



**SAN FRANCISCO
PLANNING DEPARTMENT**

CEQA CATEGORICAL EXEMPTION FORM

PROJECT NAME: Mountain View 6.46 acre Surplus Parcel

PROJECT LOCATION: Between Whisman Road and Tyrella Ave, Mountain View

CASE NUMBER: 2012.1508E DATE: 12/19/12

PROJECT TYPE: New Facility Replacement Facility/Equipment
 Facility Repair/Maintenance/Upgrade Other: Extension of Purchase
Option Agreement

1. EXEMPTION CLASS

- Class 1: Existing Facilities
- Class 2: Replacement or Reconstruction
- Class 3: New Construction or Conversion of Small Structures
- Class 6: Information Collection
- Other: Class 12, Surplus Property Sales

2. CEQA Impacts

For any box checked below, refer to the attached Environmental Evaluation Application with supporting analysis and documentation.

- Air Quality: Would the project affect sensitive receptors (specifically schools, colleges, universities, day care facilities, hospitals, residential dwellings, or senior-care facilities)?
- Noise: Would the project conflict with the applicable local Noise Ordinance?
- Hazardous Materials: Would the project be located on a site included on any list compiled pursuant to Section 65962.5 of the Government Code, or impact an area with known hazardous materials such as a former gas station, auto repair, dry cleaners, heavy manufacturing use, or site with underground storage tanks?
- Soils Disturbance/Modification: Would the project result in soil disturbance greater than 2 feet below grade in archeological sensitive area or 8 feet in a non-archeological sensitive area?
- Biology: Would the project have the potential to impact sensitive species, rare plants or designated critical habitat? Is the project consistent with the applicable tree protection ordinance?

Visual: Is the project located within or adjacent to a designated scenic roadway, or would the project have the potential to impact scenic resources that are visible from public locations?

Transportation: Would project construction or operation have the potential to substantially interfere with existing traffic patterns or transit operations.

Historical Resources: Is the project located on a site with a known or potential historical resource?

Other: _____

3. CATEGORICAL EXEMPTION DETERMINATION

Further Environmental Review Required.

Notes: _____

No Further Environmental Review Required. Project is categorically exempt under CEQA.



Planner's Signature

12/19/12

Date

Steven H. Smith

Print Name

Once signed and dated, the this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code



SAN FRANCISCO PLANNING DEPARTMENT

Date received:

Environmental Evaluation Application

The California Environmental Quality Act (CEQA) requires public agencies to review the environmental impacts of proposed projects. In San Francisco, environmental review under CEQA is administered by the Major Environmental Analysis (MEA) division of the Planning Department. The environmental review process begins with the submittal of a completed Environmental Evaluation (EE) Application to the Planning Department. Only the current EE Application form will be accepted. No appointment is required but staff is available to meet with applicants upon request.

The EE Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. Checks should be made payable to the San Francisco Planning Department. See the current *Schedule of Application Fees* and contact the staff person listed below for verification of the appropriate fees. Fees are generally non-refundable. **Documents in italics are available online at sfgov.org/planning.**

The EE Application is comprised of four parts. Part 1 is a checklist to ensure that the EE Application is complete; Part 2 requests basic information about the site and the project; Part 3 is a series of questions to help determine if additional information is needed for the EE Application; and Part 4 is a project summary table.

The complete EE Application should be submitted to the Planning Department staff as follows: For projects greater than 10,000 square feet in size and where Part 3 Questions #3, #8, #10, or #11 are answered in the affirmative, or for projects that require mitigation measures, please send the application materials to the attention of Ms. Fordham or Ms. Pereira. For all other projects, please send the application materials to the attention of Mr. Bollinger.

