A) and (C).

Alternatives provide a basis of comparison to the Preferred Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of the Preferred Project.

A. Reasons for Selection of the Preferred Project

As discussed above, this EIR analyzes alternatives at an equal level of detail. Moreover, the EIR also analyzes two sub-area options developed by the community for the Northeast Mission Industrial Zone or the NEMIZ. Finally, as part of the Eastern Neighborhoods Initiation Packet (April 17, 2008), staff has submitted a “Preferred Project” to the Planning Commission, based on EIR Option B, as described in detail in the Comments and Responses on the DEIR.

The EIR analyzes the following scenarios:

- Rezoning Option A
- Rezoning Option B
- Rezoning Option C
- 2025 No-Project scenario
- NEMIZ Community Plan – The People’s Plan variant
- NEMIZ Community Plan – Mission Coalition for Economic Justice and Jobs (MCCEJJ) variant
- Preferred Project

These scenarios are discussed in greater detail in Chapter III, Project Description, of the EIR and pp. C&R-5 through C&R-36 in the Comments and Responses on the DEIR. In approving the Preferred Project, the Planning Commission has carefully considered the attributes and the environmental effects of the Preferred Project and the scenarios discussed in the FEIR. This consideration, along with reports from City staff, public testimony, and community workshops has resulted in the Preferred Project.

The following are the project sponsor's objectives presented in the EIR:

1. Reflect Local Values: To develop a rezoning proposal that reflects the land use needs and priorities of each neighborhood's stakeholders and that meets citywide goals for residential and industrial land use.
2. Increase Housing: To identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing, and affordable housing in particular.
3. Maintain Some Industrial Land Supply: To retain an adequate supply of industrial land to meet the current and future needs of the City's production, distribution, and repair businesses and the city's economy.
4. Improve the Quality of All Existing Areas with Future Development: To improve the quality of the residential and nonresidential places that future development will create over that which would occur under the existing zoning.

The Preferred Project is selected because it would promote the greatest achievement of all of the following objectives, which would not be attained to the same extent by any of the other EIR alternatives. The Preferred Project achieves the project sponsor's objectives in the following way:

- Engage in a multi-stakeholder, interdepartmental planning effort to further the overarching goals of the City's General Plan by managing population and economic growth in light of specific conditions in the Eastern Neighborhoods. (In furtherance of the Objectives 1, 2 and 4 above)

The Preferred Project is the product of over eight years of study, planning and public participation. The Preferred Project's Area Plans and Planning Code amendments are informed by the following background studies and related planning efforts in the administrative record: Supply/Demand Study for Production, Distribution, and Repair (PDR) in San Francisco's Eastern Neighborhoods (Economic and Planning Systems, 20005); Community Planning in the Eastern Neighborhoods Rezoning Options Workbook Draft (2003); Profiles of Community Planning Areas (2002); Summit on Industrial Land (2002); and Industrial Land in San Francisco: Understanding Production, Distribution, and Repair (2002).

Other policy documents and reports apprise decisionmakers of the non-physical impacts associated with the Preferred Project, including a Department of Public Health-sponsored study, the Eastern Neighborhoods Community Health Impact Assessment (ENCHIA). This study has informed the Preferred Project through coordinated policy development (e.g., related to childcare, transportation, pedestrian circulation and safety), proposed zoning code changes (e.g., open space requirements), and incorporating mitigation measures (e.g., air quality and noise) in the Preferred Project.

The Department also considers socioeconomic effects in developing the Area Plans policies, informed by a Socioeconomic Impact Analysis, prepared independently of the CEQA review (Hausrath Economic Group, 2007). These studies indicate a need to connect the development to the neighborhood and ensure that community benefits are provided to outweigh some of the potential non-physical impacts from new development. The results led the department to conduct a Needs Assessment and Nexus study to determine the feasibility and legality of new impact fees. (San Francisco Eastern

Neighborhoods Nexus Study, Seifel Consulting, May 2008, and Eastern Neighborhoods Financial Analysis, Memorandum to Interested Parties from Sarah Dennis, February 27, 2008). These new fees would provide revenue essential to the development of the neighborhood infrastructure needs.

- Create a complete neighborhood with a balance of housing and jobs. (In furtherance of Objectives 1, 2, and 3 above)

The Preferred Project creates neighborhoods with a balance of space for housing and jobs. The Preferred Project forecasts a greater potential amount of residential development than would be encouraged under the continuation of current zoning controls in to the future. In order to balance housing growth with the retention of space for jobs and businesses, the Preferred Project retains more space for PDR jobs than under the No Project scenario, but less land than under Options A; PDR land supply is conservatively judged to be between Options B and C. About 431 acres of land are maintained for PDR jobs in the Preferred Project as compared to Option B, which maintains 451 acres of land. Because the amount of PDR lost as part of the project cannot be precisely gauged, the EIR finds that the Preferred Project would result in significant impact on the cumulative land supply of land for PDR uses. However, in recognition of providing for a diversity of future employment types, the Preferred Project also proposes two special use districts and controls (e.g., "UMU," "Hybrid Office/PDR District," Small Enterprise Workspace controls, etc) where office growth would be permitted as well as about 357 acres of land zoned for a mixed of uses where growth of other types of business activity in the commercial, retail and personal/business service sectors could also be accommodated within the Eastern Neighborhoods, in close proximity to housing.

The Preferred Project seeks to balance and accommodate residential growth in the Plan Area while minimizing land use conflicts. For example, by delineating PDR-only zones and designating new mixed use residential areas, the Preferred Project seeks to stabilize the market for PDR uses as well as to create opportunities to provide more housing than under a 2025 No Project scenario in places where it can best be accommodated in light of existing (and planned) infrastructure investment.

