



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.1109E  
 Project Address: 2146-2148 Third Street  
 Zoning: UMU (Urban Mixed Use) Zoning District  
 68-X Height and Bulk District  
 Life Science and Medical Special Use District  
 Block/Lot: 4044/003  
 Lot Size: 2,265 square feet  
 Plan Area: Eastern Neighborhoods Area Plan  
 Project Sponsor: Mark Holmquist, Stanley Saitowitz/Natoma Architects, (415) 626-8977  
 Staff Contact: Don Lewis – (415) 575-9168  
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### PROJECT DESCRIPTION

The project site consists of a rectangular-shaped parcel located on the western side of Third Street between 18<sup>th</sup> and 19<sup>th</sup> streets in the Central Waterfront neighborhood. The project site is currently occupied by a 35-foot-tall, two-story-over-basement, mixed-use building approximately 4,000 square feet in size. The existing building was constructed in 1893 and currently contains one residential unit and one vacant ground-floor commercial unit, which was formerly occupied by an art gallery. The project sponsor proposes the demolition of the existing building and construction of a 55-foot-tall, six-story, seven-unit, residential building approximately 12,000 square feet in size. The proposed mix of units is three one-bedroom units and four two-bedroom units. The proposed building would retain the existing on-site

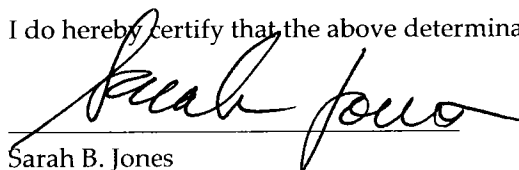
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### EXEMPT STATUS

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

March 20, 2015  
 Date

cc: Mark Holmquist, Project Sponsor  
 Supervisor Malia Cohen, District 10  
 Jeffrey Speirs, Current Planning Division

Virna Byrd, M.D.F  
 Exemption/Exclusion File

**PROJECT DESCRIPTION (continued)**

basement to include three parking spaces (utilizing a car elevator system) and seven bicycle spaces. The proposed project would require excavation of up to approximately 16 feet below ground surface and 194 cubic yards of soil is proposed to be removed under the project. One unit would have an approximately 560-square-foot deck while the other six units would share an approximately 510-square-foot common roof deck. Pedestrian and vehicular access would be from Third Street. The project site is located within the Central Waterfront area of the Eastern Neighborhoods Plan Area.

**PROJECT APPROVAL**

The proposed project at 2146-2148 Third Street would require the following approvals:

**Actions by the Planning Commission**

- The project must comply with Section 317 of the Planning Code for the removal of a dwelling unit. A Mandatory Discretionary Review is required by the Planning Commission, which is the Approval Action for the 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.

**Actions by other City Departments**

- Approval of a Site Mitigation Plan (SMP) from the San Francisco Department of Public Health (DPH) prior to the commencement of any excavation work.
- Approval of Building Permits from the Department of Building Inspections (DBI) for demolition and new construction.

**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 2146-2148 Third Street project described above, and incorporates by reference information contained in the Programmatic

EIR for the Eastern Neighborhoods Rezoning and Area Plans (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 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 2146-2148 Third 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.<sup>2,3</sup>

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 has been rezoned from M-2 (Heavy Industrial) District to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048.

<sup>2</sup> 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 February 24, 2015.

<sup>3</sup> 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 February 24, 2015.

2146-2148 Third Street site, which is located in the Central Waterfront area of the Eastern Neighborhoods, was designated as a site with building up to 68 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 2146-2148 Third 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 2146-2148 Third Street project, and identified the mitigation measures applicable to the 2146-2148 Third Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the 2146-2148 Third 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 consists of a rectangular-shaped parcel located on the western side of Third Street between 18th and 19th streets in the Central Waterfront neighborhood. The property immediately adjacent to the south consists of a two-story, mixed-use building with one dwelling unit over a ground-floor commercial unit, while the property immediately adjacent to the north consists of a three-story medical office building with a surface parking lot. The surrounding area around the project site is characterized by a mix of office, residential, industrial, and commercial uses in buildings ranging in height from two to five stories. The project site is served by the T-Third Street light rail, and is located four blocks east of Interstate-280. Esprit Park is located approximately two blocks to the southwest of the project site, the proposed Third Street Industrial Historic District is located across the street from the project site to the east, and the Dogpatch Historic District is located one block to the west. All of the surrounding parcels are within the UMU zoning district, and height districts within a one-block radius range from 45 to 68 feet.