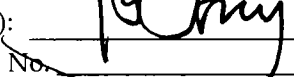
Brett Bollinger
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9024, brett.bollinger@sfgov.org

Chelsea Fordham, or Monica Pereira
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9071, chelsea.fordham@sfgov.org
(415) 575-9107, monica.pereira@sfgov.org

PART 1 – EE APPLICATION CHECKLIST	Provided	Not Applicable
Two copies of this application with all blanks filled in	<input checked="" type="checkbox"/>	
Two sets of project drawings (see "Additional Information" at the end of page 4,)	<input checked="" type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled	<input type="checkbox"/>	
Fee	<input type="checkbox"/>	
<i>Supplemental Information Form for Historical Resource Evaluation</i> and/or <i>Historic Resource Evaluation Report</i> , as indicated in Part 3 Questions 1 and 2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Geotechnical Report, as indicated in Part 3 Questions 3a and 3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Tree Disclosure Statement</i> , as indicated in Part 3 Question 4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 3 Question 8	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Additional studies (list)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Applicant's Affidavit. I certify the accuracy of the following declarations:

- The undersigned is the owner or authorized agent of the owner(s) of this property.
- The information presented is true and correct to the best of my knowledge.
- I understand that other applications and information may be required.

Signed (owner or agent): 
(For Staff Use Only) Case No. 2012.1508E

Date: 4/5/12
Address: _____
Block/Lot: _____

PART 2 – PROJECT INFORMATION

Owner/Agent Information

Property Owner	<u>S. F. Public Utilities Commission</u>	Telephone No.	<u>(415) 554-1600</u>
Address	<u>525 Golden Gate Avenue</u>	Fax No.	<u>(415) 554-3161</u>
	<u>San Francisco, CA 94103</u>	Email	<u>www.sfwater.org</u>
Project Contact	<u>Sally Morgan</u>	Telephone No.	<u>(415) 551-4573</u>
Company	<u>S. F. Public Utilities Commission</u>	Fax No.	<u>(415) 934-5750</u>
Address	<u>525 Golden Gate Avenue, Suite 600</u>	Email	<u>bpearl@sfwater.org</u>
	<u>San Francisco, CA 94102</u>		

Site Information

Site Address(es):	<u>450 North Whisman Rd., Mountain View, CA</u>		
Nearest Cross Street(s)	<u>Walker Drive</u>		
Block(s)/Lot(s)	<u>Parcels 189-192, portions of lots</u>	Zoning District(s)	<u>n/a</u>
	<u>105-112</u>		
Site Square Footage	<u>6.4 acres</u>	Height/Bulk District	<u>n/a</u>
	<u>SFPUC Bay Division Pipelines-- surplus, undeveloped land divided by pipeline</u>		
Present or previous site use	<u>ROW</u>		
Community Plan Area (if any)	<u>N/A</u>		

Project Description - please check all that apply

<input type="checkbox"/> Addition	<input type="checkbox"/> Change of use	<input type="checkbox"/> Zoning change	<input type="checkbox"/> New construction
<input type="checkbox"/> Alteration	<input type="checkbox"/> Demolition	<input type="checkbox"/> Lot split/subdivision or lot line adjustment	
<input checked="" type="checkbox"/> Other (describe)	<u>proposed sale to private developer</u>	Estimated Cost	<u>N/A</u>
Describe proposed use	<u>residential development, subject to approval of City of Mtn View</u>		

Narrative project description. Please summarize and describe the purpose of the project.

The City and County of San Francisco owns a 6.46-acre parcel, located between Whisman Road and Tyrella Avenue in Mountain View, which includes a 2.87-acre right of way for SFPUC Bay Division Pipeline Numbers 3 and 4. On December 9, 2004 the San Francisco Planning Department issued an exemption determination under CEQA Guidelines Section 15312 (Surplus Government Property Sales) for the sale of the Whisman/Tyrella Property, and in 2005 the City and County of San Francisco entered into a sales option agreement with KMJ Urban Communities, LLC (KMJ) for the purchase of the Property. This agreement was extended several times, but expired in 2011 after the City of Mountain View denied without prejudice KMJ's entitlements for subdivision of the property. SFPUC now proposes to enter into a restated or amended sales option agreement with the new KMJ-SummerHill joint venture for a new 18-month term, and subsequently to sell the property consistent with the terms of that agreement. The right of access of SFPUC to Bay Division Pipelines would be retained.

