



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

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*Case No.:* 2015-014148ENV  
*Project Address:* 1245 Folsom Street  
*Zoning:* NCT (Folsom Street Neighborhood Commercial Transit) District  
RED-MX (Residential Enclave, Mixed) District  
Western SoMa Special Use District  
65-X and 45-X Height and Bulk District  
*Block/Lot:* 3756/041  
*Lot Size:* 8,250 square feet  
*Plan Area:* Western SoMa Community Plan  
*Project Sponsor:* Marc Dimalanta, D-Scheme Studio, (415) 252-0888  
*Staff Contact:* Jennifer McKellar, (415) 575-8754, jennifer.mckellar@sfgov.org

### PROJECT DESCRIPTION

The project site consists of an 8,250-square-foot rectangular through lot located within the block bounded by Folsom, Harrison, 8<sup>th</sup> and 9<sup>th</sup> streets in the South of Market neighborhood of San Francisco. The site fronts Folsom Street (50 feet) and Ringold Street (50 feet) and contains a two-story 9,250-square-foot commercial building that was constructed in 1945 and is currently being used as an independent pre-kindergarten through 8<sup>th</sup> grade school. The site is located within the Western SoMa Light Industrial and Residential Historic District. The proposed project would demolish the existing building and construct two new buildings with a ground-level inner courtyard between them. The first building (1245 Folsom Street) would front Folsom Street and consist of a new 24,102-square-foot, six-story, approximately 64-foot-tall (80-foot-tall including elevator/stair penthouse), mixed-use building with 20 dwelling units (second through sixth floors) and a 3,583-square-foot ground-floor retail unit. The second building would front Ringold Street and consist of a new 16,335-square-foot, five-story, approximately 45-foot-tall residential building (63-foot-tall including elevator/stair penthouse) with 17 dwelling units.

(Continued on next page.)

### CEQA DETERMINATION

The project is eligible for streamlined environmental review 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.

*for*   
\_\_\_\_\_  
Lisa Gibson  
Environmental Review Officer

Date September 21, 2018

cc: Marc Dimalanta, Project Sponsor; Supervisor Jane Kim, District 6; Esmeralda Jardines, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The dwelling unit mix of the new 1245 Folsom Street building would include eight studio units, eleven two-bedroom units and one three-bedroom unit. The new building fronting Ringold Street would include six studio units, seven one-bedroom units, three two-bedroom units and one three-bedroom unit. Seven of the total 37 proposed dwelling units would be designated as below-market-rate (BMR) units.

The proposed project would provide 1,646 square feet of private open space and 4,299 square feet of common open space in the form of decks and a rear courtyard for the residential component of the project. However, the Western SoMa Community Plan does not allow roof decks to be included as open space. Therefore, the proposed project is seeking a variance from Planning Code section 135 open space requirements for the NCT-zoned portion of the project site (see Project Approvals below).

In addition, the proposed project would provide 18 vehicle parking spaces (including one car share space) and 40 class 1 bicycle parking spaces in a common underground garage spanning the entire project site. A new twelve-foot-wide curb cut on Ringold Street would provide vehicular access to the garage. The proposed project would also provide six class 2 bicycle spaces, two located along the Folsom Street frontage and four located along the Ringold Street frontage. Two new street trees would be added to the Ringold Street frontage; the three existing street trees along the Folsom Street frontage would remain.

The proposed new buildings would be supported by a stiffened mat slab foundation. Construction of the proposed project would last approximately 35 months and include approximately 8,250 square feet of excavation to a maximum depth of approximately 20 feet below ground surface (bgs) and remove about 6,111 cubic yards of soil.

## PROJECT APPROVALS

The proposed 1245 Folsom Street project would require the following approvals:

- **Large Project Authorization.** Planning Commission approval of exceptions from Planning Code requirements for rear yard (section 134); dwelling unit exposure (section 140); usable open space (section 135); and dwelling unit mix (section 207.6), pursuant to sections 329, 823, and 847
- **Variance.** Zoning Administrator approval of variances from Planning Code requirements for rear yard (section 134), dwelling unit exposure (section 140), and usable open space (section 135).
- **Demolition and site/building permits.** Department of Building Inspection approval to demolish the existing building and construct two new buildings.

