



ATTACHMENT A
Potrero Yard Modernization Project
2500 Mariposa Street
California Environmental Quality Act Findings:
Findings of Fact, Evaluation of Mitigation Measures and Alternatives,
and Statement of Overriding Considerations
SAN FRANCISCO PLANNING COMMISSION

PREAMBLE

In determining to approve the Project, which refers to either the Refined Project or the Paratransit Variant described in Section I, below, the San Francisco Planning Commission (the “Commission”) makes and adopts the following findings of fact and decisions regarding the Project description and objectives, significant impacts, significant and unavoidable impacts, mitigation measures, as well as improvement measures and Public Works Standard Construction Measures, and alternatives, and a statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* (“CEQA”), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 *et seq.* (“CEQA Guidelines”), Section 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA, separate and apart from the Commission's certification of the Project's Final EIR, which the Commission certified prior to adopting these CEQA findings.

These findings are organized as follows:

Section I provides a description of the Project, the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.

Section II lists the Project's less-than-significant impacts or cumulative impacts that do not require mitigation.

Section III identifies potentially significant impacts or cumulative impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.

Section IV identifies significant Project-specific or cumulative impacts that would not be avoided or reduced to a less-than-significant level and describes any applicable mitigation measures as well as the disposition of

the mitigation measures. The Final EIR identified mitigation measures to address these impacts, but implementation of the mitigation measures will not reduce the impacts to a less-than-significant level.

Sections III and IV set forth findings as to the mitigation measures proposed in the Final EIR. The Draft Environmental Impact Report (“Draft EIR”) and the Responses to Comments document (“RTC”) together comprise the “Final EIR,” or “FEIR.” Attachment B to the Planning Commission Motion contains the Mitigation Monitoring and Reporting Program: Mitigation, Improvement and Public Works Standard Construction Measures (“MMRP”), which provides a table setting forth the full text of each mitigation measure listed in the Final Environmental Impact Report that is required to reduce a significant adverse impact.

Section V identifies the Project alternatives that were analyzed in the Final EIR and discusses the reasons for their rejection.

Section VI sets forth the Commission's Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

The MMRP (Attachment B) is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP also specifies the party responsible for implementation of each mitigation measure and establishes monitoring actions and a monitoring schedule. For this project, the MMRP includes separate tables for other project requirements and design elements such as Standard Construction Measures and Improvement Measures agreed to by the project sponsor team, which consists of the San Francisco Municipal Transportation Agency (SFMTA), San Francisco Public Works (public works) and the Potrero Neighborhood Collective (PNC), a private development consortium.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft EIR or the RTC, which together comprise the Final EIR, are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

Section I. Procedural Background and Project Description

A. Procedural Background

In April 2021, prior to publication and circulation of the Project Draft EIR on June 30, 2021, the San Francisco Municipal Transportation Agency (SFMTA) and San Francisco Public Works (Public Works) released a Request for Proposals (RFP) to procure and select a private development consortium to design, build, finance, and maintain the joint development for Potrero Yard. The proposed development consisted of a replacement transit facility component and a mixed-use component with residential, commercial, and childcare uses.

In October 2022, the City and County of San Francisco (City) awarded a contract to a private development consortium to enter into negotiations to refine the conceptual plans, obtain project approvals, construct the approved project, and manage the mixed-use component. During the procurement period, which ended in October 2022, the project sponsor team (SFMTA, public works, and the Potrero Neighborhood Collective (PNC)) developed a refined version of the Draft EIR Project incorporating various elements of the project variants described in the Draft EIR Project and analyzed for CEQA compliance, and presented it to the City Planning Department (Planning Department). Subsequently, the project sponsor team further refined the

proposed building design and program in response to feedback from the Planning Department's current Planning staff and through interdepartmental urban design and streetscape design review processes, resulting in the 50 Percent Schematic Design, the Refined Project. The project sponsor team also introduced a Paratransit Variant. These are described below (Project Description).

B. Project Description

A. Refined Project

The Refined Project will replace SFMTA's Potrero Trolley Coach Division Facility at 2500 Mariposa Street (Potrero Yard), in the northeast portion of San Francisco's Mission District near the South of Market and Potrero Hill neighborhoods. The Project will accommodate the expansion of the SFMTA's transit vehicle fleet, the modernization of bus maintenance, operation, and administrative services, expand and consolidate training operations at one site; and joint development uses including residential uses. The new, approximately 1,250,000 gross-square-foot, mixed-use building will occupy the 4.4-acre site and be 70 to 150 feet in height. It will contain a four-level, approximately 70-foot-tall transit facility (Transit Facility Component) plus a mix of commercial and residential uses in the remainder of the Project (Housing Component) as part of a joint development program between SFMTA and the Potrero Neighborhood Collective (PNC).

