

**RESPONSE TO COMMENTS
FINDING OF NO SIGNIFICANT IMPACTS
AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
ENVIRONMENTAL ASSESSMENT
FOR
CASA DE LA MISION
3001 24TH STREET
SAN FRANCISCO
SAN FRANCISCO MAYOR'S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT
OCTOBER 18, 2016**

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INTRODUCTION

This document contains public comments received on the *Combined Finding of No Significant Impact and Notice of Intent to Request Release of Funds* (FONSI/NOIRROF) published and mailed by the Mayor's Office of Housing and Community Development (MOHCD) on August 9, 2016, and the responses to those comments for the Mixed Use Development at 3001 24th Street ("the Project"). This document documents MOHCD's consideration of the comments received and of MOHCD's responses to those comments. This Response is posted on the MOHCD website at <http://sfmohcd.org/environmental-reviews> .

Although the Council on Environmental Quality ("CEQ") regulations do not require response to comments on a Draft Environmental Assessment HUD regulations (24 CFR §58.43(c)) require responsible entities to consider the comments of the public and make modifications, if appropriate, in response to the comments, before it completes its environmental certification and before the recipient submits its RROF.

The Mayor's Office of Housing and Community Development received comments from fourteen persons on the FONSI/NOIRROF. The comments are attached to this response at Appendix 1. This document responds to all substantive comments received on the FONSI/NOIRROF and the environmental assessment on which the FONSI/NOIRROF is based. Substantive comments are those that question with reasonable basis, the accuracy of information in the environmental review record, the adequacy of environmental analysis, present reasonable alternatives other than those presented in the EIS or cause changes or revisions in the proposal.

40 CFR §1501.3(a) directs agencies to prepare an environmental assessment (Sec. 1508.9) when necessary under the procedures adopted by an individual agency to supplement Council on Environmental Quality (CEQ) regulations. MOHCD as the responsible entity for programs subject to 24 CFR Part 58, prepared an EA for the Casa de la Mision at 3001 24th Street using the HUD HEROS system. The EA was prepared in accordance with HUD guidelines and in compliance with the standards articulated in 24 CFR §§58.40(a) through (f) as well as CEQ Regulations.

24 CFR §58.40 requires the responsible entity to ensure the following elements are considered when preparing the EA:

- (a) Determine existing conditions and describe the character, features and resources of the project area and its surroundings; identify the trends that are likely to continue in the absence of the project.
- (b) Identify all potential environmental impacts, whether beneficial or adverse, and the conditions that would change as a result of the project.

- (c) Identify, analyze and evaluate all impacts to determine the significance of their effects on the human environment and whether the project will require further compliance under related laws and authorities cited in §58.5 and §58.6.
- (d) Examine and recommend feasible ways in which the project or external factors relating to the project could be modified in order to eliminate or minimize adverse environmental impacts.
- (e) Examine alternatives to the project itself, if appropriate, including the alternative of no action.
- (f) Complete all environmental review requirements necessary for the project's compliance with applicable authorities cited in §§58.5 and 58.6.

After preparing the EA in accordance with the Section 40 and CEQ standards, MOHCD, in accordance with 24 CFR §58.43(g), made a finding that the project was not an action that would result in a significant impact on the quality of the human environment and proceeded as required by Part 58 to dissemination of the finding as required by 24 CFR §58.43. As permitted by 24 CFR §58.43, MOHCD disseminated the Finding of No Significant Impact (FONSI) at the same time it disseminated the Notice of Intent to Request Release of Funds as required by 24 CFR §58.70. The combined notice was published on August 9, 2016 in the San Francisco Examiner; and mailed to more than the 240 addresses of residences and businesses in the neighborhood.

The comment period for the FONSI and Notice of Intent to Request Release of Funds (NOIRROF) ended on August 25, 2016. During the 15 day comment period, MOHCD received timely comments from several residents who requested that the comment period be extended. In accordance with commenters' wishes, MOHCD extended the comment period for an additional 30 days. The extended comment period ended on September 25, 2016. During the comment period MOHCD received a total of 14 comments. The Environmental Assessment has not been modified as a result of the consideration of the comment received for the FONSI/NOIRROF. However, the original findings are still valid.

This Comments and Responses document does not provide significant new information and a reevaluation of the FONSI/NOI is not required per 24 CFR §58.47.

