



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

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Case No.: 2016-007877ENV
Project Address: 235 Valencia Street
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit) District
50-X Height and Bulk District
Block/Lot: 3532/019B
Lot Size: 9,000 square feet
Plan Area: Market and Octavia Area Plan
Project Sponsor: Craig Hamburg, DDG 235 Valencia Realty LLC, (415) 692-5054,
cnh@ddgpartners.com
Staff Contact: Jennifer McKellar, (415) 575-8754,
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PROJECT DESCRIPTION

The project site is located at the southeast corner of Valencia Street and Clinton Park in the Mission neighborhood of San Francisco. The project site consists of a 9,000-square-foot rectangular lot that has frontage along Valencia, Clinton Park, and Stevenson streets. A vacant, one-story, 9,210-square-foot commercial building currently occupies the lot. The existing building was constructed in 1924 and was formerly used as a motorcycle shop and, more recently, as an automobile repair shop.

The proposed project would demolish the existing building and construct a new five-story, 50-foot-tall (55-foot-tall at the section containing the ground-floor active commercial use), approximately 33,268-sf mixed-use building with 40 dwelling units and two ground-floor commercial units totaling 5,188 square feet.

(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.



Lisa Gibson
Environmental Review Officer

11/30/17

Date

cc: Craig Hamburg, Project Sponsor; Supervisor Hillary Ronen, District 9; Doug Vu, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The residential units would be accessed from a lobby fronting Valencia Street. One of the commercial units would be accessed from both Valencia Street and Clinton Park, the other would be accessed from Clinton Park. The residential mix would include 18 studio units, two one-bedroom units, 18 two-bedroom units and two three-bedroom units.

No off-street vehicle parking is proposed; however, 41 class 1 bicycle parking spaces would be provided on the ground floor of the new building (40 residential and one commercial). In addition, five class 2 spaces would be provided on the Clinton Park and Valencia Street sidewalks (two residential and three commercial). About 4,166 square feet of usable open space would be provided in the form of a private deck on the fourth floor and common terraces on the fourth, fifth and roof levels.

The project also proposes improvements to Clinton Park, including a sidewalk bulbout beginning at the corner of Valencia Street and Clinton Park and pavers, seating and landscaping along Clinton Park to create a "living alley" to identify and honor the legacy of Hap Jones, the former owner of the site. The three existing curb cuts (one on Valencia Street and two on Clinton Park) would be removed and replaced with a 40-foot-wide commercial loading zone at the terminus of Clinton Park.

The proposed project would be supported by a new mat slab foundation that may require drilled piers for shoring and underpinning. Construction of the proposed new building and associated street improvements would occur over a 16-month period and require excavation over the entire site to a maximum depth of 2.5 feet below ground surface and remove approximately 834 cubic yards of soil.

PROJECT APPROVAL

If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a building permit by the Department of Building Inspection is the Approval Action. 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 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 235 Valencia Street project described above, and incorporates by reference information contained in the Programmatic Final Environmental Impact Report for the Market and Octavia Area Plan (Market and Octavia PEIR).¹ 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 Market and Octavia PEIR.

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR by Motion No. 17406.² The PEIR analyzed amendments to the San Francisco General Plan (General Plan) to create the Market and Octavia Area Plan and amendments to the planning code and Zoning Maps, including the creation of the Upper Market Street NCT (Neighborhood Commercial Transit) District. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Area Plan. The proposed 235 Valencia Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the Market and Octavia Plan area. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 235 Valencia Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

In May 2008, subsequent to the certification of the Market and Octavia PEIR, the Board of Supervisors approved and the Mayor signed into law revisions to the planning code, zoning maps, and general plan that constituted the “project” analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable whole neighborhoods meeting everyday needs. The Market and Octavia Area Plan, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use, design, and density of the 235 Valencia Street project.

Individual projects that could occur in the future under the Market and Octavia Area 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 235 Valencia Street is consistent with and was encompassed within the analysis in the Market and Octavia PEIR. This determination also finds that the Market and Octavia PEIR adequately anticipated and described the impacts of the proposed 235 Valencia Street project, and identified the mitigation measures applicable to the 235 Valencia Street project. The proposed project is also consistent with the zoning controls and the provisions of the planning code applicable to the project site.^{3,4} Therefore, no further CEQA evaluation for the 235 Valencia Street project is required. Overall, the Market and Octavia PEIR

¹ San Francisco Planning Department, *Market and Octavia Area Plan Final EIR, Case No. 2003.0347E, State Clearinghouse No. 2004012118, April 5, 2007*, <http://sf-planning.org/area-plan-eirs>, October 3, 2017. This document (and all other documents contained herein) is available for review at 1650 Mission Street, Suite 400, as part of Case No. 2003.0347E.

