



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0645E  
 Project Title: Central Freeway Skate Park & Mini Park  
 Zoning: N/A (Caltrans Right-of-Way under Central Freeway)  
 Block/Lot: N/A  
 Lot Size: 73,000 square feet  
 Project Sponsor: Frank Filice, Department of Public Works (DPW)  
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### PROJECT DESCRIPTION:

The proposed project would construct a new Skate Park and Mini-Park located within the Caltrans right-of-way under the Central Freeway, north of Duboce Avenue between Valencia and Stevenson Streets on an existing paved parking lot. The project proposes to construct a Skate Park and Mini-Park that includes basketball courts, play areas, a dog run, lighting, planting, and a pedestrian walkway. Skate Park construction activities would include: pavement demolition and removal; sewer manhole and catch basin relocation; new drainage connections; new concrete Skate Park paving, steps, walls, and ramps; a pier-supported concrete masonry unit wall; new column-mounted lighting; perimeter decorative fencing; and sidewalk repair and reconstruction.

(Continued on next page)

### EXEMPT STATUS:

Categorical Exemption, Class 3 [State CEQA Guidelines Section 15303]

### REMARKS:

See attached pages.

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

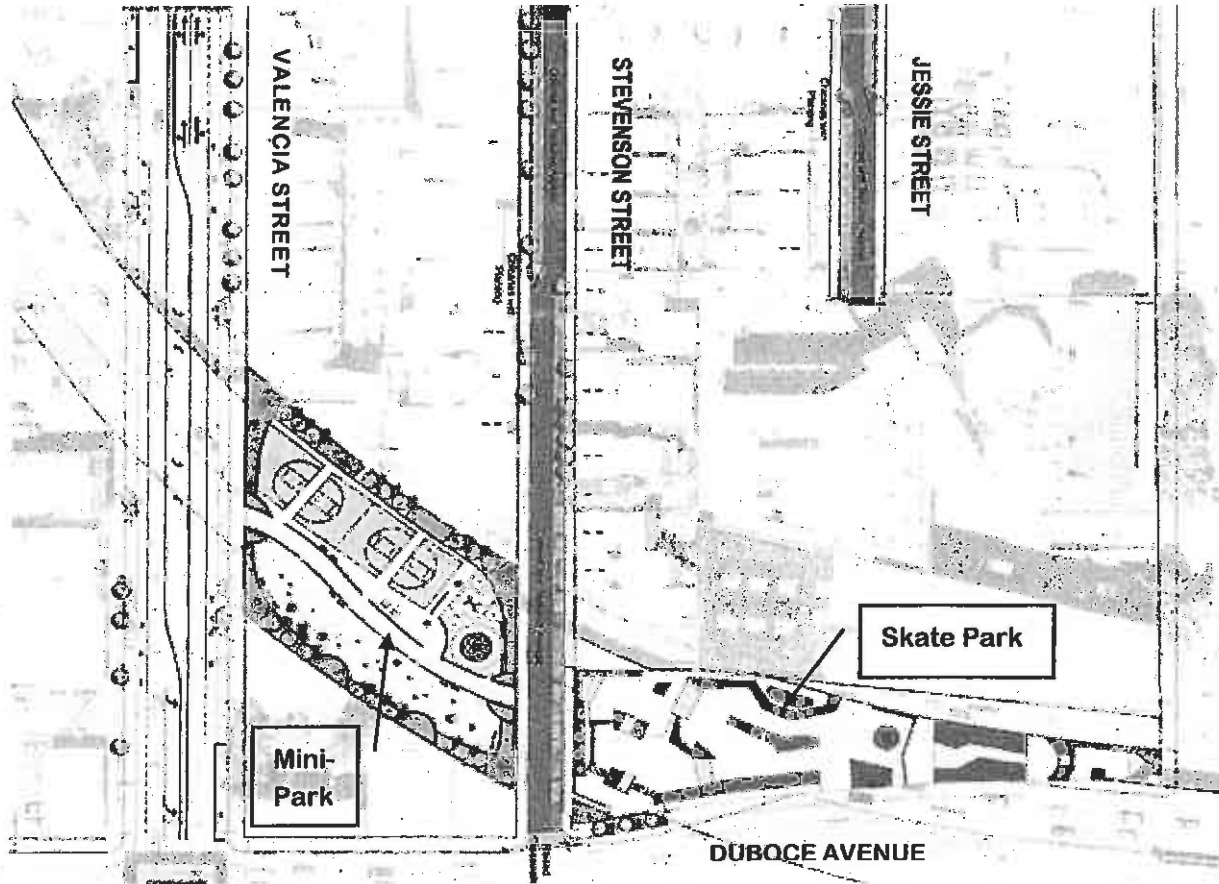
  
 BILL WYCKO

Environmental Review Officer

10/21/2011  
 Date

cc: Frank Filice, Project Sponsor  
 V. Byrd, M.D.F  
 Bulletin Board

## PROJECT DESCRIPTION (CONTINUED):



Mini-Park construction activities would include: pavement demolition and removal; sewer manhole and catch basin relocation; new drainage connections; poured-in-place concrete seatwalls; installation of play equipment; basketball court paving and standards; new decorative post lighting; site furnishings; a fenced dog run with landscape boulders; landscape planting and irrigation; and sidewalk repair and construction. The proposed project replaces 73,000 square feet of parking with an approximately 15,000 square foot skate park and 57,000 square foot park. The above figure shows the location of the skatepark and mini-park.

**REMARKS:****Land Use**

The 1.67 acre (73,000 square feet) project site is located within a fully developed area of San Francisco. The surrounding uses consist of commercial, industrial, and residential buildings. The project site is within a fully developed urban area that is completely covered with paved surfaces, and does not provide habitat for any rare or endangered plant or animal species.

**Transportation**

Most of the proposed project elements would improve site conditions and accessibility throughout the park. The new skate park and additional mini-park would result in additional trips to the park. Based on a traffic impact study for a 10,000 square foot skate park project at an existing recreational area in Los

Angeles County, it was found that many users of skatepark facilities walk or skate to the skatepark, while others were picked up or dropped off. The traffic impact study for that project concluded the project would be expected to increase vehicular transportation by 13 trips during the weekday PM peak hours.<sup>1</sup> Because the area is well-served by nearby Muni routes and greater density in the surrounding area than that for the skate park in LA County, the skatepark and mini-park would likely result in fewer than 13 trips during the weekday PM peak hour. The 14, 14L, and 49 lines run along the nearby segment of Mission Street and the F Market is nearby. However, the project would not generate any new transit trips. Therefore, given the minor amount of additional vehicular trips expected and the pedestrian improvements, the project would not result in any significant adverse transportation impacts.

