



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0586E
 Project Address: 363 6th Street
 Zoning: MUR (Mixed Use – Residential) Zoning District
 85-X Height and Bulk District
 Block/Lot: 3753/079
 Lot Size: 12,800 square feet [0.29 acres]
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: Michael Roach, Realtex – (415) 654-5806
 Staff Contact: Christopher Espiritu – (415) 575-9022, christopher.espiritu@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

PROJECT DESCRIPTION

The project would include the demolition of an existing approximately 14,400 square-foot (sq ft) industrial building and surface parking lot. The proposed project would also include the construction of a new 9-story, 85-foot tall mixed-use building with 104 dwelling units, 45 vehicle parking spaces and 109 bicycle parking spaces within a basement-level garage. The proposed building would be approximately 85,600 gross square feet (gsf), which includes 700 sq ft for a ground floor commercial space along Sixth Street. The existing industrial building on the approximately 12,800 sq ft lot was constructed in 1920. The project site is located at the corner of Sixth Street and Clara Street in the East South of Market (SoMa) neighborhood. The subject block is bounded by Shipley Street to the north, Clara Street to the south, Fifth Street to the east, and Sixth Street to the west. The project site is a corner lot, with frontages on both Sixth Street and Clara Street. The Interstate 80 freeway is located one-and-a-half blocks south of the project site, and the nearest access ramp is the westbound on-ramp located on the southwest corner of Seventh and Harrison Streets approximately one block southwest of the project site.

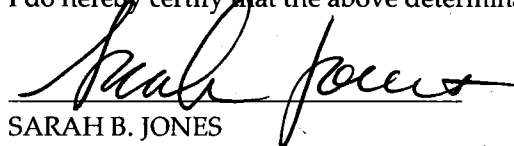
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EXEMPT STATUS

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

DETERMINATION

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


 SARAH B. JONES
 Environmental Review Officer

October 2, 2015
 Date

cc: Michael Roach, Project Sponsor; Supervisor Jane Kim, District 6; Richard Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The ground floor would be used for commercial space and common residential areas, including a residential lobby, accessed from Sixth Street, and the upper floors would contain dwelling units. In total, the proposed building would include 21 studio units, 26 one-bedroom units, and 57 two-bedroom units, approximately 700 sq ft of ground floor commercial space, 2,500 sq ft for rear yard open space, and 7,800 sq ft of usable open space located on a courtyard on the first floor and the rooftop level. The proposed building would require excavation of up to 14 feet below existing grade for a basement level and an additional 30 feet for the proposed building's foundation systems (screw-in steel piles). An existing curb cut (approximately 20 feet wide) is located at the northeast corner of the property along the existing building's Clara Street frontage. Adjacent to the project site, Clara Street is a narrow one-way street with parking on the one side of the street. The project would include 45 off-street vehicle parking spaces within a basement level and the existing curb cut located on the Clara Street frontage would be reduced to a 10-foot-wide curb cut. The basement-level parking garage would include all 45 vehicle parking spaces, as well as 109 bicycle parking spaces (102 Class I bicycle parking spaces and seven Class II bicycle parking spaces) for use by residents and retail visitors.

PROJECT APPROVAL

Required approvals for the proposed project include a Planning Code Section 329 (Large Project Authorization) approval from the Planning Commission and a building permit from the Department of Building Inspection (DBI). The Large Project Authorization approval from the Planning Commission constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 363 6th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 363 6th Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

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

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

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

As a result of the Eastern Neighborhoods rezoning process, the project site was rezoned from RSD (Residential/Service Mixed-Use) to MUR (Mixed Use - Residential) District. The MUR District is intended to promote a vibrant mix of uses. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Also, the MUR District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a