² San Francisco Planning Commission, *Motion No. 17406, April 5, 2007*, <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=568>, accessed October 3, 2017.

³ San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning Analysis, 235 Valencia Street*, March 23, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case No. 2016-007877ENV.

⁴ San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, 235 Valencia Street*, April 13, 2017.

and this certificate of exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

As described above, the project site fronts Valencia Street, Clinton Park and Stevenson Street. Valencia Street is a three-lane, two-way, north/south street with bicycle lanes oriented in both directions. Clinton Park and Stevenson Street are single-lane alleys running west and north, respectively. Parallel parking is permitted on both sides of Valencia Street, the west side of Clinton Park and the east side of Stevenson Street. The project site is located within a half mile of the 16th Street & Mission (Bay Area Rapid Transit) BART transit stop and within a quarter mile of several local San Francisco Municipal Transportation Agency (Muni) transit lines, including 14-Mission, 14R-Mission Rapid, 49-Van Ness/Mission, 55-16th Street, F-Market & Wharves, J-Church, KT-K-Ingleside/T-Third Street, L-Owl, M-Ocean View and N-Judah.

The project vicinity is characterized by a mix of one- to five-story buildings containing residential, retail, entertainment, institutional and production, distribution and repair (PDR) uses. The buildings are predominately mixed-use residential buildings with commercial uses on the ground floor. Numerous restaurants, bars, and other retail and services establishments are located within a few blocks of the project site. Nearby institutions include San Francisco Friends School, situated directly opposite the project site on Valencia Street, and Annunciation Greek Orthodox Cathedral, situated directly south of the project site. The San Francisco Armory is located two blocks southwest of the project site. There is limited public open space in the immediate vicinity; however, Page and Laguna Mini-Park and Koshland Park are located within one-quarter mile of the project site and numerous open space areas, including Mission Dolores Park, Alamo Square and Duboce Park, are located within one mile of the project site.

POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR analyzed environmental issues including: plans and policies; land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; cultural (historic and archeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement.

The proposed 235 Valencia Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the area covered by the Market and Octavia Plan. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 235 Valencia Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level, as well as cumulative, traffic impacts at nine intersections; project-level and cumulative transit impacts on Muni line 21-Hayes), which would remain significant and unavoidable. These environmental topics are discussed below.

The proposed project would construct a 50-foot-tall building (55-foot-tall at the section containing the ground-floor active commercial use). To assess potential shadow impacts, the Planning Department prepared a preliminary shadow fan analysis, which determined that the proposed project would not cast any new shadow on open spaces under the jurisdiction of the San Francisco Recreation and Park Commission or on any publically accessible open spaces.⁵ Therefore, the proposed project would not contribute to the significant and unavoidable shadow impacts identified in the Market and Octavia PEIR.

The proposed project is expected to add 367 daily vehicle trips (41 during the p.m. peak hour) to existing traffic volumes in the project vicinity.⁶ As anticipated in the Market and Octavia PEIR, these additional vehicle trips could potentially contribute to the worsening of automobile delay at the Laguna/Market/Hermann/Guerrero streets intersection. However, this impact was disclosed in the PEIR as significant and unavoidable due to future growth in the project area and implementation of the proposed mitigation measure determined infeasible. Furthermore, on March 3, 2016, San Francisco Planning Commission Resolution 19579 replaced automobile delay (e.g., level of service (LOS)) as a measure of transportation impacts with a vehicle miles traveled (VMT) metric. Under the new metric, a project that would cause substantial additional VMT would result in a significant effect on the environment. As described in the project-specific initial study,⁷ the proposed project would not cause substantial additional VMT and therefore, would not result in a significant impact related to transportation.

