

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2018 DEC 28 PM 2:30

BY \_\_\_\_\_

*ll*

Cover Letter

December 20, 2018

To: Honorable Members of the San Francisco Board of Appeals

From: Dave Collins

Owner of property located at 74A-78 Page St. San Francisco

RE: Appeal of CEQA Categorical Exemption Determination, 80-84 Page St.

File # 181140, San Francisco Planning Department Project (2016-025922ENV)

Dear Board Members,

My intent is to convince the board that a CEQA review is a mandatory, legal process which must be taken in order to determine the legality of the proposed project.

In short, the project consists of the demolition of existing buildings to clear space for the construction of a private schoolyard in the Hayes Valley neighborhood. This project is not consistent, and in violation of the California Environmental Quality Act, (CEQA)

The violations are:

- 1) The schoolyard does not satisfy the key consideration of having "no expansion of an existing use." It is not an expansion of "existing use"
- 2) It is not a "minor modification" as set forth by State law (CEQA).
- 3) The proposed schoolyard will most certainly have an effect on the neighborhood environment, therefore, under State law (CEQA) it necessitates a CEQA review.

Please take the necessary time to review and understand the attached documentation, especially the CEQA Guidelines as they relate to this schoolyard.

I am confident that the Board of Supervisors will take into consideration the letter of the law as well as the intent found in the CEQA legislation.

A ruling in favor of CEQA Environmental Review is necessary.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Collins', written in a cursive style.

David Collins

# **BOARD OF SUPERVISORS**

City Hall

1 Dr. Carlton B. Goodlett Place, Rm 244

San Francisco CA. 94102-4689

**Appeal of CEQA Categorical Exemption Determination**

**84 Page St. Project**

File No. 181140

San Francisco Planning Department Project (2016-025922ENV)

Date: December 17, 2018

Appellant: David Collins

Owner 74-78A Page St. San Francisco

## **Table of Contents**

**Section 1.** Introduction to issues regarding the CEQA Determination, clarification of relevant CEQA Guidelines, responses to exemption classes and general information regarding negative Health Effects of Noise Pollution.

**Exhibit A.** Aerial map of project site, 80-84 Page St. and neighboring residential buildings.

**Exhibit B.** Copy of the Charles M. Salter Noise Assessment Update and response to this flawed assessment.

**Exhibit C.** Listed relevant Categorical Exemption from the California Environmental Quality Act and the class of the “exception” that this project triggers.

**Exhibit D.** Copy of California Environmental Quality Act, Policies and Legislative Intent.

**Exhibit E.** Copy of the Introduction to the City of San Francisco General Plan

**Exhibit F.** Response to the State Laws regarding CEQA and analysis of the eight “Critical Elements,” (as they apply to this project) that serve as the Pillars of Environmental Protection that all Californians have a right to under these State Laws.

To: San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, San Francisco City Hall

From: David Collins, Owner of 74A-78 Page St. San Francisco, 94103

Date: December 17, 2018

(The red lettering is my response to the issues raised by the CEQA determination)

**Appeal of CEQA determination of Categorical Exemption of San Francisco Planning Department Project (2016-025922ENV)**

My name is David Collins and I own a six-unit apartment building located at 74A through 78 Page St. which is adjacent to the subject property, located at 80-84 Page St.

I am appealing the Categorically Exempt determination by San Francisco Planning Department, for Project (2016-025922ENV.) The French American International School (FAIS) proposes to demolish an existing one-story commercial building located at 80-84 Page St., adjacent and connected to my property, and build a schoolyard/practice facility on this site.

The flawed Categorical Exemption Determination for this project (2016-025922ENV) cites **CEQA Guidelines exemption classes 1 and 3 and Resolution 14952** adopted by the San Francisco Planning Commission. CEQA Guidelines Sections 15301, 15303 and Resolution 14952 adopted by the San Francisco Planning Commission further explain the application of these exemptions.

**CEQA Guidelines exemption Class 1: EXISTING FACILITIES**

“Class 1 consist of the operation, repair, maintenance, permitting licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The types of existing facilities itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. **The key consideration is whether the project involves or has no expansion of an existing use.**”

The proposed project is “much more than a minor alteration” and does in fact far exceed the determination of a “negligible expansion of the existing use.”

The “change of use, in of itself” and the nature of the project, a schoolyard in the center of a high-density urban setting, without any setbacks or acoustical separation, should have required an Environmental Impact Report and should preclude the project from being eligible for a CEQA exemption. The San Francisco Planning Department’s decision not to require an Environmental Impact Report is mystifying and demonstrates a callous disregard for all the San Francisco residents whose day-to-day lives the proposed development would negatively affect.

### **Class 3: NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES**

Class 3 consist of construction and location of limited numbers of new smaller facilities or structures; Installation of small new equipment and facilities in small structures; **and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.** The number of structures described in this section are the maximum number allowable on any legal parcel. When considered together with other classes, it must be construed to include small structures and facilities for industrial, institutional and public use. Note that the limitation on size and the number of facilities is different for different category of uses.

The change of use from a commercial building that is to be demolished to one of a schoolyard/play field, is far more than a “minor modification.”

**There is a major change of use here that needs to be addressed** via an independent and comprehensive environmental impact assessment - as it relates to the environment and the noise that the schoolyard would create. There will be a “significant negative environmental impact and effect due to unusual circumstances that this noise will create.”

### **CEQA Review for Exemption – section 15061**

Section (3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. **Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.**

There is no question that the proposed school yard will have the potential of a significant, negative impact on the environment. The noise emission/pollution caused by the school yard will echo from one residential building to another - which surround this space.

The excessive and unrelenting noise that the schoolyard will create in this space will create an “incessant nuisance” for my tenants and all the residents that live in the residential buildings that surround the proposed schoolyard.

(See Exhibit D) As stated in the CEQA Legislative Intent, section 21001 (B)

Which requires all Governmental Agencies;

“Take all action necessary to provide the people of the state with clean air and water, enjoyment of aesthetic, natural, scenic and historic environmental qualities and **“freedom from excessive noise.”**”

AND

As stated in the CEQA Legislative Intent, Section 21001 (D)

“Ensure the long-term protection of the environment, consistent with the provision of a decent home suitable living environment for every Californian, shall be the guiding criterion in public decisions.”

## Is the project categorically exempt?

### WHAT IS A CATEGORICAL EXEMPTION?

- Categorical exemptions are descriptions of types of projects which the Secretary of the Resources Agency has determined do not usually have a significant effect on the environment.
- Categorical exemptions are found in Article 17 of the CEQA Guidelines
- Unlike statutory exemptions, **categorical exemptions are not absolute**. There are **variations to the exemption** depending on the nature or location of the project **and their applicability**.
- There are approximately 30 "classes" or types of categorical exemptions

### COMMONLY USED EXEMPTIONS

- **Class 1** is the "existing facilities" exemption.
- **Class 2** consists of replacement or reconstruction of existing structures and facilities.
- **Class 3** consists of construction of small structures.
- **Class 7** consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource.
- **Class 8** consists of actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

# CEQA

The California Environmental Quality Act

---



## **15300. Categorical Exemptions**

Section 21084 of the Public Resources Code requires these Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA.

In response to that mandate, the Secretary for Resources has found that the following classes of projects listed in this article do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents.

**Note:** Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

### **15300.1. Relation to Ministerial Projects**

Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which public agencies exercise only ministerial authority. Since ministerial projects are already exempt, categorical exemptions should be applied only where a project is not ministerial under a public agency's statutes and ordinances. The inclusion of activities which may be ministerial within the classes and examples contained in this article shall not be construed as a finding by the Secretary for Resources that such an activity is discretionary.

**Note:** Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

### **15300.2. Exceptions**

**(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

(a) The location of the 80-84 Page St. project zone is a high density, noise sensitive area. There is a total of **180 housing units** which surround the school yard on all four sides. There are more than 28 units of housing that are adjacent to and are currently adjoined to the subject property, with no setbacks and no acoustic separation once the planned demolition takes place.

**The subject property is an exception under CEQA statute 15300.2 listed above and should not be exempt from environmental review.**

(b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

© **There will most definitely be a “negative significant effect on the environment” in the way of excessive and incessant noise pollution caused by the school yard. For this reason, as well, the project should not be exempt from a CEQA Environmental Review.**

# San Francisco Department of Public Health

## Health Effects of Noise

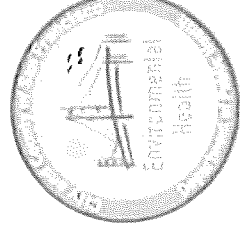
For most San Franciscans, the levels of sound in their environment are neither high enough nor persistent enough to cause hearing damage. While hearing damage may result from prolonged exposure to very loud sounds, other health effects may be experienced from exposure to other types of sound. Transient sounds may interrupt sleep, and unwanted sound may be so annoying that it causes a physical stress response or difficulty concentrating, leading to adverse effects on physical health and quality of life. Research shows that physiological effects such as increased blood pressure are mediated by the release of the stress hormone cortisol when certain individuals are exposed to certain sounds. The extent of the health problems that result from exposure to sounds depend on many factors besides simply loudness—the source, setting, time, place, frequency and subjective qualities or content of the noise all influence how it is perceived by individuals, and any individual sensitivities or underlying health issues may also impact the subjective and objective response to sound.