## 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 2146-2148 Third 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

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<sup>4</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2146-2148 Third Street, October 31, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1109E.

<sup>5</sup> Joslin, Jeff, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2146-2148 Third Street, January 30, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1109E.

Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 2146-2148 Third Street project. 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 result in a loss of a PDR building and would not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The proposed project would involve the demolition of a building constructed in 1893. Preservation staff determined that the existing building is not an historical resource due to its loss of integrity and lack of significance relative to the eligible Third Street Industrial Historic District; therefore, demolition of the building would not result in a significant impact on an historical resource. 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. A shadow fan analysis was required for the proposed project because the proposed building height would be 55 feet (excluding the stair/elevator penthouse). The analysis found that the project as proposed would not cast new shadows on Recreation and Parks Department parks or other public parks. The proposed project would shade nearby streets, sidewalks, and private property at times within the project vicinity, but at levels commonly expected in urban areas.

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
<b>F. Noise</b>	
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed
F-2: Construction Noise	Not Applicable: pile driving not proposed
F-3: Interior Noise Levels	Applicable: new noise-sensitive uses (dwelling units) where street noise exceeds 60 dBA. The project sponsor provided an environmental noise report that demonstrates that the proposed project can feasibly attain an acceptable interior noise level.
F-4: Siting of Noise-Sensitive Uses	Applicable: new noise sensitive uses (dwelling units) proposed. The project sponsor provided an environmental noise report that demonstrates that the proposed project can feasibly attain an acceptable interior noise level.
F-5: Siting of Noise-Generating Uses	Not Applicable: no noise-generating uses proposed (residential use only)

Mitigation Measure	Applicability
F-6: Open Space in Noisy Environments	Applicable: new noise sensitive uses (dwelling units) proposed. The project sponsor provided an environmental noise report that demonstrates that the proposed open space is adequately protected from the existing ambient noise levels.
<b>G. Air Quality</b>	
G-1: Construction Air Quality	Not Applicable: project is subject to the Dust Control Ordinance and is not in an Air Pollutant Exposure Zone
G-2: Air Quality for Sensitive Land Uses	Not Applicable: project is not in the Air Pollutant Exposure Zone
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed residential use would not emit substantial levels of DPM
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed residential use would not emit substantial levels of other TACs
<b>J. Archeological Resources</b>	
J-1: Properties with Previous Studies	Not Applicable: project site is not within this mitigation area
J-2: Properties with no Previous Studies	Applicable: project site is located in an area with no previous archaeological studies. The requirements of this mitigation measure have been complied with as part of this environmental review process. No further mitigation is required.
J-3: Mission Dolores Archeological District	Not Applicable: project site is not within this mitigation area
<b>K. Historical Resources</b>	
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 Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation 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

Mitigation Measure	Applicability
<b>L. Hazardous Materials</b>	
L-1: Hazardous Building Materials	Applicable: project involves demolition of an existing building
<b>E. Transportation</b>	
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by San Francisco Municipal Transportation Agency (SFMTA)
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & San Francisco County Transportation Authority (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 measure. With implementation of this mitigation measure 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 January 16, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. No comments were received.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist<sup>6</sup>:

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.

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<sup>6</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.1109E.



**Attachment A:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR</b>				
<p><b>PMM-1 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor/contractor	Prior to demolition of structures	Project Sponsor/contractor shall submit a monitoring report to the Department of Public Health and Planning.	Considered complete upon receipt of final monitoring report.