KMJ has formed a joint venture with a local homebuilder SummerHill Homes, for the purpose of developing the property. KMJ proposes to develop 3.59 acres of the property a medium to low residential density, consistent with the City of Mountain View General Plan Housing Element. Potential future development of the site would be subject to environmental review by the City of Mountain View and would comply with applicable City of Mountain View Zoning Ordinance requirements. The property is surrounded by urban uses including two to three-level townhomes, duplexes and single family residences.

PART 3 – ADDITIONAL PROJECT INFORMATION	Yes	No
<p>1. Would the project involve a major alteration of a structure constructed 50 or more years ago or a structure in an historic district?</p> <p>If yes, submit a <i>Supplemental Information Form for Historical Resource Evaluation</i>. Instructions on how to fill out the form are outlined in the <i>San Francisco Preservation Bulletin No. 16</i> (see pages 28-34 in Appendix B).</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2. Would the project involve demolition of a structure constructed 50 or more years ago or a structure located in an historic district?</p> <p>If yes, a Historic Resource Evaluation Report (HRER)* will be required. The scope of the HRER will be determined in consultation with the Department's Preservation Coordinator.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3a. Would the project result in excavation or soil disturbance/modification greater than 10 feet below grade?</p> <p>If yes, how many feet below grade would be excavated? _____</p> <p>What type of foundation would be used (if known)? _____</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3b. Is the project site located in an area of potential geotechnical hazard as identified in the San Francisco General Plan or on a steep slope or would the project be located on a site with an average slope of 20% or more?</p> <p>If yes to either Question 3a or 3b, please submit a Geotechnical Report.*</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>4. Would the project involve expansion of an existing building envelope, or new construction, or grading, or new curb cuts, or demolition?</p> <p>If yes, please submit a <i>Tree Disclosure Statement</i>.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>5. Would the project result in ground disturbance of 5,000 gross square feet or more?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>6. Would the project result in any construction over 40 feet in height?</p> <p>If yes, apply for a Section 295 (Proposition K) Shadow Study. This application is available on the Planning Department's website and should be submitted at the Planning Information Center, 1660 Mission Street, First Floor.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>7. Would the project result in a construction of a structure 80 feet or higher?</p> <p>If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis* is needed, may be required, as determined by Department staff.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?</p> <p>If yes, please submit a Phase I Environmental Site Assessment (ESA).* A Phase II ESA (for example, soil testing) may be required, as determined by Department staff.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps?</p> <p>If yes, please describe.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10. Is the project related to a larger project, series of projects, or program?</p> <p>If yes, please describe.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>11. Is the project in Eastern Neighborhoods or Market & Octavia Community Plan Area?</p> <p>If yes, and the project would be over 55 feet tall or 10 feet taller than an adjacent building built before 1963, please submit an elevation or renderings showing the project with the adjacent buildings.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Report or study to be prepared by a qualified consultant who is contracted directly by the project sponsor.

PART 4 – PROJECT SUMMARY TABLE

If you are not sure of the eventual size of the project, provide the **maximum** estimates.

Gross Square Footage (GSF)	Existing Uses	Existing Uses to be Retained	Net New Construction and/or Addition	Project Totals
Residential	N/A	N/A	N/A	N/A
Retail	N/A	N/A	N/A	N/A
Office	N/A	N/A	N/A	N/A
Industrial	N/A	N/A	N/A	N/A
Parking	N/A	N/A	N/A	N/A
Other (specify use)	N/A	N/A	N/A	N/A
Total GSF	N/A	N/A	N/A	N/A
Dwelling units	N/A	N/A	N/A	N/A
Hotel rooms	N/A	N/A	N/A	N/A
Parking spaces	N/A	N/A	N/A	N/A
Loading spaces	N/A	N/A	N/A	N/A
Number of buildings	N/A	N/A	N/A	N/A
Height of building(s)	N/A	N/A	N/A	N/A
Number of stories	N/A	N/A	N/A	N/A
<p>Please describe any additional project features that are not included in this table: Sales option only, with potential subsequent sale. Any future development would be subject to approval of the City of Mountain View.</p>				
<p>Additional Information: Project drawings in 11x17 format should include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site. A transportation study may be required, depending on existing traffic conditions in the project area and the potential traffic generation of the proposed project, as determined by the Department’s transportation planners. Neighborhood notification may also be required as part of the environmental review processes.</p>				