Emerging research suggests that regular access to and use of quiet or silent spaces helps to prevent annoyance and improves tolerance to unwanted sound. Our city is fortunate to have libraries, parks and natural spaces that provide opportunity to experience quietness.

*Air Quality, Noise, and Land Use:  
Protecting Community Health*

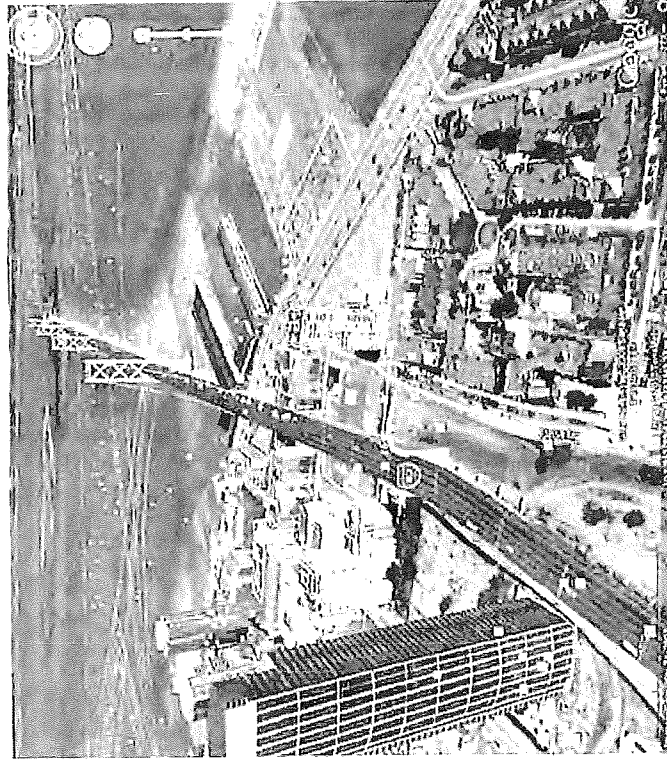
---

Thomas Rivard  
Manager, Health Hazard Assessment  
SFDPH



# Health Impacts Associated with Noise

---



- Hearing Loss
- Annoyance
- Stress
- Hypertension
- Heart Disease
- Colitis and Ulcers
- Sleep Disturbance
- Decreased academic performance

"Guidelines for Community Noise Impact Assessment and Mitigation Final Report." published by the Environmental Protection Arm of the San Francisco Board of Health. (please see attachment)

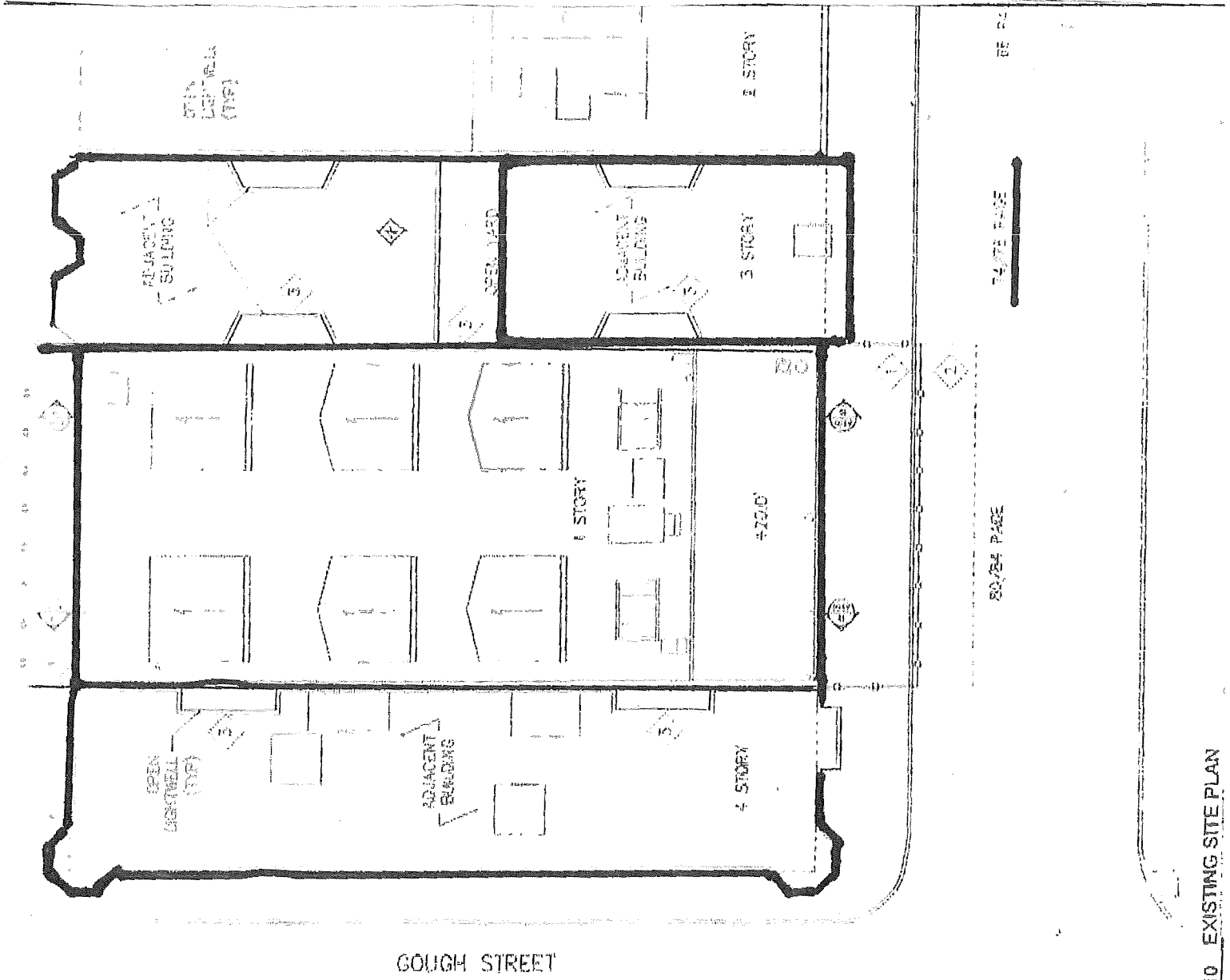
One key element of this report stands out:

3.3 "Land use planning is a valuable tool to minimize the potential for excess noise emission. To minimize the potential for excess noise impact it is wise to plan the land uses to avoid as much as possible placing noise sensitive areas near to noise producing land uses. A simple example is to try to consolidate major transportation and locate it away from noise sensitive areas like residential areas, and particular noise sensitive uses like schools. Similarly, when locating areas for new industrial estates, there should be buffer zones between these land uses and residential areas. Commercial areas are less noise sensitive and can be located in these buffer zones. 3.4 Community Involvement A key feature of any successful assessment is to have the potentially affected community involved in the process.

**Decision has to be made on the best strategy to adopt to achieve this involvement. Options range from including all the community by holding meetings to which all are invited through to dealing with a small committee representing the community. Giving all the community the opportunity to participate has the obvious advantage of being inclusive but achieving a consensus may be difficult."**

# Exhibit A

# Exhibit A





# Exhibit A

An aerial map of proposed schoolyard and its proximity to residential housing on all four sides, which include;