The approval of the Large Project Authorization by the Planning Commission would constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that 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, shall not be subject to additional environmental review 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 1245 Folsom Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).<sup>1</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

The Western SoMa PEIR included analyses of the following environmental issues: land use; aesthetics; population and housing; cultural and paleontological resources; transportation and circulation; noise and vibration; air quality; greenhouse gas emissions; wind and shadow; recreation; public services, utilities and service systems; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agricultural and forest resources.

The 1245 Folsom Street project site is located in an area covered by the *Western SoMa Community Plan*. As a result of the Western SoMa rezoning process, the project site has been reclassified from an SLR (Service/Light Industrial/Residential Mixed Use) District and a 40-X/50-X Height and Bulk District to a split NCT (Folsom Street Neighborhood Commercial Transit) District/RED-MX (Residential Enclave, Mixed) District and a split 65-X/45-X Height and Bulk District. The Folsom Street NCT district encourages residential development above the ground story in new buildings and requires active, neighborhood-serving commercial development at the ground story, where transparency and fenestration requirements add to street-level activation. The RED-MX district permits residential uses, but limits group housing and prohibits student housing and single-room-occupancy. In addition, small-scale retail, restaurants, arts activities, and other commercial uses are principally permitted in the RED-MX to create the potential for more active, mixed use alleys. The proposed project is consistent with the uses permitted within the NCT and RED-MX zoning districts as well as the height restrictions imposed by the 65-X and 45-X height and bulk districts

Individual projects that could occur in the future under the *Western SoMa Community Plan* 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 1245 Folsom Street is consistent with and was encompassed within the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 1245 Folsom Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the

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<sup>1</sup> San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* Final Environmental Impact Report (PEIR), Planning Department Cases No. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012, <http://sf-planning.org/AREA-PLAN-EIRS>, accessed August 28, 2018.

Planning Code applicable to the project site.<sup>2,3,4</sup> Therefore, no further CEQA evaluation for the 1245 Folsom Street project is required. In sum, the Western SoMa PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, office, nighttime entertainment and production/distribution/repair (PDR) uses. The scale of development in the project vicinity varies in height from one to six stories, with the majority of buildings consisting of two to four stories. Land uses on the same block as the project site include residential, office, bar, retail, hotel and non-profit organization uses. Additional land uses within one block of the project site include restaurant and PDR uses. Howard & Langton Mini Park is located approximately one block northeast of the project site. Victoria Manalo Draves Park is located approximately two blocks northeast.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 8-Bayshore, 8AX-Bayshore A Express, 8BX-Bayshore B Express, 9-San Bruno, 9R-San Bruno Rapid, 12-Folsom/Pacific, 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness and 83X-Mid-Market Express. The nearest bus stops, which serve the 12-Folsom/Pacific and 19-Polk bus lines, are located within 300 feet of the project site at the Folsom Street/8<sup>th</sup> Street and Folsom Street/9<sup>th</sup> Street intersections, respectively. The BART Civic Center station is located within one half-mile northwest of the project site.

## POTENTIAL ENVIRONMENTAL EFFECTS

The proposed 1245 Folsom Street project is in conformance with the height, use and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast in the *Western SoMa Community Plan*. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 1245 Folsom Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

The Western SoMa PEIR identified significant and unavoidable impacts associated with the following environmental topics: cultural and paleontological resources, transportation and circulation, noise, air quality, and shadow. The proposed project would not result in demolition of any historic or potentially historic resources or any resources contributing to a historic district (see CPE Checklist).<sup>5</sup> The proposed

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<sup>2</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1245 Folsom Street*, March 23, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-014148ENV.

<sup>3</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1245 Folsom Street*, January 18, 2017.