December 4, 2012

Steven H. Smith, Senior Environmental Planner
Environmental Planning Division
San Francisco Planning Department
1650 Mission Street, Fourth Floor
San Francisco, CA 94103

RE: CEQA Exemption Request for a Restated
Option Agreement for Disposal of SFPUC
Surplus Property at 450 North Whisman
Road, Mountain View
Index Code: 400484
Planning Department Case:

Dear Steve:

The San Francisco Public Utilities Commission (“SFPUC”) requests review of the proposed Restated Option Agreement to be entered into between SFPUC and KMJ Urban Communities, LLC for sale of SFPUC’s surplus property at 450 North Whisman Road, Mountain View, CA under the California Environmental Quality Act (CEQA). The purposes of this letter are to: 1) provide the Environmental Planning Division (EP) with information on the proposed Restated Option Agreement and the transactions contemplated thereby (the “**Action**”); and 2) request EP review and concurrence that the Action is categorically exempt under CEQA. CEQA Guidelines Section 15312 provides an exemption for sales of surplus government property that is not located in an area of statewide, regional, or area-wide concern.

The following description of the proposed Action demonstrates that it qualifies for exemption under Section 15312 and would not result in any adverse environmental effects, and provides support for our recommendation that the Action is categorically exempt under CEQA.

The Action would be conducted in compliance with applicable federal, State, and local regulations.

BACKGROUND

The City and County of San Francisco (“**City**”) owns a 6.46-acre parcel on portions of Parcels 189, 190, 191, and 192, located between Whisman Road and Tyrella Avenue in Mountain View, California (the “**Property**”), which includes a 2.87-acre right-of-way for SFPUC Bay Division Pipeline Numbers 3 and 4, which constitute a portion of the City’s potable water transmission system. On December 9, 2004, the San Francisco Planning Department issued an exemption determination under CEQA Guidelines Section 15312 (Surplus Government Property Sales) for the sale of the Whisman/Tyrella Property, and in 2005 the

Edwin M. Lee
Mayor

Art Torres
President

Vince Courtney
Vice President

Ann Moller Caen
Commissioner

Francesca Viotor
Commissioner

Anson Moran
Commissioner

Harlan L. Kelly, Jr.
General Manager



Steven H. Smith, Senior Environmental Planner
Environmental Planning Division
CEQA Exemption Request for Restated Option for Disposal of SFPUC Surplus
Property at 450 North Whisman Road, Mountain View

City and County of San Francisco entered into a sales option agreement for the property with KMJ Urban Communities, LLC (“**KMJ**”), approved by the Board of Supervisors, for the purchase of the Property. This agreement was extended several times, but expired in 2011 after the City of Mountain View denied without prejudice KMJ’s entitlements for subdivision of the property. The downturn in the economy have further delayed KMJ’s proposal to develop the property.

DESCRIPTION OF THE PROPOSED PROJECT

SFPUC now proposes that the City enter into a Restated Option Agreement with the new KMJ-SummerHill joint venture (described below) providing for a new 18-month term, with options to extend that agreement by an additional 6 months, and subsequently to sell the property consistent with the terms of that Restated Option Agreement. The Restated Option Agreement provides for the SFPUC’s retention of an easement across the Property to provide for SFPUC’s rights to (a) access its pipeline facilities and (b) install, inspect, use, maintain, construct, improve, alter, expand, operate, remove, and replace existing or future water pipelines, drainage pipelines, hatch covers, wells, and other surface and subsurface utility facilities, together with all related appurtenances.

