



# SAN FRANCISCO PLANNING DEPARTMENT

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## Addendum to Mitigated Negative Declaration

*Date of Publication of Addendum:* May 16, 2013  
*Date of Final MND:* March 29, 2012  
*Case No.:* **2004.1004E**  
*Project Title:* **1150 16<sup>th</sup> Street Residential-Retail-PDR Project**  
*Zoning:* PDR-1-D (formerly M-1) Use District  
68-X Height and Bulk District  
*Block/Lot:* 3821/007  
*Project Sponsor:* Sergio Nibbi, Nibbi Brothers, (415) 863-1820  
Tony Pantaleoni, Architect, (415) 495-4051  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Jeanie Poling – (415) 575-9072  
jeanie.poling@sfgov.org

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## REMARKS

### *Background*

A final mitigated negative declaration (FMND) for the subject project was adopted and issued on March 29, 2012, and the San Francisco Planning Commission adopted a conditional use authorization for the proposed project on April 12, 2012.<sup>1</sup> No building permits have been issued for the project.

As analyzed in the FMND, the project involves the demolition of a single-story, 2,660-square-foot (sf) commercial building, and the construction of two connected buildings. The southeastern building (1150 16<sup>th</sup> Street) would be 58 feet tall and would contain 15 residential units (20,277 sf) on four levels above a 5,056 sf ground-floor sit-down restaurant. The northwestern building (1201 8<sup>th</sup> Street) would be 68 feet tall and would contain 12,826 sf of production, distribution, and repair (PDR) space, divided into 15 units, on three levels above 1,429 sf of ground-floor retail. Both buildings would share a common basement level with 22 parking spaces.

PDR is a principally permitted use in the PDR-1-D district, and retail uses are allowable if they are less than 5,000 sf per lot. The proposed project's residential use is not allowed in the PDR-1-D district. However, because the project sponsor originally filed for planning review in 2004, the residential use is considered a pipeline project, under which the height, use, and density controls are subject to the previous (M-2) zoning, but physical controls such as parking, rear yard, and open space are applied as if the residential use were located in an Urban Mixed Use (UMU) district.<sup>2</sup>

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<sup>1</sup> Planning Commission Motion No. 18579. Documents are available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File Nos. 2004.1004CEK.

<sup>2</sup> See *Planning Code* Section 175.6(e)(l)(D). The environmental application for the residential portion of the proposed project was received by the Planning Department on September 29, 2004, and the Conditional Use application was received on April 13, 2004.

***Proposed Revisions to Project***

The project sponsor has revised the project evaluated in the FMND. The modified project differs from that analyzed in the FMND as follows:

- A lot line adjustment reassigns a 63-foot-by-25-foot portion of the adjacent lot 6 to the northeast corner of the project site (lot 7). Lot 6 is an approximately 25,000 sf parcel that contains surface parking and is owned by the same project sponsor as lot 7. With the lot line adjustment, lot 6 is reduced by 1,777 sf, and lot 7 increases by 1,777 sf from 11,659 sf to 13,436 sf (See Figure 1).
- The PDR use expands by 4,175 sf, not including below-grade parking. The number of PDR units decreases from 15 to 14 units but the units are larger.
- The underground parking level below both the PDR and residential buildings is removed.
- A 1,850 sf mezzanine above the first floor is added for restaurant, retail, and storage use.
- Vehicle parking is reduced from 22 spaces to 15 spaces; vehicle parking is moved to the ground level.
- Restaurant use is reduced by 1,192 sf, and general retail use increases by 85 sf.

Table 1 identifies project characteristics. Figures 2 through 13 present project drawings.

**Table 1 – Proposed Revisions to Project**

<b>Project Element</b>	<b>Current Conditions</b>	<b>Project analyzed in the FMND</b>	<b>Currently proposed project</b>	<b>Change from project analyzed in the FMND</b>
Building height (in feet)	20	58/68	58/68	-
Stories	1	4/5	4/5	-
Residential (units)	-	15	15	-
PDR (units)	-	15	14	-1
Residential (in sf)	-	20,277	20,557	+280
PDR (in sf)	-	12,826	17,001	+4,175
Restaurant (in sf)	2,660	5,056	3,864	-1,192
Other retail (in sf)	-	1,429	1,514	+85
Parking spaces	-	22	15	-7
Total area (in sf)*	2,660	52,475	50,186	-2,289

\* Total area includes storage and utilities, which are not itemized in this table.