<sup>4</sup> The above noted Community Plan Evaluation Determinations for the proposed project were based on an earlier design. After the determinations were completed, the design of the proposed project was revised. In the revised design, the retail space in the 1245 Folsom Street building has been reduced from 5,868 square feet to 3,583 square feet and the height of the 1245 Folsom building has been reduced from seven stories (65 feet above grade) to six stories (64 feet above grade). The overall dwelling unit count (37 units) and height of the proposed Ringold Street buildings has not changed. Therefore, the results of the Community Plan Evaluation Determinations would not change due to the proposed design revisions.

<sup>5</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-014148ENV.

project is also required to comply with the *Design Standards for Western SoMa Special Use District*.<sup>6</sup> For these reasons, the proposed project would not contribute to any impacts on historic resources. In addition, traffic and transit ridership generated by the project would not contribute considerably to the traffic and transit impacts identified in the Western SoMa PEIR. The proposed project would also not introduce any net new shadow on any Recreation and Park Department properties or other publically accessible open spaces.

The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. **Table 1** below lists the mitigation measures identified in the Western SoMa PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Western SoMa PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>D. Cultural and Paleontological Resources</b>		
M-CP-1a: Documentation of a Historical Resource	Not Applicable: The proposed project would not cause a substantial adverse change in the significance of a historical resource through demolition.	Not Applicable
M-CP-1b: Oral Histories	Not Applicable: The proposed project would demolish a contributor to a California Register-eligible SoMa LGBTQ historic district. However, Planning Department preservation staff have determined that the subject property is one of many such contributors and its demolition would not result in a significant impact to the SoMa LGBTQ district.	Not Applicable
M-CP-1c: Interpretive Program	Not Applicable: The proposed project would demolish a contributor to a California Register-eligible SoMa LGBTQ historic district. However, Planning Department preservation staff have	Not Applicable

<sup>6</sup> Western SoMa Citizens Planning Task Force, *Design Standards for Western SoMa Special Use District*, 2011, [http://www.sf-planning.org/ftp/files/publications\\_reports/WesternSoMa\\_DesignStandards\\_Draft.pdf](http://www.sf-planning.org/ftp/files/publications_reports/WesternSoMa_DesignStandards_Draft.pdf), accessed August 28, 2018.

Mitigation Measure	Applicability	Compliance
	determined that the subject property is one of many such contributors and its demolition would not result in a significant impact to the SoMa LGBTQ district.	
M-CP-4a: Project-Specific Preliminary Archeological Assessment	Applicable: Soils-disturbing activities are proposed.	<b>Completed:</b> The Planning Department has conducted a Preliminary Archeological Review and determined that a mitigation measure of archeological testing would apply (see <b>Project Mitigation Measure 3: Procedures for Archeological Testing</b> ).
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Applicable: Soils-disturbing activities are proposed.	The project sponsor has agreed to implement <b>Project Mitigation Measure 3: Procedures for Archeological Testing</b> for PEIR Mitigation Measure M-CP-4b.
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: Adjacent historic resources are present.	The project sponsor has agreed to implement practices to protect adjacent historic resources from damage caused by project-related construction activities (see <b>Project Mitigation Measure 1: Protect Historical Resources from Adjacent Construction Activities</b> ) for PEIR Mitigation Measure M-CP-7a.
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: Adjacent historic resources are present.	The project sponsor has agreed to implement a program to monitor adjacent historic resources for damage caused by project-related construction activities and to repair such damage (see <b>Project Mitigation Measure 2: Construction Monitoring Program for Historical Resources</b> ) for PEIR