74A-78 Page St. - six-unit residential building

75 Lily St. – Four condominium units

72 Lily St. 24 unit-residential building

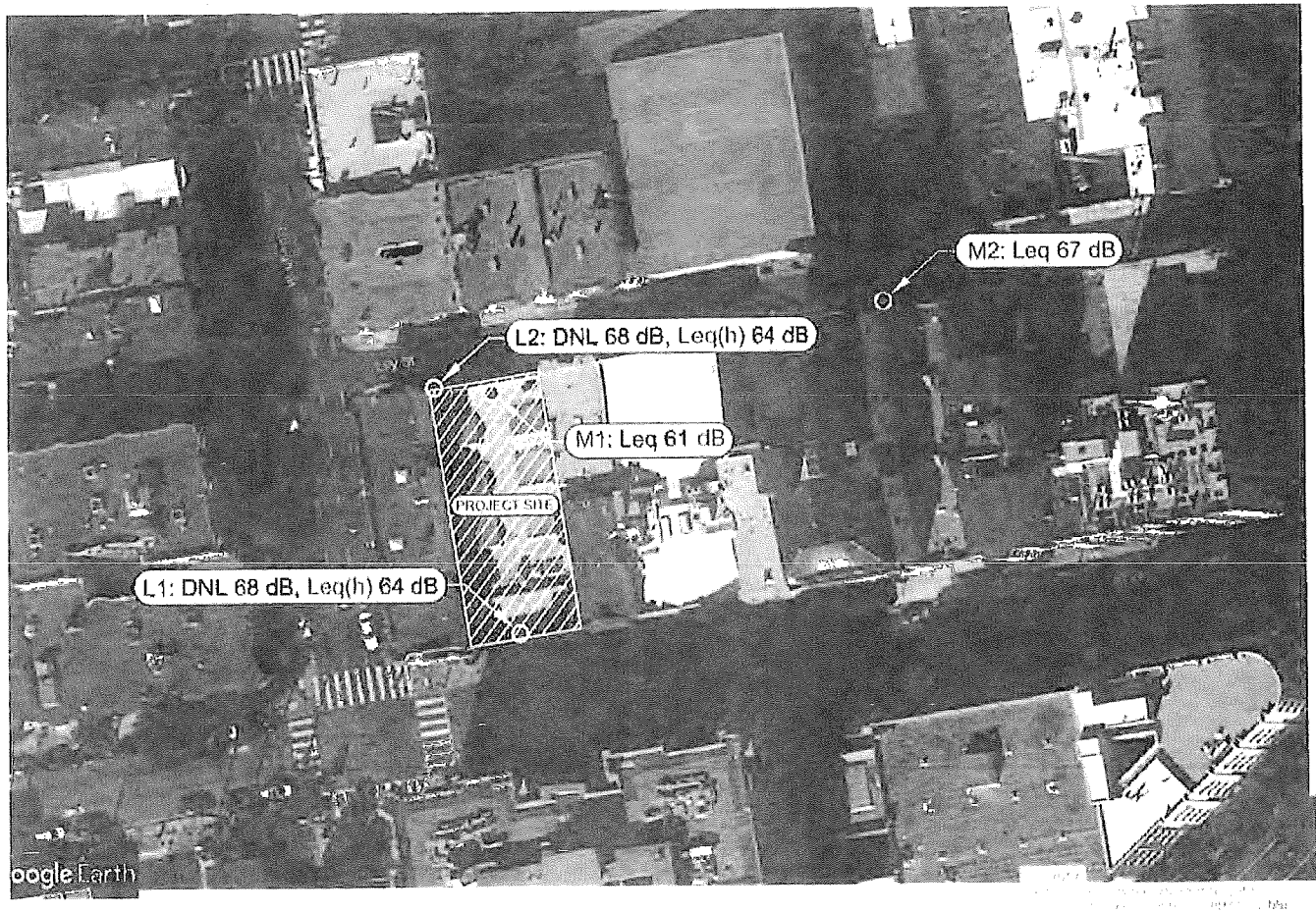
100 Gough St, a mixed use, 18-unit residential building (retail on ground level)

55 Page St. 128-unit condominium building

**There is a total of 180 housing units that surround the proposed school yard on all four sides.**

**The buildings located at 74 Page, 75 Lily and 100 Gough are all within inches of the proposed development with no acoustic separation proposed, while 72 Lily and 55 Page St. are across their respective streets.**

# Exhibit B



FRENCH AMERICAN OUTDOOR PLAY FIELD  
MEASUREMENT LOCATIONS AND MEASURED  
NOISE LEVELS

FIGURE 1

## Exhibit B

The Charles M. Salter Report is inaccurate and unreliable because, (A) it measures sound from 'outside' the proposed playground, by about 30 or 40 ft. – not in the schoolyard where the sound will be produced, and (B) because It is speculative to try to quantify noise levels that do not currently exist.

HOWEVER,

**A more accurate and practical noise assessment might have been to measure the noise levels at the existing Chinese American International School playground approximately 130 feet to the East on Lily St., which the Salter report makes reference to on Page One of the Salter Report included in Exhibit B.**

If the sounds of these children playing 130 ft. away and on the other side of the building are clearly audible, imagine what it will sound like with these children playing within a few inches from your bedroom or living room windows.

**NOTE: An Introduction to the Issues to be Considered in Practical Noise Impact Assessment. The aim of an Environmental Impact Assessment (EIA) is to provide environmental protection by foreseeing environmental problems and avoiding them. It is widely used as an aid to decision making for many forms of development. Its strength is to enable the best environmental balance to be found between a project and its surroundings and in helping to determine whether the development is acceptable. Many countries around the world, including most industrialized nations, have either regulations or guidelines describing how to perform environmental noise impact assessments. In addition to national approaches there are also regulations from international agencies such as the European Commission and guidelines from organizations such as the United Nations.**

# Exhibit B

Charles M. **Salter**  
ASSOCIATES INC

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415 397 0442  
F 415 397 0454  
www.cmsalter.com

Acoustics  
Audiovisual  
Telecommunications  
Security

13 December 2017

Aaron Levine  
CFO and Director of Operations  
**French American International School | International High School**  
Lycée International Franco-Américain  
150 Oak Street  
San Francisco, CA 94102  
Email: aaron@frenchamericansf.org

Subject: **84 Page Street (French American International School) –  
Proposed Outdoor Play Field - Environmental Noise Assessment Update**  
Salter Project: 17-0079

Dear Aaron:

As requested, we conducted an environmental noise assessment for the subject project. The purpose of the study is to quantify the existing noise environment at the project site and determine the potential noise impact from the addition of a new outdoor play field. This letter summarizes the results of our study based on applicable City standards, acoustical measurements, and recommends approaches to meet City standards. Our findings are summarized here for convenience:

- Based on existing ambient measurements and predicted future noise contributions to the noise environment, proposed play field use at 84 Page Street would result in an increase of 1 to 4 dB DNL, which is characterized as a less-than-significant impact.
- Noise from future student activity would be audible at times, particularly when traffic activity on adjacent streets is reduced.

## PROJECT SETTING

The site is located west of Gough Street between Page Street and Lily Street in San Francisco. The existing one-level building at the site will be demolished; the project proposes to construct an outdoor multipurpose turf playfield at the site.

The at-grade playfield would be approximately 115-feet long by 50-feet wide, and shares property lines with adjacent multi-family residential buildings. Single-family residential units are located about 30 feet to the north across Lily Street, and multi-family residential units are located about 65 feet to the south, across Page Street. Residences also abut the property to the immediate east and west. These multi-story buildings have lightwells where windows will look onto the future play fields.

The predominant source of noise at the closest residential receivers is traffic noise from Gough Street, Page Street, Lily Street, as well as children playing at the existing Chinese American International School playground approximately 130 feet to the east along Lily Street. Minor noise sources include aircraft flyovers and distant traffic noise from other streets.

Charles M. Salter PE  
David R. Schenck FASA  
Eric Broadhurst/Min PE  
Pete H. Sanders LEED AP  
Thomas A. Schenck PE  
Dorand R. Benoit PhD FAES  
Ken Green PE PCDD, CIST  
Anthony P. Nash PE  
Jason R. Dyer PE  
Lloyd B. Renold  
Eric A. Yoo  
Jeffrey M. Roper, PE LEED AP  
Ethan C. Salter PE LEED AP  
Alexander K. Salter PE  
Jeremy L. Daclat PE  
Heather A. Salter  
Thomas J. Carlson CTS  
Craig I. Gilson PCDD  
Bob Hammond PSP, NICET III  
Andrew J. McKen  
Josh J. Morrison  
Vinay C. Patel  
Valerie C. Smith PE  
Benjamin D. Pipar  
Elizabeth S. Nelson CTS  
Ryan G. Bishop AIA, NCARB  
Degan Hernandez  
Brian C. Wourms  
Greg R. Franzen  
Felipe Lavers  
Kenneth W. Lim  
Ryan A. Scheffold  
Alex T. Schenck  
Abner E. Morsler  
Adrian L. Lu  
Steve L. Leiby  
Blake M. Walls, LEED GA  
Katherine M. Moore  
Jordan L. Roberts  
Sibille M. Path  
Byron A. Green  
Justin P. Reibling  
Loren von Blohn  
Whiten Shoo  
Doo F. Green  
Catherine T. Spack

## CRITERIA

Noise is regulated and enforced through use of the *San Francisco Police Code*.

*Appendix C of Article 29 (of the San Francisco Police Code): Regulation of Noise Guidelines for Noise Control Ordinance Monitoring and Enforcement* includes exceptions to the Code; whereby certain noise sources do not violate local law and will not be investigated by any city department. One of these exceptions is unamplified human voice.