***Approvals Required***

- San Francisco Department of Building Inspection) – demolition and site permits
- SF Dept. of Public Works, Bureau of Streets and Mapping – street and sidewalk permits
- San Francisco Municipal Transportation Agency – any curb or road modifications
- San Francisco Public Utilities Commission – stormwater control plan
- San Francisco Department of Public Health – permit to operate a restaurant

Fig1

fig2

fig3

fig4

fig5

fig6

fig7

fig8

fig9

fig10

fig11

fig12

fig13



### *Analysis of Potential Environmental Effects*

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefor shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

The FMND found that the project would have four significant impacts (related to archeological resources, noise, construction noise, and the release of hazardous materials into the environment) that would be reduced to a less-than-significant level with the incorporation of mitigation measures. The FMND concluded that the project as mitigated would not have a significant effect on the environment.

The FMND also analyzed the project's potential impacts related to land use, air quality, biological resources, aesthetics, greenhouse gas emissions, geology and soils, population and housing, wind and shadow, hydrology and water quality, historical resources, recreation, transportation and circulation, utilities and service systems, mineral/energy resources, public services, and agricultural and forest resources. In these topic areas, the effects of the project analyzed in the FMND and the modified project would be substantially the same. The following discussion substantiates this determination.

### **Aesthetics**

The modified five-story structure would be the same height as the project analyzed in the FMND, with minimally larger bulk and massing. The PDR building would extend into a 63-foot-by-25-foot lot line-adjusted area in the northeast corner of the project site. The view of the PDR building would change from Irwin Street to the north and from the adjacent parking lot to the east (lot 6). The garage and loading doors along Irwin Street would be farther east, in the location subject to the lot line adjustment. In the location where the garage entrance was previously proposed would be a set of pedestrian entry doors. An additional two bays and windows on the second to fifth stories would be visible along Irwin Street. The additional development would not be visible from the parklet along 8<sup>th</sup> Street and may be minimally visible from public parks upslope from the project site. The additional bulk and massing would be typical of urban development. Therefore, the project would result in similar less-than-significant impacts related to aesthetics as the original project analyzed in the FMND.

### **Population and Housing**

The modified project adds 280 sf of residential use but contains the same number of residential units (15) as analyzed in the FMND. The total size of the PDR units increases by 4,175 sf but are reduced in number from 15 to 14. The FMND estimated two users per PDR unit. Retail and restaurant use is reduced by 1,107 sf (from 6,485 sf to 5,378 sf). Employee density was estimated at 350 sf per employee in the FMND for both the restaurant and general retail; thus the estimated number of employees would be reduced from 19 to 15. In conclusion, activity of use at the project site would be slightly reduced, and impacts related to population and housing would remain less than significant.

### Transportation

As discussed in the FMND, the existing composite (fast food and sit-down) restaurant on the project site would relocate within the project site as sit-down restaurant. A sit-down restaurant generates more traffic than a composite restaurant, and the FMND concluded that the proposed project would generate fewer vehicle trips than existing conditions. As shown in Table 1 on page 2, the sit-down restaurant use in the modified project decreases from what was proposed and analyzed in the FMND, while the PDR and retail uses increase. Table 2 identifies project trip generation compared to existing conditions and the project analyzed in the FMND.

**Table 2 –Project Trip Generation**

	Daily Person Trips	PM Peak Hour Trips
Existing Conditions	1,596	215
Project analyzed in the FMND	1,593	199
Modified project	1,443	174
Change from existing conditions	-153	-41
Change from project analyzed in the FMND	-150	-25

The modified project's 174 p.m. peak-hour vehicle trips would be less than existing conditions and less than the project analyzed in the FMND, and thus would not be expected to affect the operating conditions of surrounding intersections in the project vicinity. Furthermore, because the project would result in fewer trips, transit, bicycle, and pedestrian conditions would remain less than significant. Project loading and access to parking is along Irwin Street, the same as in the PMND, and fewer vehicles will enter and exit the garage, since the number of onsite parking spaces is reduced by seven (22 to 15 spaces). In conclusion, transportation impacts would remain less than significant.

### Parking

As discussed in the FMND, parking controls are applied as if the residential use were located in the UMU district. For residential use in the UMU district, 0.75 cars are permitted per dwelling unit, and one car is permitted per dwelling unit with at least two bedrooms and at least 1,000 sf of occupied floor area. The modified project would not change the type or count of residential units (six one-bedroom units and nine two-bedroom units), and the permitted parking for residential use remains 14 spaces.