Mitigation Measure	Applicability	Compliance
		Mitigation Measure M-CP-7b.
<b>E. Transportation and Circulation</b>		
M-TR-1c: Traffic Signal Optimization (8 <sup>th</sup> /Harrison/I-80 WB off-ramp)	Not Applicable: Plan level mitigation by SFMTA.	Not Applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not Applicable: No existing commercial vehicle loading spaces on Folsom Street between 8 <sup>th</sup> and 9 <sup>th</sup> streets would be removed.	Not Applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not Applicable: Transit ridership generated by the project would not contribute substantially to this impact.	Not Applicable
<b>F. Noise and Vibration</b>		
M-NO-1a: Interior Noise Levels for Residential Uses	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
M-NO-1b: Siting of Noise-Sensitive Uses	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
M-NO-1c: Siting of Noise-Generating Uses	Not Applicable: The project does not include substantial noise-generating uses.	Not Applicable
M-NO-1d: Open Space in Noisy Environments	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
M-NO-2a: General Construction Noise Control Measures	Applicable: The project would generate construction noise.	The project sponsor has agreed to develop and implement noise attenuation measures during construction (see <b>Project Mitigation Measure 4: General Construction Noise Control Measures</b> ) for PEIR Mitigation Measure M-NO-2a.
M-NO-2b: Noise Control Measures During Pile Driving	Not Applicable: The project would not include pile driving	Not Applicable

Mitigation Measure	Applicability	Compliance
	activities.	
<b>G. Air Quality</b>		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not Applicable: The project would not generate more than 3,500 daily vehicle trips.	Not Applicable
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not Applicable: Superseded by Health Code Article 38.	Not Applicable
M-AQ-4: Siting of Uses that Emit PM <sub>2.5</sub> or DPM and Other TACs	Not Applicable: The project would not site uses that emit TACs.	Not Applicable
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not Applicable: The project would not exceed the construction screening criterion.	N/A
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: The project site is in an Air Pollutant Exposure Zone.	The project sponsor has agreed to implement a mitigation measure related to minimizing exhaust emissions from construction equipment and vehicles (see <b>Project Mitigation Measure 5: Construction Emissions Minimization Plan for Health Risks and Hazards</b> ) for PEIR Mitigation Measure M-AQ-7.
<b>I. Wind and Shadow</b>		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not Applicable: The project would not exceed 80 feet in height.	Not Applicable
<b>L. Biological Resources</b>		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Applicable: The project includes building demolition.	The project sponsor has agreed to conduct pre-construction special-status bird surveys prior to demolition of the existing building (see <b>Project Mitigation Measure 6: Pre-Construction Special-Status Bird Surveys</b> ) for PEIR

Mitigation Measure	Applicability	Compliance
		Mitigation Measure M-BI-1a.
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Applicable: The project would demolish a vacant building.	The project sponsor has agreed to conduct pre-construction special-status bat surveys prior to demolition of the existing building (see <b>Project Mitigation Measure 7: Pre-Construction Special-Status Bat Surveys</b> ) for PEIR Mitigation Measure M-BI-1b.
<b>O. Hazards and Hazardous Materials</b>		
M-HZ-2: Hazardous Building Materials Abatement	Applicable: The project includes demolition of a pre-1970s building.	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to demolishing the existing building (see <b>Project Mitigation Measure 8: Hazardous Building Materials Abatement</b> ) for PEIR Mitigation Measure M-HZ-2.
M-HZ-3: Site Assessment and Corrective Action	Not Applicable: Superseded by Health Code Article 22A (Maher Ordinance).	Not Applicable

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

## PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on September 8, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. The Planning Department received six responses to the notification. Two of the responses expressed an interest in receiving future notices and/or environmental documents. The remaining comments expressed concerns related to the exacerbation of existing noise levels and traffic congestion; potential shading of private spaces, solar panels and trees; adverse impacts to neighborhood character and views due to the scale of the proposed new buildings; and concerns related to potential impacts on nearby foundations due to construction activities within a liquefaction zone. 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. The Planning Department has determined that the proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Western SoMa PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist:<sup>7</sup>

1. The proposed project is consistent with the development density established for the project site in the *Western SoMa Community Plan*;
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 Western SoMa PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Western SoMa 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 Western SoMa 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 Western SoMa PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>7</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-014148ENV.