In addition, the project site is located within a half mile of the 16th Street & Mission (Bay Area Rapid Transit) BART transit stop and within a quarter mile of several local San Francisco Municipal Transportation Agency (Muni) transit lines, including 14-Mission, 14R-Mission Rapid, 49-Van Ness/Mission, 55-16th Street, F-Market & Wharves, J-Church, KT-K-Ingleside/T-Third Street, L-Owl, M-Ocean View and N-Judah. Transit ridership generated by the project would be distributed across these transit lines. Therefore, the proposed project would not contribute substantially to the project-level and cumulative impacts on Muni line 21-Hayes identified in the Market and Octavia PEIR.

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

Table 1 – Market and Octavia PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
A. Shadow		
A1. Parks and Open Space not Subject to section 295	Applicable: the proposed project would exceed 50 feet.	Completed: In accordance with Project Mitigation Measure 3, the Planning Department prepared a shadow fan and determined that the proposed

⁵ San Francisco Planning Department, *Preliminary Shadow Fan Analysis: 235 Valencia Street, San Francisco, California*, September 28, 2017.

⁶ San Francisco Planning Department, *Transportation Calculations: 235 Valencia Street, San Francisco, California*, October 3, 2017.

⁷ San Francisco Planning Department, *Initial Study – Community Plan Evaluation: 235 Valencia Street, San Francisco, California*, 10/12/2017.

Mitigation Measure	Applicability	Compliance
		project would not cast any new shadow on any publically accessible parks and open spaces, and therefore, the proposed new building does not require shaping to reduce substantial shadow impacts.
B. Wind		
B1: Buildings in Excess of 85 Feet in Height	Not Applicable: the proposed project would not exceed a height of 85 feet.	N/A
B2: All New Construction	Applicable: the proposed project would construct a new 50- to 55-foot-tall building.	Completed: In accordance with Project Mitigation Measure 2, the project sponsor had a qualified consultant prepare a wind analysis for the proposed project. ⁸ The analysis determined that the proposed project would not result in significant wind impacts because it would not cause ground-level wind conditions to exceed the pedestrian comfort and wind hazard criteria. Therefore, the project sponsor has complied with this mitigation measure.
C. Archeological Resources		
C1: Soil-Disturbing Activities in Archeologically Documented Properties	Not Applicable: the project site is not an archeologically documented property.	N/A
C2: General Soil-Disturbing Activities	Not Applicable: the proposed project would not include soil-disturbing activities beyond a depth of 4 feet below grade.	N/A
C3: Soil-Disturbing Activities in Public Street and Open Space Improvements	Not Applicable: the proposed project would not include soil-disturbing activities associated with public street or open space	N/A

⁸ Ballanti, Donald, *Wind and Comfort Analysis of the Proposed 235 Valencia Street Project, San Francisco*, October 9, 2017.

Mitigation Measure	Applicability	Compliance
	improvements that would disturb soils beyond a depth of four feet below grade.	
C4: Soil-Disturbing Activities in the Mission Dolores Archeological District	Not Applicable: the project site is not located in the Mission Dolores Archeological District.	N/A
D. Transportation		
D1: Traffic Mitigation Measure for Hayes and Gough Streets Intersection (LOS C to LOS F PM peak hour)	Not Applicable: not adopted.	N/A
D2: Traffic Mitigation Measure for Hayes and Franklin Streets Intersection (LOS D to LOS F PM peak hour)	Not Applicable: not adopted.	N/A
D3: Traffic Mitigation Measure for Laguna/Market/ Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not Applicable: plan level mitigation to be implemented by the San Francisco Municipal Transportation Agency (SFMTA); at project level, automobile delay removed from CEQA analysis.	N/A
D4: Traffic Mitigation Measure for Market/Sanchez/ Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	Not Applicable: plan level mitigation to be implemented by the San Francisco Municipal Transportation Agency (SFMTA); at project level, automobile delay removed from CEQA analysis.	N/A
D5: Traffic Mitigation Measure for Market/Church/ Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not Applicable: plan level mitigation to be implemented by the San Francisco Municipal Transportation Agency (SFMTA); at project level, automobile delay removed from CEQA analysis.	N/A
D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Intersection (LOS F to LOS F with increased delay PM peak-hour)	Not Applicable: plan level mitigation to be implemented by the San Francisco Municipal Transportation Agency (SFMTA); at project level,	N/A