The noise of children playing in the playground would be considered "unamplified human voice" regardless of how loud those voices could be. As such, noise from children playing is not subject to regulation under the Police Code (and cannot be considered a violation).

Section 2909.a defines "ambient" noise levels as:

"Ambient" means the lowest sound level repeating itself during a minimum ten-minute period as measured with a type 1, precision sound level meter, using slow response and "A" weighting. The minimum sound level shall be determined with the noise source at issue silent, and in the same location as the measurement of the noise level of the source or sources at issue. However, for purposes of this chapter, in no case shall the ambient be considered or determined to be less than: (1) Thirty-five dBA for interior residential noise, and (2) Forty-five dBA in all other locations.

If a significant portion of the ambient is produced by one or more individual identifiable sources of noise that contribute cumulatively to the sound level and may be operating continuously during the minimum ten-minute measurement period, determination of the ambient shall be accomplished with these separate identifiable noise sources silent or otherwise removed or subtracted from the measured ambient sound level.

### *City of San Francisco General Plan Noise Element*

The noise goals in the Environmental Protection Element of the City's General Plan specify various limits for potentially-new sources of environmental noise. Descriptions of the various land use compatibilities are listed below in Table 1.

Acoustics  
Acoustical  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415.397.0442  
F 415.397.0454  
www.csalter.com

**Table 1: Land Use Compatibility Chart for Community Noise**

Sound Levels (DNL <sup>1</sup> )	Residential (All Dwellings, Group Quarters) – Land Use Consequences
60 dB or Less	<b>Normally Acceptable:</b> Satisfactory, with no special noise insulation requirements.
Greater than 60 dB, but less than 70 dB	<b>Conditionally Acceptable:</b> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.
Greater than 70 dB, but less than 75 dB	<b>Normally Unacceptable:</b> New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.
75 dB or Greater	<b>Clearly Unacceptable:</b> New construction or development should generally not be undertaken.

*City of San Francisco Noise Ordinance*

The San Francisco Noise Ordinance section 2901.2 defines ambient noise as the “average noise level over 15 minutes excluding random and intermittent noise and the alleged offensive noise at the location and time of day at which a comparison with an alleged offensive noise is to be made.” Section 2901.11 defines unnecessary, excessive, or offensive noise as “a noise level which exceeds the ambient noise level by 5 dBA or more, when measured at the nearest property line, or in the case of multiple-family residential buildings when measured anywhere in one dwelling unit with respect to noise emanating from another dwelling unit...”

On similar playground projects, the San Francisco Police Department’s Noise Abatement Unit considers the noise from children’s play areas to be part of the ambient noise for that area. In a letter to Saiter Associates dated 4 May 1999, Officer Edward Anzore of the SFPD states, “The noise caused by children in a playground at a day care facility or educational facility is not covered under [section] 2900 of the Municipal Police Code.”

Acoustics  
Audiovisual  
Telecommunications  
Security

330 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415 397 0442  
F 415 397 0456  
www.salter.com

<sup>1</sup> Day-Night Average Sound Level (DNL) - A descriptor established by the U.S. Environmental Protection Agency to represent a 24-hour average noise level with a penalty applied to noise occurring during the nighttime hours (10 p.m. - 7 a.m.) to account for the increased sensitivity of people during sleeping hours.

The City's 2014 more recent document "Guidelines for Noise Control Ordinance Monitoring and Enforcement"<sup>2</sup> states that the "unamplified human voice" is an exception from the Noise Ordinance.

#### *California Environmental Quality Act (CEQA)*

The California Environmental Quality Act (CEQA) requires that a project be evaluated in terms of its potential to increase ambient noise levels significantly<sup>3</sup>. In general, a change 1 dB would not be perceived as noticeable, a change of 3 dB in noise is considered just noticeable and not expected to cause significant community response. A change of more than 5 dB would be noticeable and have potential to cause a community response. Therefore, for this analysis, a noise increase of greater than 5 dB could be considered "significant".

#### **RESULTS OF ACOUSTICAL MEASUREMENTS**

To quantify the existing noise environment of the project site and vicinity, we conducted acoustical measurements from 14 to 15 February 2017. The locations of the continuous 24-hour long-term (L1, L2) and two short-term measurements (M1 and M2) are summarized in Table 2. See Figure 1 for the measurement locations and measured noise levels.

Acoustic  
Audiovisual  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415.397.0442  
F 415.397.0454  
www.emsfaller.com

---

<sup>2</sup> <https://www.sfdph.org/dph/files/EHSdocs/ehsNoise/GuidelinesNoiseEnforcement.pdf>

<sup>3</sup> California Environmental Quality Act (CEQA) Environmental Checklist, Appendix G.



**Table 2: On-Site Measured Data**

Monitor	Location	Measured (Max) DNL	Measured Daytime $L_{eq}$
L1	At height of neighboring second-level receivers, 6 feet above roof of existing building. Approximately 40 feet from the center of Page Street and 82 feet from center of Gough Street.	68 dB	64 dB
L2	11 feet above the sidewalk, approximately 18 feet from center of Lily Street, 70 feet from center of Gough Street.	68 dB	64 dB
M1	5 feet above the rooftop of existing building, 33 feet from center of Lily Street, and approximately 90 feet from center of Gough Street.	65 dB**	61 dB
M2a	5 feet above sidewalk of Lily Street, approximately 50 feet from acoustical center of nearest playground play area (across street).	n/a	64 dB
M2b		n/a	67 dB

\*\*Estimated based on long-term measurement corresponding intervals.

**EXISTING AND FUTURE NOISE ENVIRONMENT**

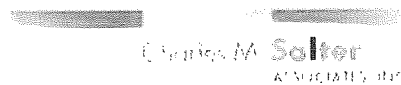
To quantify the potential noise impact from the new play field, we correlated noise levels during “source measurements” made with the anticipated student count and estimated schedule provided by the French American International School Administrators. Source measurements were made 60 feet from the acoustical center of a turf play field while between 15 to 20 children (7<sup>th</sup> graders) played. These measurements were made at an existing local field with similar student population and a field turf material like the one proposed at 84 Page Street. The loudest 1-minute  $L_{eq}$  and average  $L_{eq}$  levels were factored into our assessment.

The School Administrators told us that the proposed play field is expected to be available for use from 10:00AM to 6:00PM Monday through Friday, with peak times from 3:30PM to 6:00PM. Up to 25 children would use the proposed play field. No non-School activities are allowed. Based on our source measurements, the highest 1-minute  $L_{eq}$ <sup>4</sup> of 10 to 15 children playing (at a given time) on a turf

<sup>4</sup>  $L_{eq}$  — The equivalent steady-state A-weighted sound level that, in a stated time period, would contain the same acoustic energy as the time-varying sound level during the same time period.

Activities  
Acoustic  
Telephone  
Security

130 Sutter Street  
Floor 5  
San Francisco CA  
94104  
F 415 397 0447  
F 415 397 0454  
www.enstg.com



playground was 66 dB at a distance of 60 feet. The average Leq of 15 to 20 children playing across the entire measurement program was calculated to be 63 dB.

CA Architects provided us with Permit Set documents (plans, elevations, and details) on 3 and 11 December 2017. To predict the future change in noise levels at adjacent receivers (lightwell locations east and west of the play field), we calculated levels from typical play field use, and compared them to existing noise levels in Table 2.

The closest residences east and west of the project are currently exposed to a DNL of 68 dB, as indicated by measurement results in Table 2. Assuming a larger group of kids (20 to 30) at the center of activity in the proposed playground, we predict that the DNL will be 69 dB to 72 dB at the nearest third-floor residential lightwells. Acoustical calculations included an appropriate engineering factor of safety.

While second-floor residential lightwells would be closer to play field activities, the Permit Set details 2-inch thick "decking" that would extend 20-feet above grade, serving as a barrier. Therefore, sound levels from playground activities would be shielded, reducing the exposure of second-floor receivers to below the exposures of third-floor lightwell receivers (by approximately 4 to 7 dB). We predict the future DNL to be 65 dB to 68 dB at the nearest second-floor residential lightwells. It should be noted that our calculations rely on there being no gaps or cracks between wood boards, as this is a necessity (with regards to acoustics) for the solid wood decking.


Although "unamplified human voice" sound sources are exempt under the City of San Francisco's Noise Ordinance, we evaluated the potential of playground noise to increase ambient noise levels and compared the results to significance criteria. The predicted 1 to 4 dB increase in DNL levels at nearest residences adjacent to the proposed play field would not be considered significant. However, there would be times when student activity noise (e.g., voices) would be audible (e.g., when traffic activity on adjacent streets is periodically reduced).


\* \* \*

This concludes our assessment of noise from the proposed outdoor play field at 84 Page Street. Should you have any questions, please give us a call.

