

APPEAL OF PRELIMINARY MITIGATED NEGATIVE DECLARATION 2055 CHESTNUT STREET



PROJECT SITE
2055 CHESTNUT

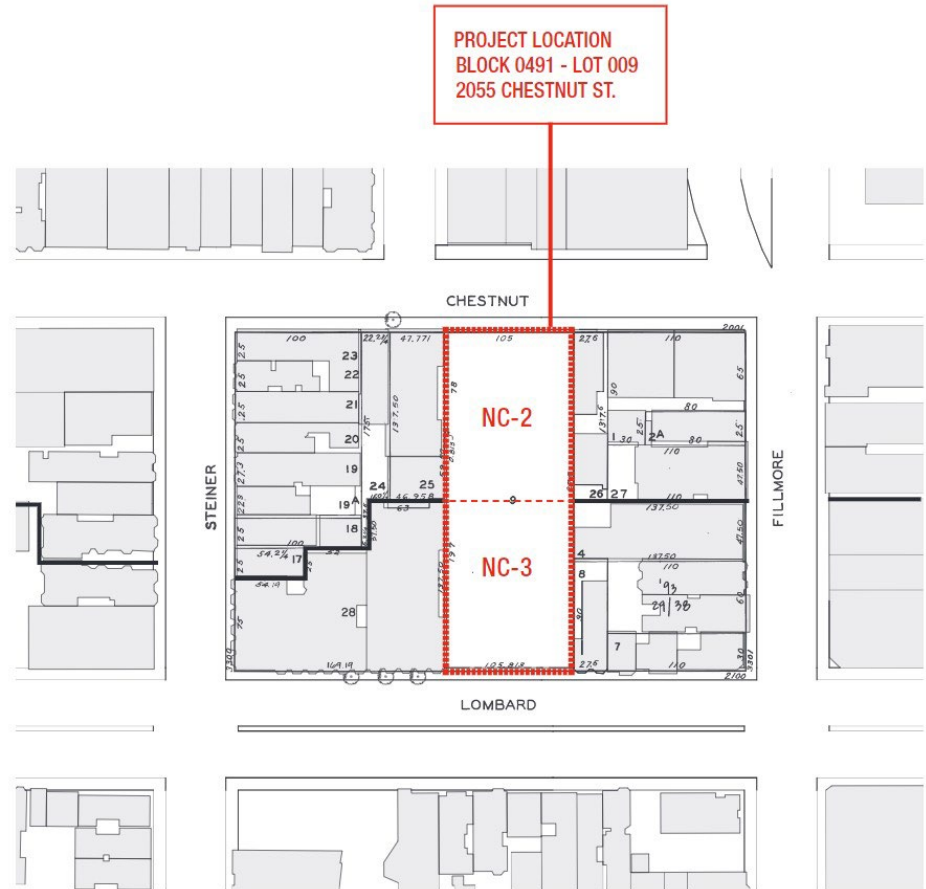
Sherie George
Planning Commission Appeal Hearing – March 24, 2022



San Francisco
Planning

Project Site

- Location:
 - South side of Chestnut Street between Fillmore Street and Mallorca Way; the property also fronts Lombard Street between Fillmore and Steiner Streets.
- Occupied by:
 - A one-story commercial building



Project Overview

- Demolition of the existing one-story building
- Construction of a 40-foot tall, three-story mixed-use building containing 49 dwelling units and 36,700 gross square feet of retail use.
- Basement level, including parking garage with 20 vehicle parking spaces
- One off-street commercial loading space
- 95 feet of curb along the project's Lombard Street frontage would be converted to commercial loading (50-foot loading zone, 45-foot loading zone)
- Approximately 40 feet of curb along the project's Chestnut Street frontage would be converted to passenger loading (2 vehicle spaces)



Environmental Review

- Preliminary Mitigated Negative Declaration published December 29, 2021
 - Mitigation measures identified in the document would ensure no significant impacts
 - 30-day public review period
 - Appeal filed January 31, 2022

CEQA
pronounced “SEE-kwuh”

The San Francisco Planning Department (SF Planning) reviews projects for potential environmental impacts. This is CEQA, which stands for the **California Environmental Quality Act**, a state law created in 1970.



Appellant's Claims

1. Not CEQA Concerns

- Loss of Parking

- Vehicle Congestion Measured by Level of Service

- Economic Vitality

2. Environmental Baseline

3. Loading

4. Geotechnical

5. Cumulative Impacts

Department's Response: Not CEQA Concerns

- Pursuant to California Resources Code section 21099, parking shall not be considered in determining if the project has the potential to result in significant environmental effects.
- Vehicle congestion measured by level of service is not an impact under CEQA.
- CEQA guidelines section 15064(e), Economic or social effects that do not contribute to, or are not caused by, physical impacts on the environment are not substantial evidence of a significant effect on the environment.

Department's Response: The Environmental Baseline

- Pursuant to CEQA Guidelines section 15125(a), the existing conditions are generally defined as the conditions at the project site that exist at the time the environmental analysis commences.

Department's Response: Loading

- Transportation analysis conducted in accordance with CEQA guidelines and the Department's 2019 Transportation Impact Analysis Guidelines.
- Transportation analysis coordinated with SFMTA; Streetscape plan reviewed by Street Design Advisory Team
- Driveway Loading Operations Plan would ensure no significant impacts

Department's Response: Geotechnical

- Geotechnical Investigation
 - Geotechnical Investigation identifies a design level groundwater depth
 - Project must comply with state and local building code regulations which require that the recommendations in the geotechnical report be adhered to
 - DBI would review the geotechnical report for conformance with state and local building codes and that process would ensure no significant impacts.

Department's Response: Cumulative Impacts

- Department has conducted an adequate analysis of cumulative impacts as required by CEQA.

Subsequent Appeal Letter (March 16, 2022)

- Substantive concerns raised have been addressed in appeal response and Final Mitigated Negative Declaration.
- Appellant has not provided substantial evidence supporting fair argument that the project would result in a significant impact.

Conclusion

- Appellant has not provided substantial evidence supporting fair argument that the project would result in significant impacts
- Preliminary Mitigated Negative Declaration adequately analyzes all required topics in the CEQA checklist
- Through the Mitigative Negative Declaration and appeal response, the Department has addressed all substantive issues raised in appeal
- RECOMMENDATION: Reject appeal and uphold Mitigated Negative Declaration