- Strengthen the community's supply of housing, especially affordable housing, by encouraging well-designed housing in previously industrial areas. (In furtherance of Objectives 1, 2, and 3 above)

The Preferred Project designates much of the previously industrially zoned land (e.g., the M-1, M-2 and C-M districts) for housing development, more than would be allowed under the No Project scenario and EIR Options A and B. The Preferred Project seeks to ensure that residential development is encouraged but that the benefits of the up-zoning (e.g., increases in height limits, relaxation of density requirements, etc.) are captured and returned to the community in the form of public benefits that could be funded by fees to address community services, parks, infrastructure and transit needs. The Preferred Project also introduces an "Urban Mixed Use" district, which proposes increased affordability requirements over current citywide inclusionary housing requirements set forth in Planning Code Section 315. Feasibility and nexus studies were conducted to ensure that the increased amount of affordable housing would be both legally permitted and economically viable.

- Strengthen the economic base of the Preferred Project Area and the community by retaining space for production, distribution and repair businesses, while still

allowing space for new and innovative industries in parts of the Eastern Neighborhoods Plan Area. (In furtherance of Objectives 1 and 3 above.)

Production, Distribution, and Repair uses, such as printing and publishing, arts activities, catering, wholesaling and automobile repair, are the most prevalent land uses in the Eastern Neighborhoods. In the Eastern Neighborhoods, 45 percent of the population, or 32,467 people are employed in PDR businesses. PDR uses in the Eastern Neighborhoods tend to be clustered to take advantage of agglomerative economies, proximity to transportation and/or customer base, and access to a particular labor pool and the appropriate industrial building stock prevalent in the Plan Area. Retention of these jobs and spaces is critical to the City's economy. As discussed above, although the EIR conservatively finds that the cumulative loss of PDR land supply may be potentially significant, the zoning and area plan proposals include a number of districts and provisions that could positively encourage development of future PDR and other commercial uses in flexible workspaces for innovative and emerging industries. Moreover, the EIR also found that the Preferred Project's population, job and housing growth would be less than significant.

- Revise the height districts and provide urban design guidelines and standards throughout the Eastern Neighborhoods Plan Area to sculpt an urban form that maximizes housing opportunities mediated by building type, street-level livability, views, and effects on the local skyline. (In furtherance of Objective 2 above.)

The Preferred Project increases existing height limits within portions of the Plan Area to accommodate new residential growth and space for future business activities. Subsequent projects in the Eastern Neighborhoods would generally be characterized as infill, and the proposed height districts take into account cumulative changes in the built environment with respect to existing neighborhood scale, character and views. The greatest heights would be permitted in East SoMa where the area's wide streets can accommodate a taller building stock; in most cases, heights at intersections taper mid-block. Height districts would be moderate in the mixed-use areas in Showplace Square, the Central Waterfront and the Mission to promote, among other things, the development of taller, spacious ground floor spaces for PDR and commercial uses, as called for by the Area Plans' policies. On smaller streets and alleys, new height controls would limit heights based on the width of the alley; developments on east-west alleys are subject to additional controls to ensure light and air reach the sidewalk by requiring subsequent developments to be set back with the sun angle. Area Plans also address the preservation and enhancement of existing view corridors through modulation of building heights and landscaping/streetscaping policies. New residential development in the Plan Area would further be controlled by the proposed Planning Code amendments that control building mass and articulation, transparency and activation of ground floor commercial spaces, curb cuts, alley frontages and supporting open space for residential units.

- Improve the city's open spaces and streets by renovating existing parks, providing new parks and open spaces and street tree plantings, implementing traffic calming strategies as well as other streetscape improvements. (In furtherance of Objective 4 above)

The Preferred Project's Area Plans establish policies that call for improvements to the public realm to foster increased pedestrian use and enjoyment of public streets by proposing streetscaping ("greening") and "living street" strategies, such as encouraging wider sidewalks, upgraded street furniture and street tree plantings. Such

improvements would provide ecological benefits, as well as new and enhanced open space opportunities for existing and future residents. The Area Plans call for creating new neighborhood- parks in each of the four Eastern Neighborhoods as well as improving existing parks. The Preferred Project also proposes an increased residential open space requirement that would be more than double what is required by current zoning controls. The Preferred Project's parks policies, open space requirements, and improvements to public rights-of-way in the Eastern Neighborhoods would improve the public realm enhance livability, ensuring that restorative spaces are neighborhood-serving, within a short walk from housing and other amenities.

- Improve the operation and convenience of all transportation modes, with a focus on transit, bicycle, and pedestrian movement. (In furtherance of Objective 4 above.)

In recognition of the City's Transit First Policy, the Preferred Project establishes a compendium of policies to balance transportation choices in the Plan Area. Such policies call for reducing dependence on private automobile use and infrastructure improvements to encourage increased use of transit, bicycle, and walking to reach destinations and meet daily needs. The Area Plans also include policy changes that would relieve neighborhoods of parking minimum requirements; off-street parking would instead be controlled through maximum caps based on use size and type to ensure some continued increment of car-free housing, similar to historic and existing development patterns.

- Undertake the public improvements proposed in the area plans by using innovatively the full range of public financing tools to support the City in meeting its share of the planning and development responsibility for the quality and character of the public realm. (In furtherance of Objective 4 above.)

The Preferred Project identifies community improvements necessary to accommodate projected growth of residential and commercial development in the Plan Area while maintaining and improving community character. The Preferred Project, through the Eastern Neighborhoods Implementation Program (Case 2004.0160UU dated April 17, 2008), incorporated herein by reference, also identifies a number of potential revenue sources to fund community improvements include:

- Public agency grants (federal and state funding as well as General Fund monies);
- Community benefit districts, parking benefit districts and other assessment districts;
- Parking and/or curb cut impact fees;
- Sale of Development Credits; and
- Development Fee Impact Program

B. Alternatives Rejected and Reasons for Rejection

The Planning Commission rejects the Options (CEQA alternatives) set forth in the FEIR and listed below because the Planning Commission finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this Section in addition to those described in [Section VII](#) below under CEQA Guidelines 15091(a)(3), that make infeasible such alternatives.