For the PDR use in the PDR-1-D district, the permitted parking is one off-street parking space per 1,000 square feet. The project analyzed in the FMND had 12,826 sf of PDR, and the modified project contains 17,001 sf of PDR; thus the permitted parking for PDR use increases from 12 to 17 parking spaces.

Retail use of up to 20,000 square feet in the PDR-1-D district is permitted one parking space per 500 square feet. The project analyzed in the FMND had 1,429 sf of retail, and the modified project contains 1,514 sf of retail; thus the permitted parking for retail use increases from two to three spaces.

Restaurant use in the PDR-1-D district is permitted one space per 200 square feet. The project analyzed in the FMND had 5,056 sf of restaurant use, and the modified project contains 3,864 sf of restaurant use; thus the permitted parking for restaurant use is reduced from 25 to 19 spaces.

As shown in Table 3, the modified project is permitted 53 parking spaces, the same as the number analyzed in the FMND. The modified project contains 15 parking spaces, reduced from the 22 spaces included in the project analyzed in the FMND. The project would remain consistent with applicable parking controls and would not require any exceptions or variances for parking.

**Table 3 – Permitted Parking**

<b>Use</b>	<b>Analyzed in FMND</b>	<b>Modified Project</b>	<b>Parking Demand for Modified Project<sup>1</sup></b>
Residential	14	14	20
PDR	12	17	40
Retail	2	3	9
Restaurant	25	19	23
Total	53	53	92

<sup>1</sup> Methodology derived from San Francisco Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

Based on the methodology presented in the 2002 *Transportation Guidelines*, on an average weekday, the demand for parking would be 92 spaces. Thus, the project would have an unmet parking demand of 77 spaces. San Francisco does not consider parking supply as part of the permanent physical environment, and therefore does not consider changes in parking conditions to be environmental impacts as defined by CEQA. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (0.2 mile to Muni 22 and 10 lines stop, 0.7 mile to Mariposa Street T stop, and 1.1 mile to 16<sup>th</sup> Street BART Station) and bicycle

routes (Routes 40 and 23), which provide alternatives to auto travel. Therefore, an increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not be considered a significant effect.

### **Historic Resources**

The portion of lot 6 that is subject to the lot line adjustment contains a small corrugated steel shed that is attached to the existing building on lot 7. The building on lot 6 was determined by the Planning Department's preservation staff not to be a historic resource.<sup>3</sup> Thus, impacts related to historic resources would remain less than significant.

### **Hazardous Materials**

The project site, including the 63-foot-by-25-foot expanded area resulting from the lot line adjustment, was previously a bulk fuel facility and is subject to ongoing remedial activities. The project analyzed in the FMND identified Mitigation Measure M-HZ-2, which requires the project sponsor to submit a Site Mitigation Plan to the San Francisco Department of Public Health (DPH), and to comply with remediation measures as specified by the DPH. The below-ground garage has been removed from the project; thus, the project would require far less soil removal than described in the FMND. Nevertheless, Mitigation Measure M-HZ-2 would still apply to the proposed project and would reduce impacts related to soil and groundwater contamination to a less-than-significant level.

### **Other Issues**

The FMND determined that for the following topics any environmental effects associated with the original project would either be insignificant or would be reduced to a level of less-than-significant by implementation of the mitigation measures adopted as conditions of project approval: land use, archeological and paleontological resources, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, mineral and energy resources, and agricultural and forest resources.

The FMND identified four mitigation measures (related to archeological resources, noise, temporary noise, and the release of hazardous materials into the environment). The FMND's mitigation measures would be implemented prior to, or during construction, as applicable to the effect they are intended to address. The significance conclusions reached in the FMND would not change based on the project modifications, and all mitigation measures from the FMND would be applied to the modified project.

### ***Conclusion***

Based on the foregoing, the analyses conducted and the conclusions reached in the final mitigated negative declaration adopted and issued on March 29, 2012 remain valid, and no supplemental environmental review is required. The modified project would not cause new significant impacts not identified in the FMND, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the proposed project that

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<sup>3</sup> Email from Moses Corrette, Preservation Technical Specialist,

would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum.

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

\_\_\_\_\_  
Date of Determination

\_\_\_\_\_  
Sarah Jones  
Acting Environmental Review Officer  
for John Rahaim, Director of Planning

cc: Tony Pantaleoni, Project Sponsor  
Corey Teague, Current Planning  
Distribution List  
Virna Byrd, Master Decision File/Bulletin Board