² San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

scale and density compatible with the existing neighborhood. The 363 6th Street site, which is located in the South of Market area of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 363 6th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 363 6th Street project, and identified the mitigation measures applicable to the 363 6th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 363 6th Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is within the MUR (Mixed-Use Residential) Zoning District and an 85-X Height and Bulk District. The surrounding properties contain a mix of warehouse, automotive repair, residential, office, and commercial/retail uses. The project site contains an existing one-story building that was formerly used as a church. The project site is a corner lot and is adjacent to a vacant lot to the northwest that is currently used for surface parking with a single-story office building (345 6th Street). Adjacent to the project site are a mix of one- to four-story residences located to the northeast. To the southwest, across Sixth Street is a row of multi-story mixed-use structures ranging from one to five stories. Across Clara Street, to the southeast of the project site, is a vacant lot with an existing structure (currently unused/abandoned) located in the opposite corner of the project site at Clara Street and Sixth Street. The project site is located one and a half blocks north of the Interstate 80 freeway, and a westbound on-ramp is located one-half block to the west, at the intersection of Fifth Street and Bryant Street. The major arterial streets surrounding the subject block (Fifth, Fourth, Harrison, Brannan, and Folsom Streets) are multi-lane streets that serve as primary access routes to and from the Interstate 80, Interstate 280, and Highway 101 freeways.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 363 6th Street, April 3, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 363 6th Street, March 25, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0586E.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 363 6th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 363 6th Street project. In addition, the proposed project, at approximately 85 feet in height, would have the potential to cast new shadow on nearby facilities under the jurisdiction of the Recreation and Parks Department. Additional analysis of shadow impacts of the proposed project, as well as other projects of similar height in the immediate vicinity, found that the proposed project would not result in a substantial adverse impact on use of the facility. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would not result in the removal of PDR space. Also, the existing building on the project site was not found to be a historic resource. Thus, the proposed project would not result in demolition, alteration, or modification of any historic resources, and would not therefore contribute to any historic resource impact. Traffic and transit ridership generated by the proposed project would not considerably contribute to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. Nor would the project contribute to significant new shadow on public open spaces.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Applicable: The project sponsor has agreed to avoid use of impact pile drivers, and to use noise-shielding and muffling devices, as well as the use of sonic or vibratory sheetpile drivers wherever sheetpiles are needed. Project Mitigation Measure 2.
F-2: Construction Noise	Applicable: Temporary construction noise from use of heavy equipment. Project Mitigation

Mitigation Measure	Applicability
	Measure 3.
F-3: Interior Noise Levels	Applicable: Noise-sensitive uses (residences) where street noise exceeds 60 dBA. Project Mitigation Measure 4.
F-4: Siting of Noise-Sensitive Uses	Applicable: Project includes siting of residential uses in where street noise exceeds 60 dBA. Project Mitigation Measure 5.
F-5: Siting of Noise-Generating Uses	Not Applicable: Project would not include noise-generating uses.
F-6: Open Space in Noisy Environments	Applicable: Project includes open space where street noise exceeds 60 dBA. Project Mitigation Measure 6.
G. Air Quality	
G-1: Construction Air Quality	Applicable: Project required to comply with Construction Dust Control Ordinance; project located in area of poor air quality. Project Mitigation Measure 7.
G-2: Air Quality for Sensitive Land Uses	Not applicable: Project required to comply with Health Code Article 38. Requirement satisfied by sponsor.
G-3: Siting of Uses that Emit DPM	Not applicable: Project would not include uses that emit DPM.
G-4: Siting of Uses that Emit other TACs	Applicable: Project would include a backup diesel generator. Project Mitigation Measure 8.
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: No previous archeological research design and treatment plan is on file for the project site property.
J-2: Properties with no Previous Studies	Applicable: soil disturbance to approximately 22 feet below grade proposed in this mitigation area. Project Mitigation Measure 1
J-3: Mission Dolores Archeological District	Not Applicable: Project is not located within the Mission Dolores Archeological District
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department
K-2: Amendments to Article 10 of the Planning Code	Not Applicable: plan-level mitigation

Mitigation Measure	Applicability
Pertaining to Vertical Additions in the South End Historic District (East SoMa)	completed by Planning Commission
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: Demolition of existing industrial building. Project Mitigation Measure 9.
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & SFTA
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & Planning Department
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on March 12, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. No specific comments were received regarding the proposed project, with the exception of individual requests to receive a copy of the environmental determination and to be included in any future notices. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁶:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁶ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2011.0586E.