No Project Scenario

The No Project scenario assumes that the Planning Commission would not adopt and implement the Preferred Project. Future development within the project area would take place under existing zoning controls. The No Project scenario would not be desirable nor meet the Preferred Project objectives for the following reasons.

Balanced Growth: Current zoning controls conditionally permit housing and office development in the existing M-1, M-2 and C-M use districts. The No Project scenario would represent an ongoing pattern of incremental, ad hoc residential development in primarily industrially zoned areas that would result in significant, adverse land use effects on PDR businesses and the City's cumulative supply of PDR land. In contrast to the Preferred Project, the No Project scenario would not comprehensively plan future growth in the Eastern Neighborhoods and would not establish a coordinated public benefits program to offset development impacts brought about by changes in and intensification of land uses.

Housing: Fewer housing units would be produced under a future No Project Scenario compared to the Preferred Project. The No Project scenario forecasts 2,870 units without amendments to current zoning controls. In contrast, the Preferred Project, through coordinated General Plan, Planning Code and map amendments, would produce about 6,910 more housing units (est. 9,780 units total). The Preferred Project would also increase the proportional production of below-market-rate dwellings compared to current Planning Code requirements through increased affordability and inclusionary requirements tied to certain use districts (e.g., UMU) as opposed to a No Project scenario, which would assume no change to the City's current Inclusionary Housing Ordinance.

Transit: Between 2000 and 2025, the growth in transit trips within the Eastern Neighborhoods and the remainder of San Francisco is anticipated to increase by about 254,000 trips, an increase of about 20 percent over baseline conditions. In the Eastern Neighborhoods, transit trips would make up about 38 percent of the growth in daily travel demand, an increase of almost 28,000 daily transit trips. A portion of this increase in transit demand would be accommodated within the existing service, however, as new development occurs, additional transit service in terms of greater frequency and line extensions and/or new bus lines would be required. Additional support facilities (bus yards) and equipment (buses and light rail vehicles) would also be required. The No Project scenario would allow for the continued development of residential and other uses in areas of the Eastern Neighborhood without an associated comprehensive neighborhood planning and policy framework to direct transit infrastructure and streetscape improvements to areas of existing and future need.

Historic Architectural Resources: The EIR finds that projected growth under the No Project scenario would result in adverse effects, though fewer resources would be at risk than under the Preferred Project because height and density provisions would be amended to stimulate additional growth. However, a No Project scenario would not lead to adoption of historic resources policies or Article 10 amendments to address future development standards in the South Beach or Dogpatch Historic Districts. While the Preferred Project would also result in significant impacts to historic resources (see [Statement of Overriding Considerations, Section VII](#)), the Preferred Project would implement robust set of preservation policies tailored to the Eastern Neighborhoods in the context of a comprehensive planning framework, not assumed under a No Project scenario.

Public Realm Improvements and Community Benefits Program: Under a No Project scenario, neighborhood-specific policies in the four Area Plans that pertain to streetscape and public realm improvements would not be adopted. Absent pertinent Area Plan policies, streetscape and public space planning would be guided by the provisions of the General Plan, the Board of Supervisor's Better Street's Policy (Ord. 33-06) and the Better Streets Plan. The No Project scenario is rejected because it would not meet the objective to "Improve the Quality of Existing Areas with Future Development." It would be less effective in advancing the general goals and objectives of the Better Streets Policy and Plan because no neighborhood-specific Area Plan policies would be adopted to guide subsequent streetscape improvements tailored to the Eastern Neighborhoods, as opposed to Preferred Project conditions. Moreover, a No Project scenario would not apply a public benefits program to subsequent projects, which, as described below, would result in lesser City revenue for investment in neighborhood infrastructure improvements.

For the reasons listed above and in [Section VII, Statement of Overriding Considerations](#), the Commission hereby rejects the No Project scenario.

EIR Options A, B and C

EIR Options A, B and C vary in the aggregate amounts of land use types and locations within the Eastern Neighborhoods (see [EIR Chapter III, Project Description](#), and [pp. C&R-5 through C&R-36](#) for more information). EIR Options A, B and C would not be desirable nor meet the Preferred Project objectives for the following reasons.

Balanced Growth: Option A would retain the most land for PDR uses and convert the least amount of industrially zoned land to mixed-use/residential development. Conversely, Option C would retain the least amount of land for PDR uses and rezone a greater amount of land for a mixed of residential and commercial uses. Option B and the Preferred Project would fall within this range (see [EIR, pp. 58-82](#)). The amount of land available for land uses also affects business activity and economic growth. The EIR (Table 2) finds that between about 1,000 and 9,470 PDR jobs are forecast to be eliminated in the future associated with the rezoning options, with positive growth assumed in non-industrial employment sectors. The community has stated a preference for the retention of space for PDR jobs. On balance, the Preferred Project would result in less loss of PDR space and jobs than Option C and the No Project but would be similar to Options B.

Housing: Housing forecasts assume that 7,390 units would be produced under EIR Option A; 7,385 units under Option B; 9,780 units under the Preferred Project; and 9,860 units under Option C. Compared to the Preferred Project, Option A would result in 2,390 fewer units and Option B 2,395 fewer. Option C would result in about 90 units greater than Option C. Options A is rejected because it would establish more PDR zoning than assumed sufficient to meet the City's needs, while achieving lesser residential development than the Preferred Project. Option B is rejected because residential development forecast under this EIR Option would generate less marginal revenues that could be reinvested in community benefits compared to the Preferred Project. Option C is rejected because it is forecast to achieve a similar amount of housing production on a greater amount of land that would be rezoned from industrial to residential use, resulting in an adverse impact to the City's ability to meet its future industrial land supply needs; the Preferred Project, by upzoning heights along certain street corridors, would avoid such impacts.