Sincerely,

**CHARLES M. SALTER ASSOCIATES**

  
Jordan L. Roberts  
Consultant


  
Ethan Salter, PE, LEED AP  
Vice President

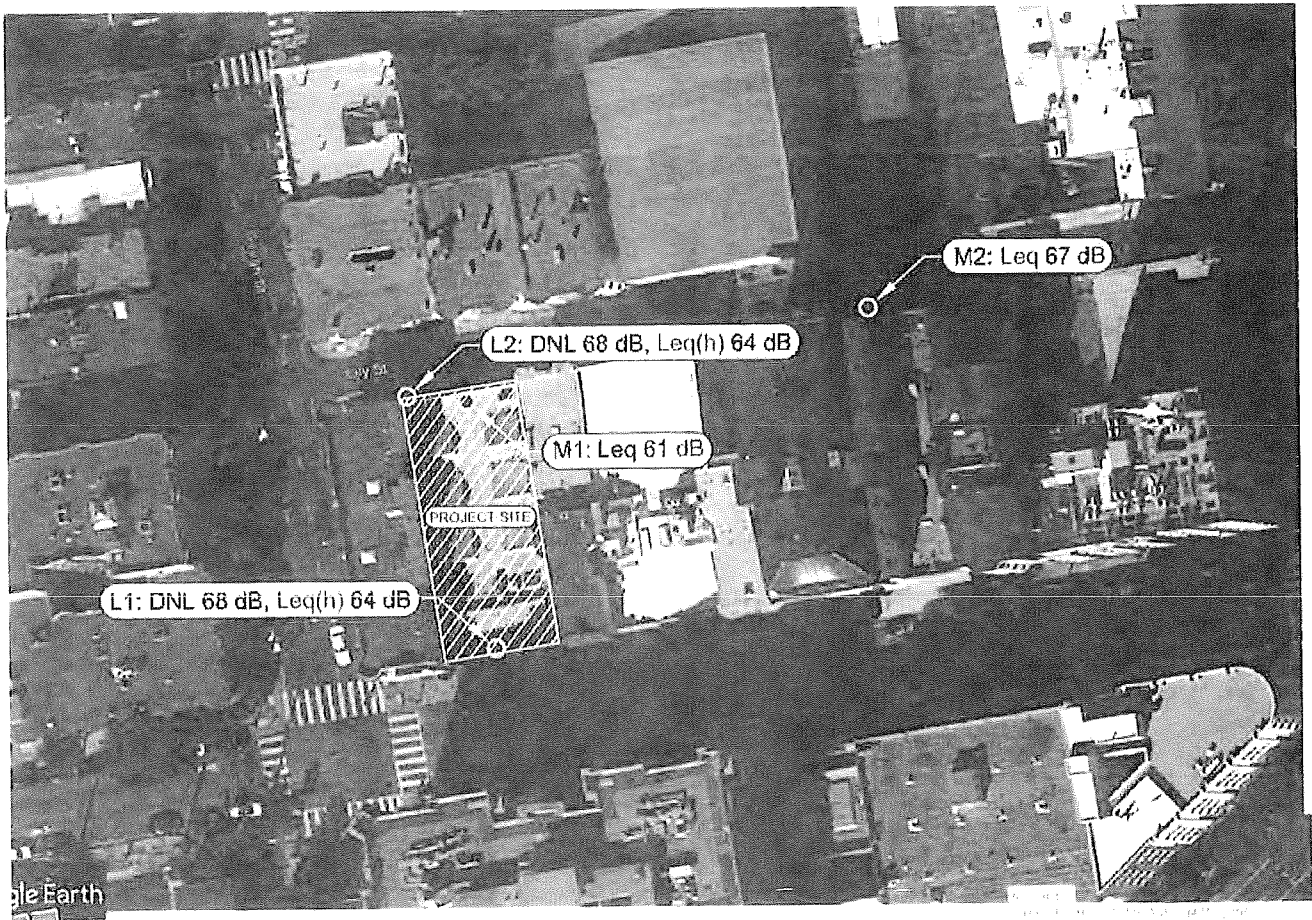
Enclosures as noted

cc: Josh Cohn (jcohn@ca-arch.com)

Acoustics  
Environmental  
Telecommunications  
Security

170 South Street  
Floor 9  
San Francisco, CA  
94104  
T 415 397 0462  
F 415 397 0454  
www.msalter.com

  
Charles M. Salter  
ASSOCIATES, INC.



FRENCH AMERICAN OUTDOOR PLAY FIELD  
MEASUREMENT LOCATIONS AND MEASURED  
NOISE LEVELS

FIGURE 1

A 8/10/08 1:50  
2 4/1/08 1:50/12

Acoustics  
Audiological  
Telecommunications  
Security

13 March 2017

Aaron Levine  
CFO and Director of Operations  
**French American International School | International High School**  
Lycée International Franco-Américain  
150 Oak Street  
San Francisco, CA 94102  
Email: aaronl@frenchamericansf.org

Subject: **84 Page Street (French American International School) –  
Proposed Outdoor Play Field DRAFT Environmental Noise Assessment**  
Salter Project: 17-0079

Dear Aaron:

As requested, we have conducted an environmental noise assessment for the subject project. The purpose of the study is to quantify the existing noise environment at the project site and determine the potential noise impact from the addition of a new outdoor play field. This letter summarizes the results of our study based on applicable City standards, acoustical measurements, and recommends approaches to meet City standards. Our findings are summarized here for convenience:

- Based on existing ambient measurements and predicted future noise contributions to the noise environment, proposed play field use at 84 Page Street would result in an increase of 1 to 2 DNL, which is a less than significant impact.
- Noise from future student activity would be audible at times, particularly when traffic activity on adjacent streets is reduced.

#### PROJECT SETTING

The 84 Page Street site is located west of Gough Street between Page Street and Lily Street in San Francisco. The existing one-level building at the site will be demolished; the project proposes to construct an outdoor multipurpose turf playfield at the site.

The at-grade playfield would be approximately 115-feet long by 50-feet wide, and shares property lines with adjacent multi-family residential buildings. Single-family residential units are located about 30 feet to the north across Lily Street, and multi-family residential units are located about 65 feet to the south, across Page Street.

The predominant source of noise at the closest residential receivers is traffic noise from Gough Street, Page Street, Lily Street, as well as children playing at the existing Chinese American International School playground approximately 130 feet to the east along Lily Street. Minor noise sources include aircraft flyovers and distant traffic noise from other streets.

Charles M. Salter PE  
David R. Schenkel FACA  
Eric Bisselstein D. Minn PE  
Ralph H. Savelber REED AP  
Thomas A. Schindler EE  
Christina P. Piquero PE, EQ, FAS  
Van Gerven PE, RCMQ, CUS, D  
Anthony P. Nash PE  
James R. Dohy PE  
David B. Broude  
Eric A. Yee  
Jackson M. Papp PE, REED AP  
Thomas C. Quinn PE, REED AP  
Christopher P. Saylor PE  
Joseph J. D'Amico PE  
Michael A. Salter  
Rebecca J. Corbett CTS  
Christina Gilman PE, EQ  
Eric Hammond PEP, REED AP  
Andrew J. McKee  
Josh L. Heston  
Thomas C. Dohy  
Valerie C. Smith PE  
Benedict D. Prosser  
Elizabeth S. Kibben CTS  
Ryan G. Butler EA, NF, AEP  
Diogo H. Cavaleiro  
Brian C. Wagoner  
Craig B. Eisenstein  
Julian J. Jovan  
Kenneth W. Lee  
Ryan A. Cole Seld  
Alan F. Schaefer  
Almar E. Broude  
Ashley L. Lee  
Steve L. Smith  
Betsy M. Walsh REED AP  
Kathleen M. Moore  
Jonathan S. Roberts  
Suzanne M. Roth  
Wayne M. Givens  
John P. Bouding  
Laurie von Dohse  
William Shook  
Dina E. Givens  
Christopher J. Spaulding

## CRITERIA

Noise is regulated and enforced through use of the *San Francisco Police Code*.

*Appendix C of Article 29 (of the San Francisco Police Code): Regulation of Noise Guidelines for Noise Control Ordinance Monitoring and Enforcement* includes exceptions to the Code; whereby certain noise sources do not violate local law and will not be investigated by any city department. One of these exceptions is unamplified human voice.

The noise of children playing in the playground would be considered "unamplified human voice" regardless of how loud those voices could be. As such, noise from children playing is not subject to regulation under the Police Code (and cannot be considered a violation).

