



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

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Case No.: 2016-012030ENV
Project Address: 255 Shipley Street, 254 Clara Street
Zoning: MUR – Mixed Use Residential
45-X Height and Bulk District
Block/Lot: 3753/070, 071
Lot Size: 9750 square feet
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., 415-626-8977
Staff Contact: Diane Livia, 415-525-8758, diane.livia@sfgov.org

PROJECT DESCRIPTION

The project site consists of two adjacent lots between 5th and 6th streets in the South of Market neighborhood. The eastern lot, 070, is a through lot between Shipley Street and Clara Street, and is occupied by a single-story 6,000-square-foot industrial building, with a two-story portion fronting Shipley Street. The adjacent lot 071 fronts Clara Street only and consists of a surface vehicular parking lot. Both project frontages include one existing curb cut each.

The proposed project would demolish an existing building and parking lot across two lots and construct a four-story, 45-foot-tall (60-foot-tall, including rooftop structures), approximately 38,000 gross square foot, mixed use building. The new building would consist of 24 residential units (5 studios, 3 one-bedrooms, 16 two-bedrooms), and 2,500 square feet production distribution repair (PDR) space. The new building would provide six automobile parking spaces and 24 class 1 bicycle parking spaces in a one-story, below-grade parking garage.

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

Date 8/1/18

cc: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., Project Sponsor; Supervisor Jane Kim, District 6; Linda Ajello Hoagland, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT APPROVAL

The Approval Action for the proposed project is the Large Project Authorization by the Planning Commission. 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 255 Shipley Street, 254 Clara 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 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 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

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

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.

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. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁴

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 to MUR (Mixed Use Residential) District. The MUR 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 Evaluation (CPE) Checklist, under Land Use. The 255 Shipley Street, 254 Clara Street site, which is located in the Eastern SoMa district of the Eastern Neighborhoods, was designated as a site with building up to 45 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 255 Shipley Street, 254 Clara Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 255 Shipley Street, 254 Clara Street project, and identified the mitigation measures applicable to the 255 Shipley Street, 254 Clara Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code

⁴ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 255 Shipley Street, 254 Clara Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

Central SoMa

The project site is also located within the Central SoMa Plan, a comprehensive plan for an area within the boundaries of the Eastern Neighborhoods Area Plan. It is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and by an irregular border that generally jogs along Folsom, Howard and Stevenson Streets to the north.

The need for the plan became apparent during the Eastern Neighborhoods planning process, which was initiated in the early 2000s. In 2008, the City and County of San Francisco approved the Eastern Neighborhoods Rezoning and Area Plans project, which covered 2,300 acres on the city's eastern flank and introduced new land use controls and area plans for the eastern part of SoMa, the Central Waterfront, the Mission, and Showplace Square/Potrero Hill neighborhoods.

The Eastern Neighborhoods planning effort had two primary objectives: to address and ensure a stable future for light industrial businesses in the city, mainly through zoning restrictions; and to plan for a substantial amount of new housing, particularly housing affordable to low-, moderate-, and middle-income families and individuals. New housing would be developed in the context of "complete neighborhoods," which would provide sufficient amenities for new residents of these areas.

At that time, the City determined that the pending development of the Central Subway transit project and the development potential of the surrounding area necessitated a separate, focused planning process that took into account for the City's growth needs as well as the opportunity to link transportation and land use planning.

The Planning Department initiated the Central SoMa Planning Process in earnest in early 2011 with funding from the California Department of Transportation and the San Francisco Municipal Transportation Agency.

The plan's sponsor, the San Francisco Planning Department, endeavors to address the social, economic, and environmental aspects of sustainability through a planning strategy that accommodates anticipated population and job growth, provides public benefits, and respects and enhances neighborhood character. The Plan seeks to encourage and accommodate housing and employment growth by (1) removing land use restrictions to support a greater mix of uses while also emphasizing office uses in portions of the Plan Area; (2) amending height and bulk districts to allow for taller buildings; (3) modifying the system of streets and circulation within and adjacent to the Plan Area to meet the needs and goals of a dense, transit-oriented, mixed use district; and (4) creating new, and improving existing, open spaces.

On May 10, 2018, the Planning Commission certified the Central SoMa Plan EIR, however, the Plan is not yet in effect. This project is not reliant upon any of the provisions of the plan or associated planning code

⁵ Anne Brask, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 255 Shipley Street, 254 Clara Street, July 11, 2018. 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. 2016-021030.

⁶ Kurt Botn, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 255 Shipley Street, 254 Clara Street, June 25, 2018.

changes. This project would not contribute to any significant effects identified in the Central SoMa EIR that were not already identified in the Eastern Neighborhoods PEIR (see below).

PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, parking lots, and production/distribution/repair uses. The scale of development in the project vicinity varies in height from 15 to 90 feet. There is a three-story, six-unit residential building at 249 Shipley Street adjacent to and east of the project site. At 265 Shipley Street, adjacent to and west of the project site, there is currently a parking lot, and permits have been applied for to develop a five-story, 45-foot-tall building containing nine dwelling units and office space. There are two- and three-story residential buildings and an automotive repair space on the north side of Shipley Street across from the project site. There are multi-story, mixed use residential buildings on the north side of Clara Street across from the project site. The remainder of the project block is occupied by multi-story residential buildings, production/design/repair buildings, and parking lots. Other land uses in the area include Interstate 80 (0.1 mile southeast of the project site), Bessie Carmichael Elementary School (0.2 mile southwest, Victoria Manalo Draves Park (0.1 mile southwest), and the South of Market Recreation Center (0.1 mile west).

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 255 Shipley Street, 254 Clara 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 255 Shipley Street, 254 Clara 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 contribute to the significant and unavoidable effects regarding these topics.

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	Compliance
F. Noise		
F-1: Construction Noise (Pile	Not Applicable: pile driving	N/A

Mitigation Measure	Applicability	Compliance
Driving)	not proposed.	
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-5: Siting of Noise-Generating Uses	Not applicable: the project does not include any noise-generating uses.	N/A
F-6: Open Space in Noisy Environments	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
G. Air Quality		
G-1: Construction Air Quality	Applicable: the project site is within an identified Air Pollutant Exposure Zone.	The project sponsor has agreed to require construction equipment to include engines with higher emissions standards.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by Health Code Article 38	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: new sources of DPM are not proposed.	N/A

Mitigation Measure	Applicability	Compliance
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project would not be expected to generate toxic air contaminants (TACs) in everyday operations.	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: proposed project is not within an area for which a final archeological research design and treatment plan (ARDTP) is on file.	N/A
J-2: Properties with no Previous Studies	Applicable: The project site is in an area for which no previous archeological study has been conducted.	The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources.
J-3: Mission Dolores Archeological District	Not Applicable: proposed project is not located in the Mission Dolores Archeological District.	N/A
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.	N/A
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.	N/A
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.	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: proposed project includes demolition of an existing building.	The project sponsor has agreed to remove and dispose of any equipment containing PCBs or

Mitigation Measure	Applicability	Compliance
		DEHP according to applicable laws prior to demolition.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA.	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA.	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA.	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA.	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA.	N/A

Please see the attached Mitigation Monitoring and Reporting Program for the complete text of the Eastern Neighborhoods Area Plan 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 May 22, 2018 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. Most respondents expressed concern about the lack of parking involved with the proposed project, conjecturing it will make parking on the street more difficult. The proposed project involves only seven new dwelling units, and 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 Checklist⁷:

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

⁷ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2016-021030.