Transit: Transit impacts of the Preferred Project are assumed to be comparable to those under Option C, meaning that the Preferred Project would result in significant, unavoidable impacts on seven Muni lines (lines 9, 22, 26, 27, 33, 48 and 49) as opposed to 10 lines under a No Project scenario, two lines under Option A and three lines under Option B. In recognition of the significant capacity exceedences to Muni, the MTA is preparing a Transportation Implementation Study (2008) that analyzes mobility needs and the transportation impacts of the Preferred Project. The study would focus on implementing transportation improvements related to impacts cited in the EIR. In East SoMa, such improvements may entail: providing better connections to Rincon Hill, Transbay and West SoMa; in Showplace Square/Potrero Hill: enhancing connectivity from Potrero Hill to downtown via Mission Bay by coordinating the proposed 30/45 trolley reroute with future land uses, in addition to strengthening transit linkages to downtown, Caltrain, and the Civic Center and 16th Street Bart stations; in the Mission: evaluating possible limited-stop service or bus bulbouts to increase operational efficiencies along Mission Street and future east-west bus rapid transit corridor on 16th Street; and in the Central Waterfront: undertaking improvements to east-west transit service including connections to the 22nd Street Caltrain station and Third Street Light Rail. While the Preferred Project would result in greater transit impacts than Options A, B and the No Project, it is judged to better achieve the project sponsor's goals and objectives than the other options. See Section VII, Statement of Overriding Considerations for more information.

Community Benefits Program: As described Exhibit VI-I, Implementation Document of the *Materials for Eastern Neighborhoods Area Plans Initiation Hearing*, the Preferred Project contains specific funding strategies and sources identified in the Improvements Plan, and matches these sources to estimated costs. The level and amount of fee applied to subsequent projects would depend on the 1) the use district in which the proposal is located (whether existing residential/commercial or formerly industrial) and 2) whether or not height increases are granted as part of the Preferred Project. As the Preferred Project would accommodate a greater amount of future residential growth than Options A, B or the No Project, potential revenues that could be used for neighborhood improvements would also be greater than those Options. While Option C would generate close to the same amount of housing (and fees), this Option is not desirable due the potential for this Option to result in significant adverse effects related to the City's ability to meet its future PDR land supply and building space needs.

These alternatives are rejected because the Commission finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make such Alternatives infeasible, as set forth above and as described in the EIR.

NEMIZ Community Plan—People's Plan Variant

The Preferred Project incorporates many of the recommendations from the People's Plan variant that applied to the Northeast Mission Industrial Zone. However, because this alternative designated additional large sites, such as the Potrero Center, for PDR and applied a PDR Auto-Service Overlay District on South Van Ness this alternative produces less housing than the Preferred Project. This variant is rejected because the Commission finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make such Alternatives infeasible, as set forth above and as described in the EIR.

NEMIZ Community Plan-MCEJJ Variant

The Preferred Project incorporates many of the elements of the MCEJJ variant that applied to the Northeast Mission Industrial Zone. This zoning variant would open up much of the PDR areas in the Northeast Mission to allow for housing. This variant would result in fewer acres retained for PDR space and therefore result in a greater job loss than the Preferred Project. This variant is rejected because the Commission finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make such Alternatives infeasible, as set forth above and as described in the EIR.

Additional Alternatives Proposed by the Public

During the public comment period, various property owners, residents and commenters proposed alternative land use types to the Preferred Project. To the extent that these comments addressed the adequacy of the EIR analysis, they were described and analyzed in Responses to Public Comments pages C&R 37-C&R 146. Comments related to the merits of the project, including but not limited to specific Planning Code or map amendments divergent from the EIR Options, variants and Preferred Project are addressed in [Exhibit I-2, Volume 1](#) of the *Materials for Eastern Neighborhoods Area Plans Initiation Hearing* submitted to the Planning Commission April 17, 20078.

For the reasons listed above and in [Section VII, Statement of Overriding Considerations](#), the Commission hereby rejects EIR Options A, B and C.

C. Environmentally Superior Alternative

EIR Option A is the Environmentally Superior Alternative because it would result in the greatest supply of land retained for PDR uses. Option A would also result in significant traffic effects at fewer intersections than would Options B, C, the Preferred Project or the No Project scenario and would result in lesser transit impacts than would Options B, C, the Preferred Project or the No Project scenario. Option A would also result in comparatively fewer potentially significant impacts on historical resources than Options B and C and the Preferred Project. Otherwise, the three rezoning options and Preferred Project would have similar impacts. However, for the reasons stated above and in [Section VII](#), this alternative is rejected as infeasible.

VII. Statement of Overriding Considerations

Notwithstanding the significant effects noted above, pursuant to Public Resources Code Section 21081(b), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Commission finds, after considering the FEIR, that specific overriding economic, legal, social, technical and other considerations, as set forth below, outweigh the identified significant effects on the environment. In addition, the Commission finds that the EIR Options described in the FEIR that have been either partially or totally rejected, are also rejected for the following specific economic, social or other considerations, in and of themselves, in addition to the specific reasons discussed in [Section IV.A](#) above:

1. The Preferred Project is the most consistent, comprehensive approach to balancing housing and the retention of industrial land and building supply in the Eastern Neighborhoods in light of the range of feasible rezoning options studied in the EIR. As discussed in [Section VI.A](#) above, the Preferred Project addresses

the project sponsor's objectives, in that it would reflect local values, increase housing, maintain and protect some industrial land supply to address the City's future needs, and improve the quality of all existing areas with future development.