Mitigation Measure	Applicability	Compliance
	automobile delay removed from CEQA analysis.	
D7: Traffic Mitigation Measure for Hayes Street/Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)	Not Applicable: not adopted.	N/A
D8: Transit Mitigation Measure for degradation to transit service as a result of increase in delays at Hayes Street intersections at Van Ness Avenue (LOS F to LOS F with increased delays); Franklin Street (LOS D to LOS F); and Gough Street (LOS C to LOS F) PM peak hour	Not Applicable: not adopted.	N/A
E. Air Quality		
E1: Construction Mitigation Measure for Particulate Emissions	Not Applicable: superseded by the San Francisco Construction Dust Control Ordinance.	N/A
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	Applicable: the proposed project is located within an Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan for Health Risks and Hazards under Project Mitigation Measure 1.
F. Hazardous Materials		
F1: Program- or Project-Level Mitigation Measures	Not Applicable: superseded by the San Francisco Construction Dust Control Ordinance and federal, state, and local regulations related to the abatement and handling of hazardous materials.	N/A
G. Geology, Soils, and Seismicity		
G1: Construction-Related Soils Mitigation Measure	Not Applicable: superseded by the San Francisco Construction Site Runoff Ordinance.	N/A

Please see the attached Mitigation Monitoring and Reporting Program 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 Market and Octavia PEIR.

PUBLIC NOTICE AND COMMENT

On March 9, 2017, the Planning Department mailed a “Notification of Project Receiving Environmental Review” to adjacent occupants and owners of properties within 300 feet of the project site. The department received five responses to the notice. These responses expressed concern that the proposed project would cause adverse impacts related to traffic, shadow, wind, air quality, parking and land use. These concerns were incorporated in the environmental review, as appropriate for CEQA analysis, and evaluated in the initial study prepared for the proposed project.⁹ The initial study concluded that the proposed project would not result in significant adverse environmental impacts beyond those identified in the Market and Octavia PEIR.

These concerns are summarized and addressed below:

1. **Traffic.** *The traffic impacts of transportation network companies (TNCs), such as Uber and Lyft, were unanticipated in 2009, the year that the Eastern Neighborhoods Area Plan was approved. An Environmental Impact Report should be prepared to assess the traffic effects of the proposed project in the context of the impact that TNCs have had on the project vicinity streets.*

The proposed project is located in the Market and Octavia Area Plan, not the Eastern Neighborhoods Area Plan. Nonetheless, TNCs operate across the entire city. The Market and Octavia PEIR did not anticipate and include TNCs in its analysis of traffic impacts. However, as described above, the Market and Octavia PEIR determined that significant project-level, program-level and cumulative traffic impacts identified at nine intersections would remain significant and unavoidable. This determination includes the intersection at Laguna/Market/Hermann/Guerrero streets, which is located two blocks northwest of the project site. It is reasonable to conclude that the significant and unavoidable impacts identified at these nine intersections would remain significant and unavoidable had the Market and Octavia PEIR anticipated and included TNCs in their analysis. Therefore, the Market and Octavia PEIR adequately accounted for project-level, program-level and cumulative transportation impacts in the project vicinity.

As noted previously, effective March 2016, a vehicle miles traveled (VMT) metric replaced the automobile delay (e.g., level of service, or “LOS”) metric that was used in the Market and Octavia PEIR to evaluate transportation impacts. Therefore, the transportation impacts of the proposed project were evaluated using the VMT metric. As described in the project-specific initial study, the proposed project was determined not to cause substantial additional VMT and therefore, was determined not to result in a significant impact related to transportation.

The VMT estimates that the Planning Department uses to screen development projects for potential transportation impacts are derived from San Francisco Chained Activity Model Process (SF-CHAMP) runs prepared by the San Francisco County Transportation Authority (Transportation Authority). SF-CHAMP estimates VMT from private automobiles and taxis, the latter of which is a type of for-hire vehicle. SF-CHAMP calibrates its modeled travel behavior using observed travel behavior obtained from the 2010-2012 California Household Travel Survey,

⁹ San Francisco Planning Department, *Initial Study – Community Plan Evaluation: 235 Valencia Street, San Francisco, California*, October 12, 2017.

which includes data on automobile ownership rates, county-to-county worker flows and observed vehicle counts and transit boardings. Since 2012, the prevalence of for-hire vehicles has increased in San Francisco, primarily as the result of the growth in TNCs. TNCs are similar to taxis in that drivers transport passengers to and from destinations, typically using a distance-based fare system. Therefore, previous household travel surveys would have accounted for those people that would have previously used another for-hire vehicle (i.e., taxi), but who are now substituting with TNC vehicles.