KMJ has formed a joint venture with a local homebuilder SummerHill Homes, LLC, for the purpose of developing the Property. KMJ proposes a low- to medium-density residential development on 3.59 acres of the Property, consistent with the City of Mountain View General Plan Housing Element. The Property is surrounded by urban uses including two- to three-level townhomes, duplexes, and single-family residences. Potential future development of the site would be subject to environmental review by the City of Mountain View and would have to comply with applicable City of Mountain View Zoning Ordinance requirements.

ENVIRONMENTAL INFORMATION

The proposed action—granting of a sales option with respect to the Property—would not result in any environmental impacts. While it is possible that the Property may be developed as low-to-medium-density housing subsequent to its sale, the proposed Restated Option Agreement cannot constitute agency approval of a development project, does not vest the Property with any development rights, and does not preclude any alternatives or mitigation measures that might otherwise be required under CEQA. As the City of Mountain View will be the permit-granting authority and lead agency for CEQA compliance, the approval of the Restated Option Agreement by SFPUC cannot provide any commitment to a development project nor abrogate any part of permit review and CEQA compliance required by the City of Mountain View.

The Property is not located within any of the areas of statewide, regional, or area-wide concern identified in CEQA Section 15206 (b)(4) (that is, the site is not within the Lake Tahoe Basin, the Santa Monica Mountains Zone, the California Coastal Zone, within ¼ mile of a designated wild or scenic river, the

Steven H. Smith, Senior Environmental Planner
Environmental Planning Division
CEQA Exemption Request for Restated Option for Disposal of SFPUC Surplus
Property at 450 North Whisman Road, Mountain View

Sacramento/San Joaquin delta, the Suisun Marsh, or SF Bay Conservation and
Development Commission jurisdiction).

Further, potential development of the site must be consistent with the applicable
City of Mountain View General Plan designation and applicable General Plan
policies, as well as applicable zoning designation and regulations. As
documented in the Initial Study prepared for the original project in 2008¹, the
Property has no value as habitat for endangered, rare, or threatened species;
construction noise and air emissions would be less than significant with the
implementation of City-required mitigation measures; and minor impacts to
traffic access would be less-than-significant with project-level mitigation.

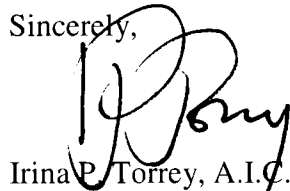
The City of Mountain View would be the Lead Agency for CEQA review of
any future development of the site, and any proposed development would be
subject to the approval of the Mountain View Planning Commission and City
Council. Therefore, while development of the Property subsequent to potential
future exercise of the sale option could occur, no development of the site may
be approved or may proceed without the future action and consent of the City of
Mountain View.

CEQA Compliance/Recommendation

Based on the above description, the SFPUC recommends that the Planning
Department determine the proposed Action is categorically exempt under
CEQA Guidelines Section 15312, as sale of surplus government property which
is not located in an area of statewide, regional or area-wide concern.

If you have any questions, please contact Sally Morgan, Environmental Project
Manager, Bureau of Environmental Management, at 934-3938. Thank you for
your cooperation.