2. The Preferred Project would provide new housing, especially affordable housing and accommodate space for PDR businesses as well as space for small offices and retail uses. In conjunction with the future growth and intensification of these uses in the Plan Area, the EIR finds that the Preferred Project would increase automobile traffic such that the level of service at certain intersections would degrade to unsatisfactory levels, but, on balance increases in traffic volumes would be offset by the benefits associated with increased housing production, particularly below market rate housing, as well as new PDR and office space that would generate economic activity in the Plan Area. In addition, the Preferred Project includes a fee program that would assist with the provision of improved public transit and other streetscape amenities.
3. The Preferred Project, through application of the Hybrid Office/PDR use district and Small Enterprise Workspaces controls could accommodate a flexible mix of future employment generating uses in non-traditional type workspaces.
4. The Preferred Project, by permitting student housing in the Eastern Neighborhoods Mixed Use and PDR-1-D Districts, could accommodate student housing needs related to the housing demands generated by higher-educational institutions located in the Plan Area.
5. The Preferred Project would create denser, more transit-oriented neighborhoods than currently exist in the Plan Area, which would intensify the use of transit (MUNI) services. The Preferred Project focuses the new housing and job growth in areas that are transit-oriented; consequently, the Project would reduce reliance on private automobile use. This approach is contrasted with haphazard and dispersed development patterns, characterized by the No Project scenario, that create the need for additional car trips. The Preferred Project would create a development pattern more in keeping with the City's Transit First policy. The Preferred Project would also increase funding for MUNI through the Community Infrastructure Improvements Fee and therefore the new development would offset some of the impacts to MUNI capacity associated with the Preferred Project.
6. The Preferred Project seeks to create a holistic urban form that would enhance neighborhood character and promote high-quality buildings that relate to existing historic and non-historic structures and districts alike. The Plan Area's urban design and historic preservation policies seek to relate subsequent development projects to the neighborhood setting, while also recognizing the unique characteristics of the Eastern Neighborhoods to the rest of the City. This would occur in the context of the proposed Area Plan's urban design and preservation policies, as well as residential and industrial design guidelines. However, in order to balance new residential development opportunities with the retention sufficient land for industrial activities, some historic architectural resources may be adversely affected. Therefore, the Commission finds that the foregoing benefits listed above outweigh potential historic resource impacts associated with the Preferred Project.

7. The Planning Department cannot predict with certainty whether proposals for subsequent development projects in the Plan Area pursuant to the Preferred Project would shade parks and open spaces; therefore a conservative estimate assumes that there would be shadow impacts to existing and proposed park sites. The Preferred Project seeks to create an urban form that would enhance the neighborhood and increase space for new housing, as well as other uses. Height limit increases would incentivize subsequent development that would provide housing opportunities for diverse populations in transit-rich locations. Therefore, the Commission finds that the foregoing benefits listed above outweigh potential shadow impacts associated with the Preferred Project.
8. The Preferred Project would generate substantial financial benefits for the City. For instance, the Preferred Project would provide direct funding to the City for development of community infrastructure in the Plan Area through a fee program. The Preferred Project would also indirectly benefit the City financially through increased tax revenues and receipt of additional grant funds for the specific projects within the Plan Area. These financial benefits and the resulting community infrastructure benefits are detailed in the Eastern Neighborhoods Public Benefits document, which is incorporated herein by reference. The Public Benefits document asserts that the projected costs for many of the planned improvements are covered by projected revenue opportunities, as shown in a summary of primary projected revenue sources below.

Summary Table of Projected Revenue, Preferred Project

Source	Funding
Secured Funding	\$30-\$50 m
Fee Revenue	\$100 -\$150 m
Potential Grants	\$100-\$125 m
Agency Funding	varies
Projected Revenue	\$245 m
Tax Increment, Other	\$100-\$200 m
Total Revenue/Need	\$400 m

Implementation of the Preferred Project would generate revenues that can be used to promote an enhanced quality of life in the Plan Area, such as by establishing new and enhanced open spaces (e.g., Brannan Street Wharf, Crane Cove Park, and the expansion of Warm Water Cove.), as well as converting existing surface parking lots and portions of public right-of-ways into a new public park in the Showplace Square Area. Additionally, the Preferred Project calls for providing funds to improve library services and incorporating public art in the design of streets, and for funding for childcare facilities and recreational facilities to achieve appropriate levels of service. As illustrated above, some of this funding would be generated by fees associated with approval of subsequent development projects that could occur under the project conditions.

All of the benefits associated with Preferred Project described above under individual headings are restated here in conjunction with other project benefits described elsewhere in the Administrative Record. Having considered these Preferred Project benefits, the Planning Commission finds that the Project's benefits outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects that cannot be mitigated to insignificant levels are therefore acceptable in light of the information presented in the entire administrative record.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: August 7, 2008
TO: Honorable Members, Planning Commission
FROM: Michael Jacinto, Major Environmental Analysis
RE: Changes Proposed to the Eastern Neighborhoods Zoning
Proposal since April 17, 2008 Initiation – CEQA Review

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On July 30, the Planning Department's Citywide Group (hereafter "Project Sponsor") submitted a report that indicates proposed use district/height and bulk district changes to the Eastern Neighborhoods Rezoning Project since submittal of the April 17, 2008 Initiation Packet (Case No. 2004.0160EMTUZ) to the Planning Commission; those changes were accounted for and analyzed in the first chapter of the Comments and Responses on the DEIR. This memorandum responds to each change indicated on the attached report and discusses how the proposed zoning changes fall within the range of Alternatives ("Options") analyzed within the EIR and do not substantively alter the conclusions reached in the Eastern Neighborhoods Rezoning and Area Plans Final EIR.

It has always been the intention and expectation of the Planning Department that zoning changes would occur throughout the planning process and that the EIR would analyze a range of options and that the final proposal would fall within this range and hence be covered by the EIR (see EIR Introduction, p. I-1, second paragraph). This memorandum is intended to document and explain that the following changes do fit within the range of alternatives analyzed in the EIR.