Section 2909.a defines "ambient" noise levels as:

"Ambient" means the lowest sound level repeating itself during a minimum ten-minute period as measured with a type 1, precision sound level meter, using slow response and "A" weighting. The minimum sound level shall be determined with the noise source at issue silent, and in the same location as the measurement of the noise level of the source or sources at issue. However, for purposes of this chapter, in no case shall the ambient be considered or determined to be less than: (1) Thirty-five dBA for interior residential noise, and (2) Forty-five dBA in all other locations.

If a significant portion of the ambient is produced by one or more individual identifiable sources of noise that contribute cumulatively to the sound level and may be operating continuously during the minimum ten-minute measurement period, determination of the ambient shall be accomplished with these separate identifiable noise sources silent or otherwise removed or subtracted from the measured ambient sound level.

### *City of San Francisco General Plan Noise Element*

The noise goals in the Environmental Protection Element of the City's General Plan specify various limits for potentially-new sources of environmental noise. Descriptions of the various land use compatibilities are listed below in Table 1.

Acoustics  
Audiovisual  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415 777 0442  
F 415 777 0444  
www.consult.com

Charles M. Salter  
SNOGRAPHICS INC.

**Table 1: Land Use Compatibility Chart for Community Noise**

Sound Levels (DNL <sup>1</sup> )	Residential (All Dwellings, Group Quarters) – Land Use Consequences
60 dB or Less	<b>Normally Acceptable:</b> Satisfactory, with no special noise insulation requirements.
Greater than 60 dB, but less than 70 dB	<b>Conditionally Acceptable:</b> New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.
Greater than 70 dB, but less than 75 dB	<b>Normally Unacceptable:</b> New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.
70 dB or Greater	<b>Clearly Unacceptable:</b> New construction or development should generally not be undertaken.

*City of San Francisco Noise Ordinance*

The San Francisco Noise Ordinance section 2901.2 defines ambient noise as the “average noise level over 15 minutes excluding random and intermittent noise and the alleged offensive noise at the location and time of day at which a comparison with an alleged offensive noise is to be made.” Section 2901.11 defines unnecessary, excessive, or offensive noise as “a noise level which exceeds the ambient noise level by 5 dBA or more, when measured at the nearest property line, or in the case of multiple-family residential buildings when measured anywhere in one dwelling unit with respect to noise emanating from another dwelling unit...”

On similar playground projects, the San Francisco Police Department’s Noise Abatement Unit considers the noise from children’s play areas to be part of the ambient noise for that area. In a letter to Charles M. Salter Associates, Inc. dated 4 May 1999, Officer Edward Anzore of the SFPD states, “The noise

Accounting  
Architectural  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415 397-0444  
F 415 397-0444  
www.majlab.com

<sup>1</sup> Day-Night Average Sound Level (DNL) — A descriptor established by the U.S. Environmental Protection Agency to represent a 24-hour average noise level with a penalty applied to noise occurring during the nighttime hours (10 p.m. - 7 a.m.) to account for the increased sensitivity of people during sleeping hours.

caused by children in a playground at a day care facility or educational facility is not covered under [section] 2900 of the Municipal Police Code.”

#### *California Environmental Quality Act (CEQA)*

The California Environmental Quality Act (CEQA) requires that a project be evaluated in terms of its potential to increase ambient noise levels significantly<sup>2</sup>. In general, a change 1dB would not be perceived as noticeable, a change of 3 dB in noise is considered just noticeable and not expected to cause significant community response. A change of more than 5 dB would be noticeable and have potential to cause a community response. Therefore, for the purpose of this analysis, a noise increase of greater than 5 dB is considered a “significant” impact.

#### **RESULTS OF ACOUSTICAL MEASUREMENTS**

To quantify the existing noise environment of the project site and vicinity, we conducted acoustical measurements from 14 to 15 February 2017. The locations of the continuous 24-hour long-term (L1, L2) and two short-term measurements (M1 and M2) are summarized in Table 2.

Acoustics  
Audiovisual  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415.397.0447  
F 415.397.0454  
www.cmssalter.com

<sup>2</sup> California Environmental Quality Act (CEQA) Environmental Checklist, Appendix G.

**Table 2: On-Site Measured Data**

Monitor	Location	Measured (Max) DNL	Measured Daytime Leq
L1	At height of neighboring second-level receivers, 6 feet above roof of existing building. Approximately 40 feet from the center of Page Street and 82 feet from center of Gough Street.	68 dB	64 dB
L2	11 feet above the sidewalk, approximately 18 feet from center of Lily Street, 70 feet from center of Gough Street.	68 dB	64 dB
M1	5 feet above the rooftop of existing building, 33 feet from center of Lily Street, and approximately 90 feet from center of Gough Street.	65 dB**	61 dB
M2a	5 feet above sidewalk of Lily Street, approximately 50 feet from acoustical center of nearest playground play area (across street).	n/a	64 dB
M2b		n/a	67 dB

\*\*Estimated based on long-term measurement corresponding intervals.

See Figure 1 for the measurement locations and measured noise levels.

**EXISTING AND FUTURE NOISE ENVIRONMENT**

To quantify the potential noise impact from the new play field, we correlated noise levels during "source measurements" made with the anticipated student count and estimated schedule provided by the French American International School Administrators. Source measurements were made 60 feet from the acoustical center of a turf play field while between 15 to 20 children (7<sup>th</sup> graders) played. These measurements were made at an existing local field with similar student population and a field turf material like the one proposed at 84 Page Street. The loudest 1-minute Leq and average Leq levels were factored into our assessment.

Acoustics  
Audiovisual  
Telecommunications  
Security

130 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
F 415 397 0442  
F 415 397 0450  
www.enr.com



The School Administrators told us that the proposed play field is expected to be available for use from 10:00AM to 6:00PM Monday through Friday, with peak times from 3:30PM to 6:00PM. Up to 25 children would use the proposed play field. No non-School activities are allowed. Based on our source measurements, the highest 1-minute  $L_{eq}^3$  of 10 to 15 children playing (at a given time) on a turf playground was 66 dB at a distance of 60 feet. The average  $L_{eq}$  of 15 to 20 children playing across the entire measurement program was calculated to be 63 dB.

To predict the future change in noise level at the closest residential receivers, we calculated levels from typical play field use at the nearest residences located north of the site, and compared them to existing noise levels in Table 2.

The closest residence along Lily Street is currently exposed to a DNL of 65 dB to 68 dB, as indicated by measurement results in Table 2. Assuming a larger group of kids (20 to 30) at the center of activity in the proposed playground, we predict that the DNL will be 67 dB to 69 dB at the nearest residences to the north. Acoustical calculations included an appropriate engineering factor of safety.

The predicted 1 to 2 dB increase in DNL levels north of the proposed play field would not be considered a significant impact and would result in a barely perceptible change in the noise environment. Therefore, the project is predicted to have a "less than significant" impact on the nearby residences. However, there would be times when student activity noise (e.g., voices) would be audible (e.g., when traffic activity on adjacent streets is periodical reduced).

\* \* \*

This concludes our assessment of noise of the proposed play field at 84 Page Street. Should you have any questions, please give us a call.

Sincerely,

**CHARLES M. SALTER ASSOCIATES**

Jordan L. Roberts  
Consultant

Ethan C. Salter  
Vice President

Enclosure

Acoustics  
Audiovisual  
Telecommunications  
Security

110 Sutter Street  
Floor 5  
San Francisco, CA  
94104  
T 415 397 0447  
F 415 397 0453  
www.cmaclm.com

<sup>3</sup>  $L_{eq}$  — The equivalent steady-state A-weighted sound level that, in a stated time period, would contain the same acoustic energy as the time-varying sound level during the same time period.

# Exhibit C

## Exhibit C

### CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) and the Guidelines for implementation of CEQA adopted by the Secretary of the California Resources Agency require that local agencies adopt a list of categorical exemptions from CEQA. Such list must show those specific activities at the local level that fall within each of the classes of exemptions set forth in Article 19 of the CEQA Guidelines, and must be consistent with both the letter and the intent expressed in such classes.

First, Classes 3, 4, 5, 6, 11, and 32 are qualified by consideration of where the project is to be located. **A project that would ordinarily be insignificant in its impact on the environment may, in a particularly sensitive or hazardous area, be significant.** Therefore, these classes will not apply where the project may impact an area of special significance that has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. These classes have been marked with an asterisk (\*) as a reminder.

***Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption.***

This item is applicable to schools at which attendance satisfies the requirements of the compulsory education laws of the State of California.

The proposed schoolyard project is “not a minor addition” and is “not within existing school grounds,” therefore this project should not qualify for a CEQA categorical exemption determination.

# Exhibit D

# **CEQA** California Environmental Quality Act

## **Chapter 1: Policy**

### **§ 21000. Legislative intent**

The Legislature finds and declares as follows:

**(a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.**

**(b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.**

**(c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.**

**(d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.**

**(e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.**

**(f) The interrelationship of policies and practices in the management of natural resources and waste disposal require systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.**

**(g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.**

## **§ 21001. Additional legislative intent**

The Legislature further finds and declares that it is the policy of the state to:

**(a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.**

**(b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and “freedom from excessive noise.”**

(c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.