This Comments and Responses document will be distributed to HUD and agencies and persons who commented directly on the Combined Notice. This document is also posted on MOHCD's website at <http://sf-moh.org/index.aspx?page=155> and will be available for copying and reading at the reception desk of the Mayor's Office of Housing and Community Development at 1 South Van Ness Avenue, 5th Floor, San Francisco, CA 94103 from 9:00 am to 5:00 pm Monday through Friday beginning October 17, 2016.

LIST OF COMMENTERS

Commenter	Date
Barqawi, Rami and Rachida	8/26/2016
Biblowitz, Iris	9/19/2016
Bittleston, Matthew	8/24/2016
Dimond, Eric	8/26/2016
Dranitzke, David	8/24/2016
Feldman, Ben	8/29/2016
Fettes, RM	8/25/2016
Mason, Linda	8/23/2016
Malik, Beth	8/23/2016
Paez & Marcus, Elixabeth and Hal	8/28/2016
Schmitt, Eric	8/25/2016
Taylor, Frances	9/19/2016
Wigginton, Cynthia	8/23/2016
Wolfe, Tina	8/24/2016

MASTER RESPONSE 1

Comment: Several commenters stated that the height of the building (6 stories) would be out of character with the existing neighborhood or would change the feel of the neighborhood. Several commenters noted the existing neighborhood has 1, 2, 3 or 4-story buildings but that the project would be taller than the existing buildings.

Response: There are several taller buildings within approximately ½ mile of the project including the following:

- 8-story building at the Capp Street and 25th Street (0.25 mile)
- 7-story building at the intersection of Potrero Avenue and 22nd (0.38 mile)
- 7-story building at the intersection of 25th and Bartlett Street (0.40 mile)
- 7-story building at the intersection of 19th and Shotwell Street (0.55 mile)
- 11-story buildings at the intersection of Cesar Chavez Street and Valencia Street with two adjacent 7- story buildings (0.55 mile)

Community character is subjective and can be expected to change over time. The City’s General Plan, zoning, and design guidelines govern development within the City and give an indication of the future goals of the neighborhood in terms of general design and height.

The project site is zoned NCT- 24th-Mission Neighborhood Commercial. This zone runs along 24th Street from Capp Street to San Bruno Avenue. The height-bulk district is 55-X for the project site and ranges between 45-X and 55-X along 24th Street in the immediate vicinity. The allowable height is generally greater along 24th Street within the Mission neighborhood reflecting the commercial and transit goals established by the City in Eastern Neighborhoods planning.

Additionally, the Mission Area Plan states “[t]he production of affordable housing is one of the main goals of the Mission Area.”¹ Affordable housing developments may qualify for a height bonus under the City’s Affordable Housing Bonus Program (AHBP). The AHBP will have an approval process and specific design guidelines as follows:

All AHBP projects would be evaluated for consistency with the AHBP Design Guidelines. In recognition that some projects utilizing the AHBP would be taller or of differing mass than the surrounding context, the AHBP Design Guidelines would clarify how projects should both maintain their size and be designed to be compatible with their

¹ City and County of San Francisco, 2008. Mission Area Plan. Eastern Neighborhoods Community Plans. Available online at:http://sf-planning.org/sites/default/files/FileCenter/Documents/2321-Mission_Area_Plan_DEC_08_FINAL_ADOPTED.pdf

neighborhood context.²Specific design guidelines would address ground floor design, tops of buildings, sidewalk articulation, and architectural character. Also, the AHBP Design Guidelines would articulate existing design principles from neighborhood- or district-specific design guidelines that would be applied to all AHBP projects. These fundamental design principles would address such things as building massing and articulation, ground floors, and streets ...

The project will be consistent with the City’s goals regarding height and development of affordable housing specific to the Mission neighborhood. Additionally, MOHCD has considered reduced height alternatives as discussed in Master Response 2, below.

MASTER RESPONSE 2

Several commenters requested consideration of a reduced height alternative, such as a four-story structure, five-story structure or multiple smaller projects.

Response: MOHCD has considered reduced height alternatives. These alternatives would not best meet the purpose and need, nor would they serve to reduce a significant adverse environmental impact to a less than significant level. As discussed in Master Response 1, the project height is consistent with City planning policies and will be subject to City design guidelines.