Proposed Changes to PDR Districts

Integrated PDR District, Small Enterprise Workspaces (SEW) and Student Housing

Description

Below is a discussion of changes under consideration by the Commission that affect the EIR's land use analysis, particularly related to the displacement of Production, Distribution and Repair building space and land supply.

The Integrated PDR (Production, Distribution, and Repair) district is intended to support a business model that combines office and PDR use as a single integrated business enterprise. Its characteristics are defined as having at least 33 percent PDR space and 33 percent accessory office (with additional PDR-related quasi-office use comprising the remaining 33 percent). These uses must be interrelated and connected to the same business. Integrated PDR type uses would be permitted in pre-1950 buildings of three-or-more-stories in Eastern Neighborhoods Mixed-Use districts, PDR-1-D and PD1-G districts. Further these controls would be permitted in new buildings with a required 1:1 replacement of existing PDR space in those districts.

The proposed Small Enterprise Workspace (SEW) controls would “enable small business incubator buildings that contain a mix of uses that may not otherwise be permitted by zoning.” Per staff’s proposal, all active uses would be allowed but residential and heavy industrial and retail use would be restricted by underlying zoning controls. The entire building would be required to be SEW or accessory functions and 50 percent of the spaces may be up to 500 square feet and 50 percent may be up to 2,500 square feet. These proposed controls would apply in the PDR-1-G and PDR-1-D districts.

The most recent proposal before the Commission also proposes to allow student housing use in PDR zones. Student housing is defined as buildings wherein 100 percent of the residential use would be affiliated with and operated by an accredited post-secondary educational institution, with lodging provided by prearrangement for a week or more at a time. As proposed, student housing would be limited to the Eastern Neighborhood Mixed Use Districts (MUG, MUO, MUR, UMU, South Park) and PDR-1-D. In all districts, this use would be conditionally permitted.

Potential Effects

The PDR-1-D and PDR-1-G districts are located in the North East Mission Industrial Zone, the core area Showplace Square and the southern portion of the Central Waterfront, generally south of 23rd Street. These areas make up the lion’s share of industrially-zoned land, accounting for roughly 30 percent of industrially-zoned land in the Eastern Neighborhoods project area (EIR Table 3, p. 36).

A fundamental assumption in the EIR related to PDR districts is that “Compared to existing zoning, this designation would be more restrictive because there would be more stringent controls on office, retail and housing development: housing would be prohibited, and only small office and retail uses would be allowed (EIR, p. 12).”

Page 57 of the EIR states that:

The amount of PDR space is expected to decrease under each of the three rezoning options as well as a 2025 No-Project scenario, although the declines would be less under Options A and B than under projected 2025 No-Project conditions. Overall decreases are due to projected losses in East SoMa, the Mission, and Showplace Square/Potrero Hill combined with less growth of PDR space in the Central Waterfront. On a citywide basis, PDR uses are expected to concentrate in three main areas: Western SoMa, Hunters Point, and the NEMIZ.

Although the exact numbers cannot be predicted with precision, the cumulative effect of the Integrated PDR District, SEW and student housing controls would potentially result in a greater amount of future housing and office space, and a lesser amount of future PDR space than is described for Option B in the EIR in the land use, employment and population sections (see EIR Chapters IV.A and IV.D and C&R pp. 1-36). The resulting housing, employment and PDR numbers would fall between those shown in the EIR for

Options B and C, and therefore the potential impacts of these proposals are covered by the EIR. However, because the precise land use shift is not known at this time other than that it would be no greater than Option C; the Department has conservatively concluded that there is the potential for a loss of PDR space associated with the cumulative effect of these proposals.

This loss could potentially amount to a significant adverse land use impact. It is stressed that this is a conservative assessment, based in large part on the fact that the Department is not certain what the final PDR loss numbers may reasonably be given that individual property owners may or may not take advantage of these zoning changes. By deleting much of the Innovative Industries Special Use District with its associated office use (see below); limiting the types of buildings where Integrated PDR can occur, e.g., 3 story buildings or larger; adding PDR replacement requirements; and other limitations on these uses, these proposed zoning changes offset some of the potential PDR loss. However, it cannot be determined with certainty that these offsetting changes would have equivalent impacts to the zoning proposal that the Planning Commission initiated on April 17, 2008. Nevertheless, the Department finds that these offsetting changes would avoid the extent of cumulative PDR loss estimated under Option C. Therefore, the Department determines that these changes may result in cumulative loss of PDR at a level higher than Option B but not as extensive as Option C. Consequently, the Department finds a potentially significant and unavoidable impact to cumulative PDR loss from these recent zoning proposals.

Grocery Store Uses in PDR-1-D and PDR-1-G Districts

The PDR-1-G and PDR-1-D districts allow for small-scale retail uses (between 2,500 to 5,000 square feet per parcel.). The current proposal would exempt grocery store uses in these districts from the size restrictions with Conditional Use authorization. Assuming such uses could be proposed in these industrially-zoned areas in the future, the conservative conclusions reached above related to the potential loss of PDR loss would apply.

Transit-oriented Retail Special Use District (SUD)

This SUD, as described in the proposed Planning Code Section 249.38, is intended to support street activity along important transit routes, including 16th and 3rd Streets. The boundaries of the SUD would include all parcels in PDR districts that are along 16th St. from Mission St. to I-280, or along 3rd St. north Cesar Chavez St. All provisions of the Planning Code currently applicable would apply and the types of retail sales allowed on a parcel would be controlled in the same manner as in the UMU District. Land use effects associated with introducing this SUD were assessed in the EIR Comments & Responses document (Figure C&R-4, p. 8) and EIR Figure 3, and pp. 17 and 71-75. The proposed SUD mirrors the Preferred Option's base zoning of PDR-1-G, and retail controls would be similar to those analyzed for the UMU District, which for the NEMIZ was applied to

parcels on 16th Street from Shotwell to Bryant Streets. In the Central Waterfront, the proposed SUD would allow for slightly larger ground-floor retail spaces than initially assumed (up to 2,500 square feet in PDR-1-G, now larger uses permitted per UMU controls with Conditional Use authorization for spaces greater than 4,000 square feet.) Land use effects would generally be in line with those described for Option B, with larger ground-floor retail spaces permitted as analyzed and assumed for EIR Option C (see DEIR p. 15).