**(d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.**

(e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

(f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.

(g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

## **§ 21001.1. Review of public agency projects**

The Legislature further finds and declares that it is the policy of the state that projects to be carried out by public agencies be subject to the same level of review and consideration under this division as that of private projects required to be approved by public agencies.

# Exhibit E



# San Francisco General Plan

## Introduction

San Francisco is a special place. Foremost is its dramatic physical beauty, created by bay and ocean surrounding a cluster of hills that are often illuminated by brilliant sun or shrouded in silvery fog. The views from these hilltops were given to us inadvertently. The early settlers, in their scramble to forge a new life, imposed a simple grid system on the land. So instead of streets winding themselves around the hills we have streets that can scale the hilltops to reveal extraordinary vistas. These vistas give us a city that appeals from any perspective and sparks our imagination.

Secondly, San Francisco is compact. Its density creates a rich variety of experiences and encounters on every street. The city is cosmopolitan and affable, easily traversed by foot or by bus, and offers an intriguing balance of urban architecture.

Thirdly, San Francisco is the center, the soul of the region and cooperative efforts to maintain the area's quality of life are imperative. The City has long been a magnet for business, culture, retailing, tourism and education. Its rich 150 year history reflects the cultures of the world and gives energetic diversity to its neighborhoods. The residents strive to maintain this tradition, welcoming people from around the world to participate in the promise of a healthy city.

There are many issues we must face as we look to the future of our economy, work force, housing stock, transportation systems, open spaces, and vacant lands. San Francisco is a dynamic entity within which there are constant pressures for change and renewal. It remains the finance capital for the West and is an emerging gateway to the Pacific Rim. However, as we enter the 21st century, new technologies, medical research and design are providing additional economic opportunity.

**The City's General Plan serves to guide these changes to ensure that the qualities that make San Francisco unique are preserved and enhanced. The General Plan is based on a creative consensus concerning social, economic, and environmental issues. Adopted by the Planning Commission and approved by the Board of Supervisors, the General Plan serves as a basis for decisions that affect all aspects of our everyday lives from where we live and work to how we move about. It is both a strategic and long term document, broad in scope and specific in nature. It is implemented by decisions that direct the allocation of public resources and that shape private development. In short, the General Plan is the embodiment of the community's vision for the future of San Francisco.**

State law requires that the General Plan address seven issues: land use, circulation, housing, conservation, open space, noise and safety.

The Charter approved by the voters in November 1995 requires that the Planning Commission recommend amendments to the General Plan to the Board of Supervisors for approval. This approval changes the Plan's status from an advisory to a mandatory document and underscores the importance of Referrals establishing consistency with the General Plan prior to actions by the Board of Supervisors on a variety of actions.

The San Francisco General Plan is designed as a guide to the attainment of the following general goals:

- Protection, preservation, and enhancement of the economic, social, cultural, and esthetic values that establish the desirable quality and unique character of the city.
- Improvement of the city as a place for living, by aiding in making it more healthful, safe, pleasant, and satisfying, with housing representing good standards for all residents and by providing adequate open spaces and appropriate community facilities.
- Improvement of the city as a place for commerce and industry by making it more efficient, orderly, and satisfactory for the production, exchange and distribution of

goods and services, with adequate space for each type of economic activity and improved facilities for the loading and movement of goods.

- Coordination of the varied pattern of land use with public and semi-public service facilities required for efficient functioning of the city, and for the convenience and well-being of its residents, workers, and visitors.
- Coordination of the varied pattern of land use with circulation routes and facilities required for the efficient movement of people and goods within the city, and to and from the city.
- Coordination of the growth and development of the city with the growth and development of adjoining cities and counties and of the San Francisco Bay Region.

The Plan is intended to be an integrated, internally consistent and compatible statement of objectives and policies and its objectives, and policies are to be construed in a manner which achieves that intent. Sec. 101.1(b) of the Planning Code, which was added by Proposition M, November 4, 1986, provides as follows:

*The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:*

1. *That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;*
2. *That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;*
3. *That the City's supply of affordable housing be preserved and enhanced;*
4. *That commuter traffic not impede Muni transit services or overburden our streets or neighborhood parking;*
5. *That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and*

*that future opportunities for resident employment and ownership in these sectors be enhanced;*

6. *That the City achieve the greatest possible preparedness to protect against injury and the loss of life in an earthquake.*
7. *That landmarks and historic buildings be preserved; and*
8. *That our parks and open space and their access to sunlight and vistas be protected from development.*

The manner in which the general goals are to be attained is set forth through a statement of objectives and policies in a series of elements, each one dealing with a particular topic, which applies citywide. The General Plan currently contains the following elements: Residence, Commerce and Industry, Recreation and Open Space, Community Facilities, Transportation, Community Safety, Environmental Protection, Urban Design and Arts. In addition, a Land Use Index cross-references the policies related to land use located throughout the General Plan. Additional elements may be added from time to time.

The Plan also contains several area plans which cover their respective geographic areas of the city. Here the more general policies in the General Plan elements are made more precise as they relate to specific parts of the city.

In addition to the elements, area plans and the land use index comprising the complete General Plan, there are several documents which support the plan. These include background papers, technical reports, proposals for citizen review, environmental impact reports or negative declarations, program documents, and design guidelines. Program documents provide schedules and programs for the short range implementation of the General Plan.

# Exhibit F

In 2003 the State of California adopted and published General Plan Guidelines. A **general plan** is a broad planning guideline to a city's or county's future development goals and provides policy statements to achieve those development goals. Each City and county adopt and updates its General Plan to guide the growth and land development of their community, for both the current period and the long term. The General Plan is the foundation for establishing goals, purposes, zoning and activities allowed on each land parcel to provide compatibility and continuity to the entire region as well as each individual neighborhood.

In California the General Plan is a document providing a long-range plan for a city's physical development.<sup>(4)</sup> Local jurisdictions have freedom as to what their general plans include, **however there are certain requirements under California state law** that each general plan must meet; failure to do so could result in suspension of future development.<sup>(4)</sup> Each general plan must include the vision, goals, and objectives of the city or county **in terms of planning and development within eight different "elements" defined by the state of California as; land use, housing, circulation, conservation, noise, safety, open space, and environmental justice (added as an official element in 2016.)**

This brings us to the issue at hand, The San Francisco General Plan and the proposed school yard project at 80-84 Page St., This project is in clear conflict with the state of California's General Plan Guidelines and The City's own planning Guidelines published in the "City of San Francisco's General Plan." The proposed schoolyard is **inconsistent with the stated City Guidelines and violates at least 6 of the 8 "elements" outlined in the State of California's published guidelines.**

- Improvement of the city as a place for living, by aiding in making it more healthful, safe, pleasant, and satisfying, with housing representing good standards for all residents and by providing adequate open spaces and appropriate community facilities.
- The proposed schoolyard does nothing to improve the city as a place for living and does not make it more healthful, in fact it does just the opposite. The noise pollution caused by a school yard in this location is untenable and unhealthy. The schoolyard does not provide open spaces and does not offer any community facilities. The School yard has no public benefit whatsoever.

**In terms of planning and development within eight different “elements” defined by the state of California as; land use, housing, circulation, conservation, noise, safety, open space, and environmental justice.**

- 1) Land use. When the 80-84 Page St. building site came to market a few years back-it was advertised as development site for a mixed-use development with up to 23 housing units, I believe. The best and highest use for this development site would be for more much needed housing and is an idea consistent with City Plan and the overall ambiance of the neighborhood. The San Francisco Planning Department’s decision to grant a “Categorical Exemption Determination,” in order to avoid an environmental impact assessment is a clear violation of the State of California General Plan Guidelines.
- 2) Housing. No housing will be created by this project; in fact, suitable and attractive housing will be destroyed by the incessant noise pollution the school yard would create.
- 3) Noise. The Charles Salter Noise Impact study is speculative and inconclusive. The readings are taken from a far greater distance (40 ft) in the report. We are talking about children playing within inches of resident’s windows – not 40 ft. Furthermore, it does not take into account the use of amplification equipment or the maximum number of students using the yard at any one time. The noise emitted from the school yard will be far greater than what was reported.

#### **4) Safety**

The proposed school yard offers no safety benefits of any kind to the community.

#### **5) Open Space**

There will be no open space that is accessible to the general public. The playground will be used only for the school and its students and again, offers no public benefit to the residents of San Francisco.