SUMMARY OF COMMENTS AND RESPONSES

Comment Summary ¹	Response
Barqawi, Rami and Rachida 08/26/2016	
[W]e strongly oppose the 6 story height of this structure. This is a small neighborhood with 1, 2 and a few 3 story buildings. This height of building is not appropriate for 24th street or this neighborhood and will negatively impact on the residents and businesses in this charming section of the mission on and off 24th street. Building this kind of structure will change the character and feel of our beloved neighborhood.	See Master Response 1 regarding height/community character.
Biblowitz, Iris 09/19/2016	
Letter in support of project.	Comment noted.
Bittleston, Matthew 08/24/2016	

² San Francisco Planning Department, 2016. Addendum 3 to San Francisco 2004 and 2009 Housing Element. January 14, 2016

<p>The largest buildings on this street are four stories (counting the ground floor as one). All others are three or two stories. The proposed project would presumably be two stories taller than the tallest building, and directly on the south side of 24th street. I doubt this new building would match the beauty of the old Victorians on this street.</p>	<p>See Master Response 1 regarding height/community character.</p>
<p>It would also completely shade the intersection and 24th street, and be completely out of scale in this neighborhood.</p>	<p>During certain times of the year and certain times of day the building may shade portions of 24th Street. Shading of the street occurs with existing buildings in the area. See Master Response 1 regarding allowable height.</p>
<p>Additionally, I read that they are proposing to include 50 low income units in this structure. That sounds like a return to the concentrated poverty public housing fiascos of the past. This area finally feels like it is emerging from the days of gun shots and murders on the street, and now we are going to get a 1950's era housing project right at 24th street?</p>	<p>The commenter infers but does not present evidence that the development would result in an increase in crime. Crime rates are influenced by many factors. Arguments that affordable housing or high-density housing increase crime are unsubstantiated.³</p>
<p>Why can't this project be split into multiple smaller projects?</p>	<p>See Master Response 2 regarding consideration of multiple smaller projects.</p>
<p>This project is proposed at the intersection of a cultural & tourist destination (Balmy Alley), a public transportation and commercial corridor (24th street) and a bicycle route (Harrison street). Just the construction of a mega project like this will have major negative impacts on all three. Where would the porta potties, dumpsters, construction vehicles, layout space, etc be?</p>	<p>Construction represents a temporary impact. Construction staging will be implemented so as to minimize temporary impacts on residents, businesses</p>

³ California Department of Housing & Community Development, 2002. *Myths and Facts About Affordable & High Density Housing*. Available online at: <http://www.hcd.ca.gov/housing-policy-development/mythsnfacts.pdf>

	and others.
If the completed project includes a parking garage, how will that be accessed without damaging Balmy alley, increasing pedestrian hazards and reducing commercial space (24th street), or destroying the mural and seating area, and creating hazards for cyclists (Harrison street)?	The project does not include a parking garage.
Dimond, Eric 08/26/2016	
Letter in support of project. It [may be] good if it was five stories and not six.	See Master Response 1 regarding height and Master Response 2 regarding alternatives.
Dranitzke, David 08/24/2016	
I received the notice in mail and have many concerns. First is the proposed height- it is much too tall. Six stories is not appropriate for this part of 24th street and does not fit in with the small one and two story retail and residential buildings nearby.	See Master Response 1 regarding height/community character.
Secondly, while I am all for affordable housing for seniors I'm very concerned about adding 50 units, and therefore 50-100 new neighbors, without added infrastructure. Parking is already tight here among other things.	The project does not include parking. This is consistent with City planning and goals supporting affordable housing and development of the project near existing transit. ⁴
Third- the environmental review states the project will be used to house homeless. While honorable, this is something the immediate neighbors must agree upon. As it is currently envisioned, i cannot support this project next to my house. I would like to see a community meeting to discuss this proposal.	The Environmental Assessment was released for public review and the comment period was extended to allow for additional public comments. A public meeting to receive comments on the NEPA review was held on September 15, 2016 at

⁴ City and County of San Francisco, 2008. Mission Area Plan. Eastern Neighborhoods Community Plans. Available online at:http://sf-planning.org/sites/default/files/FileCenter/Documents/2321-Mission_Area_Plan_DEC_08_FINAL_ADOPTED.pdf

	<p>3001 24th Street and was attended by .</p> <p>The City’s General Plan process for the Eastern Neighborhoods and Mission Area Plan supporting the development of affordable housing within the Mission neighborhood was a multi-year process involving multiple public community meetings.</p>
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Feldman, Ben 08/29/2016