Enterprise Zones

Enterprise Zones encourage and stimulate growth, development and investment in designated areas. Taxpayers who invest, operate, or locate a trade or business within an Enterprise Zone may be eligible for special tax incentives. Enterprise Zones could be applied to all commercially-zoned areas in the Eastern Neighborhoods.

Section 15126 of the state CEQA Guidelines states that an EIR must discuss the “growth-inducing impact of the proposed project.” This requirement is further explained in Section 15126.2(d), where it is stated that an EIR must evaluate how a project “could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment,” including how a project could “remove obstacles to population growth.” Potential indirect and cumulative effects of growth must also be evaluated. As stated in Section 15126(d), “It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.” Section D (p. 175) of the EIR contains an examination of direct growth-inducing impacts on population, housing, business activity, and employment. However, the entire Eastern Neighborhoods Rezoning project is potentially growth-inducing, in that it would remove barriers to housing and population growth throughout wide areas of the study area and would result in secondary, and cumulative effects due to that growth.

The introduction of this program to the Eastern Neighborhoods Plan Area would not alter the controls or assumed activities in the underlying use districts proposed by the Area Plans and analyzed in the EIR. As such, in accordance with CEQA Guidelines 15060(c)(2), Enterprise Zones in and of themselves are not expected to result in a direct or reasonably foreseeable indirect physical change in the environment or alter growth forecasts above and beyond what was analyzed to occur in the EIR.

Legitimization of Existing Uses

CEQA Guidelines Section 15125 states that: “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.”

The mapping and analysis of existing land uses (baseline physical conditions) in the EIR is based on the Planning Department’s annual Land Use Database for 2004 (published in March 2005), which was the latest information available at the time the EIR was prepared. Therefore, “legitimization” of existing uses (e.g., office, housing, etc.) in the Eastern Neighborhoods’ Mixed Use Districts, SLI and PDR Districts would not result in physical changes or create new adverse physical impacts, as these uses are assumed to be part of the baseline EIR conditions. Legitimization of these uses would thus represent a continuation of the baseline condition into the future.

Plan Area Boundary Adjustments

Remaining Valencia Street Neighborhood Commercial District (Valencia NCD) added to Plan Area as Neighborhood Commercial Transit (NCT) District

The boundary of Mission Plan Area is proposed to be extended about 650 feet to the west of Guerrero Street to include ten parcels on the south side of 16th Street. The underlying use district on these parcels would change from Valencia Street NCD to the Valencia Street NCT consistent with the application of this use district to other parcels along 16th Street (generally eastward to 16/Hoff Streets) and Valencia Street (generally from 14th Street at the northern boundary of the Plan Area to Cesar Chavez to the south). Land uses along these parcels include a gas station and mixed-use residential with commercial ground-floor uses (generally restaurant and other small retail use).

These lots would remain in neighborhood commercial use; the EIR assumed cumulative background growth from surrounding lots and the addition of these ten parcels would not substantially alter the EIR assumptions and/or conclusions and applicable Area Plan policies and EIR mitigation measure would apply, as applicable.

Parcel-specific Zoning Changes and Removal of Certain Parcels from Rezoning

Hearst Corporation (San Francisco Chronicle) parcels excluded from rezoning process

Assessor Block 3725, Lots 5, 6, 8, 9, 12 and 98 would retain the existing zoning of Residential Service District (RSD). The EIR (Figure 3, p. 15) shows these parcels as included within the East SoMa Plan Area, designated as “Mixed Use Residential” in the three EIR options. The change would exclude these parcels from rezoning. RSD is essentially residential/mixed-use zoning, hence for purposes of the Eastern

Neighborhoods EIR, leaving the site RSD would not substantially change the EIR's growth and development assumptions. Future land uses on these parcels would be guided by existing RSD zoning controls and existing height limits, however, East SoMa land use policies proposed as part of the Area Plan would apply.

Assessor Block 3763, Lots 1, 99, 100, 101, 105 parcels excluded from rezoning process

The aforementioned Assessor Block and lots would retain the existing zoning of Service Secondary Office (SSO). The EIR shows these parcels as included within the East SoMa Plan Area, designated as "Mixed Use Office (MUO)" in the three EIR options. Future land uses on these parcels would be guided by existing SSO zoning controls and existing height limits, however, East SoMa land use policies proposed as part of the Area Plan would apply.

PUC parcel (Assessor Block 3571/018) changed from proposed Urban Mixed Use back to existing "P", Public

No physical effects associated with this change are expected – localized effects would similar to the EIR's "No Project Option" for changes in the Mission, that is, it is expected that a continuation of existing conditions would occur at this location. The property's 50-X height limit would not be altered. Thus, future land uses on this site are assumed to represent a continuation of existing conditions and slightly less overall development in the Mission would occur than assumed for the EIR.

Innovative Industries SUD removed from the Showplace Square Plan Area

The Innovative Industries SUD, primarily located along 7th Street in the Showplace Square Plan Area (as shown on Figure C&R-3 in the Comments and Responses to the EIR) has been removed from Commission consideration. The underlying zoning districts revert back to UMU, PDR-1 and PDR-1-G, representing the analysis of both Options B and C as illustrated on DEIR Figure 3 (p. 15), described on DEIR pp. 60-68 and 75-78. Height limits would be 68-feet, unchanged from those presented on p. C&R-4.