### Parking

The proposed project would replace an existing surface parking lot (73,000 square foot lot) with a new skatepark and mini-park. While the parking spaces would be removed and not replaced, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street and off-street parking under existing conditions.

The Planning Code does not require on-street parking for the proposed project and the project does not include on-street parking. The project would not create any new parking demands. San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit which provide alternatives to auto travel.

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<sup>1</sup> U.S. Army Corps of Engineers, Los Angeles District and City of Los Angeles, Department of Recreation and Parks, Hansen Dam Skate Park, Joint Environmental Assessment, Initial Study/Mitigated Negative Declaration, Los Angeles County, January 2011.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

### Pedestrian and Bicycle Conditions

The proposed project would not generate new p.m. peak-hour pedestrian or bicycle trips. Pedestrian activity would likely increase as a result of the project but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns. Currently, cars entering and exiting the lot from Valencia cross bike lanes. The construction of the skate park would improve bicycle safety conditions since no cars would be crossing over the bike lanes.

The proposed project would not result in a significant increase in the number vehicles in the project vicinity and would not substantially affect bicycle travel in the area. The project would not adversely impact pedestrian and bicycle conditions.

Additionally, the project would not impede traffic or cause unsafe conditions, and would not result in a significant impact related to access. The project would not generate loading demands. Off-street loading spaces are not required for the proposed project. In summary, the project would not result in a significant impact with regard to transportation.

### Water Quality

The proposed project would not generate wastewater or result in discharges that would have the potential to degrade water quality or contaminate a public water supply. No expansion is being proposed and no further review is required. Project-related wastewater and storm water would flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. Therefore, the proposed project would not result in significant water quality impacts.

### Air Quality

Air quality impacts generally fall into two categories: impacts from project operations and impacts from project construction. The proposed project would include the construction of a mini-park as well as a skatepark. Therefore, the project would not include significant pollutant emission sources when completed. Thus, its operational emissions would be minimal and no further air quality analysis with respect to project operations is required.

Construction-related air quality impacts from the proposed project were analyzed based on the Bay Area Air Quality Management District's (BAAQMD's) 2011 CEQA Air Quality Guidelines and thresholds of significance.<sup>2</sup> Construction of a mini park as well as a skate park would generate criteria air pollutants,

<sup>2</sup> BAAQMD, *California Environmental Quality Act Air Quality Guidelines*, updated May 2011. Available at <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>.