<p>This is my ninth year in the neighborhood and I can tell you from personal experience that several aspects are hugely out-of-character for the neighborhood. Putting the use aside, the scale of the proposed building is offensive. This is a low-rise neighborhood that residents and business owners have worked very hard to keep small-scale-- both in terms of the structures along lower 24th, as well as the businesses that inhabit them. The predominant idea is that things should stay small and local and aligned with the existing neighbors and neighborhood. These efforts have been hugely successful, making the neighborhood famous both internationally and locally as the "heart" of the mission.</p>	<p>See Master Response 1 regarding height/community character.</p>
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<p>Next, the building itself is a historic part of the neighborhood's fabric. Please see attached photo that depicts this corner nearly 100 years ago! The business tenants then and now serve a neighborhood that is family-centric and famously welcoming to newcomers. This is not a random unimportant structure. It's a part of the special historic built environment of the corridor.</p>	<p>An evaluation of the existing building determined that it would not qualify for listing in the National Register or California Register and has compromised integrity.⁵ Mitigation includes addressing potential effects to the Balmy Alley murals.</p>
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<p>Current requirements for new developments in the neighborhood outline how projects must be inclusive of different populations, yet this one is not. To support this</p>	<p>It is unknown what requirement the commenter is referring</p>
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⁵ ESA, 2016. 3001 24th Street Department of Parks and Recreation Building, Structure, and Object Record. May 2016.

<p>project, I'd need to see a percentage of market-rate units and a percentage of family-friendly units that are BMR. There are similar requirements for other developments in the neighborhood and I see no reason why there wouldn't be for this project as well.</p>	<p>to; however, they may be referring to policies that require that developments include affordable housing or pay an affordable housing fee. The project is consistent with the City policies regarding affordable housing development. This is not an issue subject to consideration under NEPA.</p>
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Fettes, RM 08/25/2016

<p>This is a small neighborhood with 1, 2 and a few 3 story buildings. This height of building will significantly change 24th street and this neighborhood and, may potentially impact the residents and businesses in this charming section of the Mission on and off 24th street. Building this kind of structure will change the character and feel of our beloved neighborhood, so please do all you can and make sure it's for the better.</p>	<p>See Master Response 1 regarding height/community character.</p>
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Mason, Linda 08/23/2016

<p>Such a massive structure that does not fit the architecture or feel of the neighborhood is a shocking proposal that will certainly have a negative impact on the residents and businesses here. Please consider a much lower height limit to the structure! The visual impact alone will be devastating to that corner of the Mission. Certainly a 6 story building has a place among structures of that size or larger, but not among the cozy single family homes, small apartment buildings, and small businesses here.</p>	<p>See Master Response 1 regarding height/community character and Master Response 2 regarding alternatives.</p>
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Malik, Beth 08/23/2016

<p>I strongly oppose the height of this structure, it will have a completely negative impact on the residents and businesses in this charming section of the Mission on/off 24th street. This type of massive structure is not compatible with the 1 and 2 story homes and business in this area along 24th street.</p>	<p>See Master Response 1 regarding height/community character.</p>
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<p>I live at 2828 Harrison street, two houses away from the proposed site. I have a single story home with skylights and lots of natural light and a beautiful sunny garden which I enjoy. The proposed 6 story structure is going to directly</p>	<p>During certain times of the year and certain times of day the building may shade</p>
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<p>impact my life personally. The shadows from this size structure will eliminate all the natural sunlight, in my house, on my property and in garden. It will feel like I'm living Down Town in the shadows of the corporate buildings.</p> <p>The location is on the south side of 24th street. It will have a more significant darkening effect on the street, and thus seem even bigger, because of the direction of the sun.</p>	<p>adjacent areas. The project will be consistent with the City's goals regarding heights along 24th Street as discussed in Master Response 1.</p>
<p>A 6 story structure is unnecessary on 24th Street and Harrison, since Lennar Corp is building a massive 9 story, 157 unit low and mixed income at 1515 South Van Ness & 26th and there is another huge 96 units of low income senior housing going in at 1296 Shotwell just North of Cesar Chavez. This is all within a 8 block radius of the Casa de la Mission site in our small neighborhood. This project is also going to Increase the population density even higher in this small section of the Mission.</p>	<p>The development of affordable housing and the height/density are consistent with City goals for the Mission neighborhood as discussed in Master Response 1.</p>
<p>Paez & Marcus, Elizabeth and Hal 08/28/2016</p>	
<p>We strongly oppose the 6 story height of this structure. Please realize that this is a small neighborhood comprised of single-family homes and mostly 1-2 story buildings. The height of this proposed building is simply not appropriate for 24th street or this neighborhood and will negatively impact the residents and businesses in this charming section of the Mission on and off 24th street. Building this kind of structure will substantially and negatively change the character of our beloved neighborhood.</p>	<p>See Master Response 1 regarding height/community character.</p>
<p>We believe the construction for developing such a large structure would be troublesome for our neighborhood and would cause an extreme inconvenience for those of use attempting to get in and out of our homes. The same would likely apply for the supply vehicles and other efforts needed to maintain such an unprecedented large building in this space.</p>	<p>Construction represents a temporary impact. Construction staging would be implemented to minimize disruption to the neighborhood. Delivery of supplies for program operations would not disrupt the neighborhood as loading zones would be designated primarily along Harrison Street. The 24th Street corridor is primarily commercial and retail and the City has designated parking spaces for business</p>