However, there remains limited information describing the effect that TNCs have on travel behavior (e.g., whether people using these services are making trips they would not otherwise make, or substituting a TNC ride for a trip they would otherwise make by another mode). At this time, the Census Bureau and other government sources (e.g., American Community Survey, Decennial Census, etc.) do not include TNC vehicles as a separate travel mode category when collecting data. Further, TNCs are private businesses that generally choose not to disclose specific data related to the number of vehicles/drivers in their service fleet, miles driven with or without passengers, passengers transported, etc. As a result, it is currently difficult, if not impossible, to document how TNC operations quantitatively influence overall travel conditions in San Francisco or elsewhere. For these reasons, the Planning Department does not directly address the effects of TNCs on VMT in CEQA documents, except to the extent that TNC trips are captured in taxi vehicle trip estimates for a proposed development.

Nevertheless, as noted above, it is reasonable to conclude that the significant and unavoidable impacts identified at nine intersections by the Market and Octavia PEIR would remain significant and unavoidable had the Market and Octavia PEIR anticipated and included TNCs in their analysis. Therefore, the Market and Octavia PEIR adequately accounted for project-level, program-level and cumulative transportation impacts in the project vicinity.

2. **Shadow.** *The proposed project could result in shading of private decks on an adjacent residential building.*

Shading of private open spaces would not constitute a CEQA impact. As a result, potential shadow impacts of the proposed project on private property were not evaluated. However, a preliminary shadow fan prepared for the proposed project confirmed that the proposed project would not shade any parks or publically accessible open spaces. In addition, as described in the project-specific initial study, any intermittent shading of streets and sidewalks resulting from the proposed project would be considered less-than-significant under CEQA.

3. **Wind.** *The proposed project will create a strong vortex wind tunnel effect due to its proximity to Stevenson Street, a small alley street.*

As described in the project-specific initial study, the proposed project had a qualified wind consultant prepare a wind assessment to determine whether the proposed project would result in ground-level wind speeds exceeding pedestrian comfort and wind hazard criteria. The wind assessment concluded that the proposed project would not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent to or near the site. In addition, the assessment concluded that an existing development project located near the project site would not have a cumulative effect on wind conditions at the project site. Based on these findings, the

assessment further concluded that wind tunnel testing would not be required for the proposed project.

4. **Parking.** *The proposed building will not include any parking. This will lead to more traffic congestion and fuel emissions.*

In accordance with CEQA section 21099, Modernization of Transportation Analysis for Transit Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project is located on an infill site within a transit priority area and qualifies as a residential, mixed-use or employment center project. The proposed project meets each of these criteria. Therefore, any effects that the project may have on parking would not constitute an environmental impact under CEQA.

5. **Land use.** *The proposed project would destroy existing production, distribution and repair (PDR) space. The size of the proposed project is out of scale with the existing character of the neighborhood.*

The Market and Octavia PEIR determined that implementation of the neighborhood plan would not result in significant impacts on land use and land use planning, and therefore, identified no mitigation measures. Since the proposed project is consistent with the development density and zoning designations established in the Market and Octavia Neighborhood Plan, implementation of the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR related to land use and land use planning, and no mitigation measures are necessary.

As described above, the project vicinity is characterized by a mix of one- to five-story buildings containing residential, retail, entertainment, institutional and production, distribution and repair (PDR) uses. The existing area buildings are predominately mixed-use residential buildings with commercial uses on the ground floor. The proposed project would construct a five-story mixed-use residential building with two commercial units on the ground floor. Therefore, the proposed project is consistent with the existing character of the neighborhood.

The five responses to the notice also included comments related to issues beyond the scope of CEQA-defined physical environmental impacts (e.g., increases in market-rate development in the Mission District, inadequacy of the amount of proposed on-site below-market-rate units, etc.). These concerns may be considered in the context of project approval or disapproval, independent of the environmental review process.

CONCLUSION

As summarized above and further discussed in the project-specific initial study:¹⁰

1. The proposed project is consistent with the development density established for the project site in the Market and Octavia Area 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 Market and Octavia PEIR;

¹⁰ *Ibid.*

3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Market and Octavia 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 Market and Octavia 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 Market and Octavia PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183.