PM2.5,<sup>3</sup> and other toxic air contaminants resulting from the project's construction vehicles and equipment. A screening-level analysis was performed to determine whether the proposed project would require additional air quality analysis.<sup>4</sup> With respect to criteria air pollutant emissions, the proposed project would be well below the BAAQMD screening levels, and therefore quantitative analysis of criteria air pollutants is not required and the proposed project would not exceed the BAAQMD's criteria air pollutant thresholds of significance.<sup>5</sup>

The screening-level analysis identified the need for further analysis of the project's construction activities that emit PM2.5 emissions and other toxic air contaminants that may affect nearby sensitive receptors. Emissions from project-related construction activities were quantified in an air quality technical report in which both project construction and cumulative impacts were evaluated.<sup>6</sup> This memorandum found that construction-related activities would result in PM2.5 emissions and health risks well below BAAQMD CEQA significance threshold, as shown in Table 1.

Table 1 – Construction-related PM2.5 and Health Risk Emissions

	Excess Cancer Risk per One Million	Non-Cancer Chronic Hazard Index	PM2.5 concentration Mg/m3
Project Construction	2.6	0.006	0.03
BAAQMD Project Significance Thresholds	10	1.0	0.8

Cumulative air quality impacts were also analyzed taking into account other construction projects, stationary sources, and major roadways within the zone of influence defined by the BAAQMD CEQA guidance for analysis of air quality impacts. The estimated cumulative cancer risk (73 in one million), chronic noncancer Hazard Index (0.07), and PM2.5 concentration (0.66 mg/m3) are below the BAAQMD CEQA threshold of 100 in one million increased cancer risk, 10, and 0.8 mg/m3, respectively.<sup>7</sup> The proposed project would not result in a significant cumulative effect with respect to construction-related health risk.

### Noise

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by future park uses are common and within the range of that which is generally accepted in urban areas and thus would not be

<sup>3</sup> PM2.5 = particles less than 2.5 micrometers in diameter.

<sup>4</sup> San Francisco Planning Department, *Air Quality Screening Analysis*, May 12, 2011 This report is available for review as part of Case No. 2011.0645E.

<sup>5</sup> BAAQMD, *CEQA Air Quality Guidelines*, updated May 2011. Table 3-1.

<sup>6</sup> Environ, *Project and Cumulative Health Risk Assessment, Skatepark/Mini-Park under the Central Freeway, San Francisco, California*, September 13, 2011. This report is available for review as part of Case No. 2011.0645E.

<sup>7</sup> Environ, *Project and Cumulative Health Risk Assessment, Skatepark/Mini-Park under the Central Freeway, San Francisco, California*, September 13, 2011. This report is available for review as part of Case No. 2011.0645E.

considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. The nearest residential use is approximately five feet away from the project site. The proposed construction could generate noise that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated under Article 29 of the City's Police Code, and would be temporary and intermittent in nature. Considering the above discussion, the proposed project would not result in a significant impact with regard to noise.

The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility for Noise.<sup>8</sup> These guidelines, which are similar to but differ somewhat from state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. The guidelines indicate that for playgrounds and parks should be discouraged at noise level ranges from 68-77 dBA (Ldn). For sports areas and outdoor spectator sports, the guidelines discourage construction if the noise level ranges from 77 dBA (Ldn) and above.

Ambient traffic noise levels on Duboce (along the proposed Skate Park) are 75dBA or above. Despite having ambient traffic noise levels on adjacent streets within the range to discourage such uses, this impact would not have a significant impact as the open space would not attract visitors for extended periods of time or have overnight accommodations, and it would be reasonable from a health perspective to allow short-term park usage. Because the project would not be substantially affected by existing noise levels, the effect of this land use inconsistency with the General Plan would be considered less-than-significant.

#### Exempt Status

CEQA State Guidelines Section 15303, or Class 3, provides an exemption from environmental review for the construction and location of limited numbers of new, small facilities or structures and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed project includes the conversion of an existing empty lot to a skatepark and mini-park where only minor modifications are being made. Therefore, the proposed project would be exempt under Class 3.

#### Conclusion

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. Under the above-cited classifications, the proposed project is appropriately exempt from environmental review.

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<sup>8</sup> City and County of San Francisco, Planning Department, San Francisco General Plan, Environmental Protection Element., Policy 11.1