	deliveries.
The height would also interfere with the natural sunlight that residents in the neighborhood have long enjoyed and hope to continue to enjoy in the future.	During certain times of the year and certain times of day the building may shade adjacent areas. Shading of the street occurs with existing buildings in the area. The project will be consistent with the City's goals regarding heights along 24 th Street as discussed in Master Response 1.
Schmitt, Eric 08/25/2016	
The proposed building is so big in scale, stretching from one street to another, 6 stories high with a combined footprint and height that would simply dwarf anything around.	See Master Response 1 regarding height.
Apparently there have been some meetings around this. I live several doors down and would like to be a part of the process, however I was never notified of any meetings. I think it would only be fair to show the residents with drawings, how massive this will be.	The Environmental Assessment was released for public review and the comment period was extended to allow for additional public comments. A public meeting to receive comments on the NEPA review was held on September 15, 2016.
This will throw open the doors to more massive developments on the 24th St corridor, making it resemble Valencia St. I think a more thoughtful approach, involving the residents of the community you plan to significantly alter makes more sense.	See Master Response 1 regarding allowable height along 24 th Street. The City's General Plan process for the Eastern Neighborhoods and Mission Area Plan including height and bulk planning was a multi-year process involving multiple public community meetings.

Comments regarding prior halfway house residents.	This comment is out of the scope of the NEPA analysis.
I also am one of the few blue collar workers left in the city-carpenter. I need access to my garage on Balmy alley. The alley is already very difficult to navigate through with tourists and the taqueria double parkers. A line of service vehicles and ambulances blocking the alley at 24th St will kill my access.	The project would not change access to Balmy Alley.
Again, I understand, that the Mayor's office is under pressure to build affordable housing. For 20 years, I and the other residents have felt like the city simply dumps on this neighborhood. I know Pacific Heights pays more in taxes but perhaps they should share the burden of sheltering the city's needy.	This comment is out of the scope of the NEPA analysis.
Taylor, Frances 09/19/2016	
Letter in support of project.	Comment noted.
Wigginton, Cynthia 08/23/2016	
I think of this as a great project in terms of use. My issue is with height. It should be more equitable to adjacent structures. Perhaps four stories? It is important to maintain the nature of the neighborhood and the nature of the 24 th street corridor.	See Master Response 1 regarding height/community character and Master Response 2 regarding alternatives.
Wigginton, Cynthia 08/22/2016	
Although I commend the idea of this sort of development, I take issue with the height of the construction. At six stories, it will dwarf adjacent buildings. Might it be possible to take the level down to, say, four levels, to maintain the integrity of the 24th street corridor?	See Master Response 1 regarding height/community character and Master Response 2 regarding alternatives.
Wolfe, Tina 08/24/2016	
For many reasons I strongly oppose the project. First, the six story height of this structure is not appropriate for 24th street or this neighborhood. This is a small neighborhood with mostly one and two story buildings and very few three story ... Also, building this kind of structure will change the character and feel of our neighborhood in a way that would subtract from living in this community.	See Master Response 1 regarding height/community character.
Second, I see no mention of parking allotted for the proposed	The project does not

50 units-- is this true? I believe that if the project moves forward, it will negatively impact the residents and businesses in this area of the Mission.

include parking. This is consistent with City planning and goals supporting affordable housing and development of the project near existing transit.