Changes to Height Districts, Massing Controls, EIR Mitigation Measures

Folsom, Harrison and Bryant St. corners at 24th Street raised to 55-X from 45-X

The proposed height increase to 55 feet (10 feet higher than the previously proposed 45-foot limit and 15 feet above the existing 40-foot limit) would not result in any additional shadow on Garfield Square (south of 25th Street between Folsom and Harrison Streets), Rolph Playground (south of 25th Street at Potrero Avenue), or Parque Niños Unidos (north of 23rd Street between Folsom Street and Treat Avenue), because each of those parks are too far away to be affected. The closer two, Garfield Square and Parque Niños Unidos, are about 450 feet south and north, respectively, of the southern and northern property lines, respectively of any of the parcels proposed for a height limit of 55 feet. Because the maximum distance that shadow is cast during hours covered by Section 295

of the Planning Code (between one hour after sunrise and one hour before sunset) is approximately 6 times the height of the building casting the shadow, the maximum length of shadow towards the three parks noted above would be about 350 feet to the north and 320 feet to the south, not long enough to reach Garfield Square, Rolph Playground, or Parque Niños Unidos.

A fourth park could be affected by the proposed change, the 24th & York Mini-Park, located on the north side of 24th Street between Bryant and York Streets. The DEIR analyzed a height limit of 55 feet on the parcel immediately east of the 24th & York Mini-Park. The current height proposal would also increase the height limit to 55 feet on the parcel at the northeast corner of 24th and Bryant Street (but would retain the previously proposed 45-foot height limit on two intervening parcels). The parcel at 24th and Bryant is 50 feet west of the mini-park; thus, the 15-foot increase over the existing height limit could theoretically cause shadow to begin to fall on the mini-park up to about one hour earlier in spring and summer afternoons--if there were no existing buildings between the corner lot and the mini-park. However, because there is a three-story (approximately 35-foot-tall) building immediately west of the mini-park, there would be no change in existing afternoon shadow on the 24th & York Mini-Park even if a 55-foot-tall building were to be constructed on the corner lot, because shadow from the potential 55-foot building would not extend beyond shadow from the existing adjacent structure.

In light of the above, the proposed 55 foot height limit as proposed at three intersections on 24th Street would not result in significant impacts related to shadow, nor would the impacts be substantially greater than those identified in the EIR.

Visual effects of the proposed 55-foot height limit on the 24th Street corner parcels at Folsom, Harrison, and Bryant Streets would not be substantial, because the greatest potential change would result in development of one or more buildings that would be two stories taller than currently permitted (maximum of six stories, compared to four stories at present; if a new building were to include a high-ceiling ground-floor retail space, the tallest potential building would be five stories). Although the result could be taller buildings on the four corners of the three intersections in question, no other locations along 24th Street would be affected and the change would therefore be limited both as to physical dimensions on a given site and as to geographical extent. Moreover, the placement of taller buildings on corner lots is common throughout not only the Mission but San Francisco in general, and thus the perception of visual change would be somewhat reduced by the viewer's expectation of greater height on the corners. In light of the above, the proposed 55-foot height limit at these three intersections on 24th Street would not result in significant visual impacts, nor would the impacts be substantially greater than those identified in the EIR.

In terms of other effects, particularly those related to the intensity of development (e.g., population and housing, transportation, air quality, and noise), the small number of parcels that would be affected would not result in a meaningful increase in population,

traffic, or other related impacts, in the context of the overall Eastern Neighborhoods study area or even the Mission neighborhood, given the broad and programmatic nature of the EIR analyses.

15-foot setback above 65-feet along Mission St. where height districts increase to 85 feet

Inclusion of a 15-foot horizontal setback from the front property line at heights of 65 feet within the Mission Street corridor relates to Plan Area policies that call for:

- relat[ing] the prevailing heights of buildings to street and alley width throughout the Plan Area (Built Form Policy 3.1.3) and,
- reflect[ing] the importance of key streets in the city's overall urban pattern, such as Mission and Valencia Streets, while respecting the lower scale development that typifies much of the established residential areas throughout the Plan Area... (Built Form Policy 3.1.4)

The proposed setback would further reduce building massing at heights above 65 feet along the Mission Street corridor, which could have beneficial effects related to the preservation of view corridors.

In terms of historic resources, the analysis of the Preferred Project's 85-foot height limits was found to "not more severely affect the district or its resources," because "given the very small number of Mission Reconstruction resources on Mission Street as compared to the very large number of Mission Reconstruction resources that are not located within the corridor, and in conjunction with the Area Plan's preservation policies, proposed heights on Mission Street would not substantially increase the severity of the previously identified adverse impacts on the identified Mission Reconstruction historic district." Incorporating additional upper-level setbacks could also provide for more graceful transitions in height and building mass to adjacent off-site resources.

Revision to EIR Mitigation Measure K-1

In order to address the current height district proposal, EIR Mitigation Measure K-1 (Subsection A) is amended as follows (double-underlining indicates text additions, ~~strikethrough~~ indicates text deletions):

All proposed new construction within the entire Plan Area over ~~50 feet~~ 55 feet, or 10 feet taller than adjacent buildings, built before 1963 shall be forwarded to the Landmarks Preservation Advisory Board for review and comment. This applies to all construction that will result in an increased building envelope with a height that is equal to or exceeds ~~50 feet~~ 55 feet or an increased building envelope with a height 10 feet taller than adjacent age-eligible buildings as measured by the Planning Code. The Landmarks Board will review proposals at their regularly scheduled public hearings occurring on the first and third Wednesday of every month. The Board's comments will be forwarded to Planning Department for incorporation into the project's final submittal and in advance of any required final hearing before the Planning Commission.

This change was made because height districts are no longer set at 50 feet but rather at 55 or 58 feet.

The Commission may consider additional zoning changes, such as what zoning controls and fees would apply to pending projects (the “pipeline”) and technical changes to the Planning Code; however, none of these zoning changes present new information of significance or raise new physical environmental impact that would alter the conclusions of the EIR.