#### **6) Environmental Justice**

There is no environmental justice achieved by allowing the schoolyard to be built in an environmentally sensitive neighborhood. The current housing density, with the addition of over 150 housing units constructed on this one block of San Francisco in the last 10 years - makes this a solidly residential neighborhood. The protection of the environment surrounding these homes should be protected by the CEQA Guidelines and the State of California legislative intent. The quality of the lives of these residents that call this corner of San Francisco home, should be protected by the observance of the critical elements outlined in this section.

It is up to the San Francisco Board of Supervisors to uphold the State Laws and CEQA Guidelines that protect the environment for all of us.

Thank you for your thoughtful consideration!

David Collins



# APPENDIX

## Letter in support of appeal

Nov 7, 2018

To the SF Dept of Building Inspection:

My name is Daniel, I'm a resident at 76A Page St, adjacent to a property at 78 Page St. which is slated for redevelopment by the French American International School.

I'm writing this letter in support of an appeal to block the pending application of building permit for developing the existing commercial property at 78 Page St into a private school playground.

The problem is that the French American International School wants to create a private playground for their students literally one foot outside of my windows. I live on the side of the building where the development would be and I can reach my hand out the window and touch where the proposed chain link fence would be. Noise abatement plans that I saw did not address my concerns. I can already hear a lot of yelling and screaming in my apartment from their existing playground on the next block so I can only imagine the noise level when it is a foot outside the window. I work from home every morning so the proposed school class schedule starting at 7AM would be incredibly disruptive to me. I would never be able to work here again.

I also have an issue with how our neighborhood will feel after the playground is erected. I frequently walk by the French American International School's other facility on Oak, and having a fenced-off playground closed during the night is creepy and makes the neighborhood feel deserted. I don't want any more land use in my neighborhood that only adds to the congestion during kids' pick-up and drop-off and then adds nothing to the community.

In my mind, the playground project will benefit a privileged few for a comparatively short amount of time per day that poses a maximum negative impact during that time, and the rest of the time is a suck on the feel of this neighborhood. This neighborhood is on the edge of the wildly successful re-invigoration of Hayes Valley. Wouldn't you love to see that extend all the way to Market Street just one block away? I don't see that happening by creating more fenced parking-lot-like structures. It's a step backward! Look at the One Franklin development at the corner of Page and Franklin. It was a parking lot, and now there are new businesses there on that corner. We are never going to get there with gaping holes in the landscape.

Daniel Newcome  
76A Page St



## Letter in support of appeal

Nov 7, 2018

To the SF Dept of Building Inspection;

I am writing to express my concern about the planned construction of the French-American School's playground at 84 Page Street. As a tenant at 76A Page Street for 3 years, the side of my apartment borders the proposed playground. My concerns with the proposed construction are:

1. Noise. I'm concerned about the level of noise that will inevitably be added due to the playground. The point of a playground is for children to have fun, move around, get exercise, and being loud is all part of that. We have great windows but windows (and walls) cannot block out noise sufficiently to allow me to work from home even occasionally, to relax in the evenings, etc. My bedroom window will open onto the playground. We also normally leave our windows open for airflow and cooling as there is no ducting in our older building; obviously we will no longer be able to do that. There's a gorgeous playground along Valencia street, by when I walk by I have to cross the street if I'm on a phone call to be able to hear still.

2. Residential. The block is currently mixed residential and commercial, but mostly residential. I chose to live on a residential street and would like it to remain so. If the proposed development proceeds, our building will be bordered on both sides by the school. Adding a playground is much more clearly a non-residential use of the property.

3. Traffic. The Kanbar center on Page closer to Franklin already has a lot of traffic picking up kids, both cars and foot traffic. Adding a playground will make more kid pickups, more cars on our street, more difficulty for us parking on nearby blocks. If the playground goes forward, I expect that I will not be able to continue living in my apartment, will need to move. I absolutely love my apartment and neighborhood but I don't think I'll be able to deal with the noise.

Thank you for your time. I look forward to finding a way for the School to meet its needs while preserving my ability to live in the apartment that I love. (Perhaps an indoor sports center for basketball, volleyball? With good air conditioning and closed windows? Creative arts center?)

Regards,  
Susan Morey  
76A Page St.

October 28th, 2018  
Apt 75A Page Street, SF, CA

To whom it may concern,

I would like to appeal against  
issuance of permit 1479794 for  
construction of a recreational bldg at  
84 Page Street, SF, CA

School playgrounds create one of the  
highest levels of noise pollution,  
therefore, it is not a sensible  
decision to build/perect one between  
two residential buildings

The noise pollution will negatively affect  
my day to day life and my  
ability to make a living as I  
often work from home. I also  
suffer from insomnia and get  
my sleep between 6am and  
12pm every week day. Not being  
able to get my rest during the above  
period will affect my ability to perform  
as a Research Analyst.

Also note that, we never received an official  
mailed notice of this permit issuance in -

our mail box at 731 Page Street,  
SF, CA -

Please allow us more time  
to justify this appeal as  
we were never given a chance  
to voice our opinion prior to  
the permit Issuance Poster  
displayed on the Windows of  
84 Page Street, SF, CA, 94102

Thank you,

Karste Zartinek  
240 426 0407

October 29, 2018  
78a Page St., San Francisco CA 94102

To Whom it May Concern,

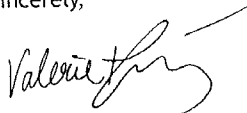
May this letter find you well. My name is Valerie Diaz, and as a tenant of the apartment complex at 78 Page St. in Hayes Valley, it has come to my attention that plans are being made by Mr. Joshua Cohn to begin the construction of a playground in between my building and another residential complex. I would like to formally make an appeal against said construction and against the issuance of permit number 1479193. *at 84 Page Street, SF, CA.*

As a person actively suffering an autoimmune disease, one of the main reasons I began living at 78 Page St. is because the neighborhood fit the lifestyle I needed in order to remain in good health. This area is a rare, centrally located neighborhood that is quiet and friendly. It is also conveniently located very close to where I receive my medical care. Currently, I work from home as working a "normal" job would not allow me the sufficient time I need to rest in order to operate day to day. Because of the insomnia, chronic fatigue, and muscle weakness (among other symptoms) I experience, I require several hours of rest and breaks throughout the day. I strongly believe that if this construction project were to come to fruition, it would severely impact my quality of life in a negative way.

Not only would I be barred from doing my work in a quiet environment where I can fully concentrate and make a living, but more importantly, the noise pollution caused by the school would destroy any chances I have at being able to properly rest during their active hours. As I am afflicted by chronic pain caused by musculoskeletal and organ inflammation, it is very difficult for me to fully get the rest I need solely at night time, so I depend on being able to rest during the day to prevent further complications of my condition.

I hope that with this appeal, you will reconsider the granting of this construction permit and respect my and my neighbors' wishes to keep our neighborhood peaceful and quiet. Thank you.

Sincerely,



Valerie Diaz

Hello,

It has come to my attention that there is school playground construction planned adjacent our residential building. As a resident of 78A Page Street, I am concerned that the noise from construction and eventual playground would affect day-to-day life significantly. As a person that is sensitive to noise, I often have trouble getting well rested living in other areas due to noise. I was fortunate to find a comfortable home in my current living situation due to considerate neighbors and a peaceful neighborhood. The new playground would change all that for the reasons given above. Please consider this my appeal against construction permit number 147193. At 84 Page Street, SF, CA

Regards,

William Xie

A handwritten signature in black ink, appearing to read 'William Xie', with a long horizontal flourish extending to the right.

To whom it may concern,

My name is Antonio Manjivar and I live at 74A Page St. San Francisco. I have lived here for 23 years and **I don't want and can't afford to move from my rent controlled apartment.**

I have worked as a nighttime security guard for over 20 years on a "grave yard" shift. As such, I sleep during the day. The French American/International High School has just purchased the building next to us @84 Page St. and are planning on tearing down the building and then construct a sportsfield/playground, which will be used Monday through Friday from 9 till 6, I think.

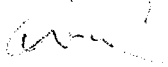
The School proposes to demolish a brick wall that separates the two properties, which will expose my bedroom, kitchen and living room to only inches from the school yard – with absolutely no noise separation.

This project will have a severe negative impact on my day-to-day life. The building has been a quiet place since I started to live here in 1995. This will no longer be the case – if this project goes forward. I am afraid that I might have to move and don't think I can afford to go to another apartment.

Please help if you can – by helping to stop this development that only benefits a few people at the expense of a whole community of long term tenants like me. This is a primarily residential neighborhood and more residential housing has been built on this street in the past 10 years. The proposed school is not in character with the current neighborhood and the proposed schoolyard is surrounded by other residential buildings. Most of my neighbors here are all very concerned that our quality of life will be disrupted to the point where will have to move.

Thank you for reading my letter.

Antonio Manjivar



74A Page St.

San Francisco, 94102

415-756-2242