Sincerely,

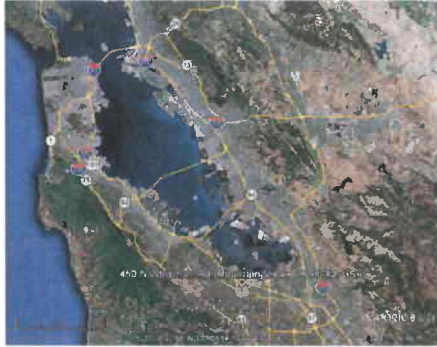


Irina P. Torrey, A.I.C.P., Manager
Bureau of Environmental Management

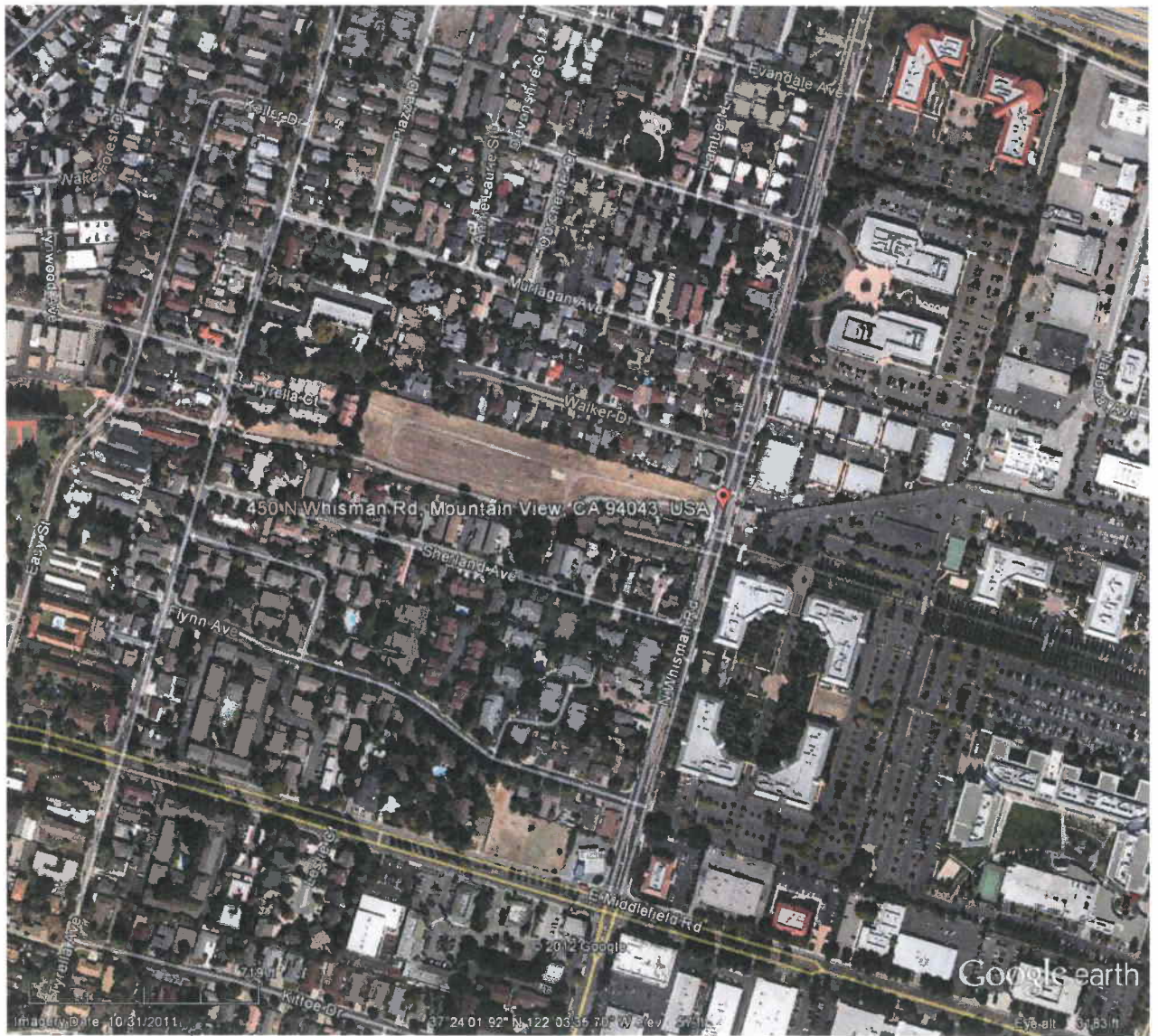
Attachments: Project location map

cc: Rosanna Russell, Director, Real Estate Services
Sally Morgan, Environmental Project Manager, BEM

¹ City of Mountain View Draft Initial Study, 450 North Whisman Road, Mountain View, CA.
March 2008. Available on line at Mountain View City Documents, Prior City Council Meetings
Documents, Meeting Packets, 2008, M04-April, 6) April 22, Item 5.02,
<http://laserfiche.mountainview.gov/WebLink/0/doc/41073/Page1.aspx>



Project Vicinity



450 North Whisman Road, Mountain View
(undeveloped elongate parcel in center of view)