- a) Transit Facility Component.** The Transit Facility Component will occupy the basement to fourth floor levels and include vehicular and bus circulation areas (ramps, drive aisles), mechanical rooms, bus storage locations, bus wash stations, administrative and office spaces, lockers and showers, community rooms, and outdoor open space. A limited portion of the joint development will be located within the Transit Facility Component specifically the ground floor and include residential lobbies along Hampshire and Bryant Streets and retail spaces at the corners of 17th and Hampshire Street, and 17th and Bryant Streets.
- b) Housing Component.** The Housing Component will include the construction of a total of 513 dwelling units (117 Studios, 184 one-bedroom, 144 two-bedroom, 68 three-bedroom) along Bryant and Hampshire Streets. Along Bryant Street, the proposed housing component will run from the ground floor to the top floor and provide dwelling units that are intended for families and will be offered at a below market rate. Along Hampshire Street, the proposed housing component with the exception of a lobby at the ground floor will commence at the podium level and provide dwelling units intended for workforce and will be offered at a below market rate.
- c) Phasing.** The Project is proposed to be constructed in three distinct phases, which may or may not overlap. The first phase will include the construction of the Transit Facility Component and is expected to last three years. According to the Project Sponsor team, construction is expected to begin in late 2024 and finish in late 2027. The second phase will include the construction of the Housing Component along Bryant St. up to the fourth level, podium level. Construction for the second phase is expected span two years and start one to two years after the start of construction on the first phase. Lastly, the third phase will construct the remaining Housing Component atop the podium level (both the remaining housing along Bryant St. and

workforce housing along Hampshire St.) and is expected to span two years and start no sooner than two years after the start of the first phase. Phases 2 and 3 may also be constructed after the completion of SFMTA's facility.

B. Paratransit Variant

In lieu of constructing a portion of the Housing Component atop of the bus facility, the bus facility will expand to include portions of one additional level at the podium for the use of SFMTA's Paratransit Division. In such a case, the proposal would still construct that portion of the Housing Component along Bryant St. for a total of 103 dwelling units and retail spaces at the corners of 17th and Hampshire Street, and 17th and Bryant Streets. The additional square footage for the bus facility would replace the western-most portion of the Housing Component and include additional building massing for administrative and operation spaces, and paratransit storage, operation, and circulation areas including a covered ramp for SFMTA's Paratransit Division.

As noted above, in the Preamble section, the Project is defined as being either the Refined Project or the Paratransit Variant.

C. Project Objectives

The project sponsor team seeks to achieve the following objectives by undertaking the Project:

Basic Objectives

1. Rebuild, expand, and modernize the SFMTA's Potrero Bus Yard by 2027 to efficiently maintain and store a growing Muni bus fleet according to the SFMTA Fleet Plan and Facilities Framework schedule.
2. Construct the first SFMTA transit facility with infrastructure for battery electric buses to facilitate Muni's transition to an all-electric fleet, in accordance with San Francisco and California policy.
3. Construct a new public asset that is resilient to earthquakes and projected climate change effects, and provides a safe, secure environment for the SFMTA's employees and assets.
4. Improve working conditions for the SFMTA's workforce of transit operators, mechanics, and front-line administrative staff through a new facility at Potrero Yard.
5. Achieve systemwide master plan priorities by consolidating two currently scattered transit support functions at Potrero Yard: (a) improve and streamline transit operator hiring by consolidating SFMTA's operator training function in a new, state-of-the-art facility; and (b) support efficient Muni operations by consolidating the Street Operations division in a modern, convenient facility.
6. Implement inclusive and transparent stakeholder engagement in designing this project and completing the CEQA process.

7. Create a development that is financially feasible, meaning that the public asset can be funded by public means and public transportation funds are used only for the bus yard component.

Additional Objectives

8. Enhance safety and reduce conflicts between transit, commercial vehicles, bicyclists, drivers, and pedestrians in the project site vicinity.
9. Improve the architectural and urban design character of the project site by replacing the existing fences and blank walls with more active, transparent street walls, to the extent feasible.
10. Maximize the reuse of the 4.4-acre site in a central, mixed-use neighborhood by creating a mixed-use development and providing dense housing and striving to maximize the number of affordable units on the site.
11. Increase the City's supply of housing by contributing to the Mayor's Public Lands for Housing goals, the San Francisco General Plan Housing Element goals, and the Association of Bay Area Governments' Regional Housing Needs Allocation for the City by optimizing the number of dwelling units, including affordable housing, particularly near transit.
12. Support transit-oriented development and promote the use of public transportation through an innovative and comprehensive transportation demand management program.
13. Ensure that joint development is able to fund its own construction and ongoing management without reliance on City subsidy other than what is originally assumed as part of the project budget while ensuring that SFMTA's transportation funds are only allocated for the transit use.
14. Demonstrate the City's leadership in sustainable development by constructing an environmentally low-impact facility intended to increase the site's resource efficiency.

D. Project Approvals

The Project requires the following approvals:

Actions by the City Planning Commission

- Recommendation of approval of a General Plan Amendment which would amend the Urban Design Element by amending Urban Design Element Map 4 ("Urban Design Guidelines for the Height of Buildings") and Urban Design Element Map 5 ("Urban Design Guidelines for the Bulk of Buildings"). Urban Design Element Map 4 would be amended to state that Lot 001 in Assessor's Block 3971 has a height designation of 89-160 feet. Urban Design Element Map 5 would be amended to modify the bulk limits at the site to accommodate the Project's massing.
- Recommendation of approval of a proposed Planning Code Amendment which would add a new Special Use District—the Potrero Yard Special Use District—to the Planning Code permitting the Project's proposed uses at the site and imposing certain development standards upon the Project.

- Recommendation of approval of a proposed Zoning Map Amendment which would amend the City Zoning Map to reflect the new Potrero Yard Special Use District.
- Approval of Conditional Use Authorization for a Planned Unit Development for the Project's Residential Uses.
- Adoption of Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations under CEQA.
- Adoption of Shadow Findings that net new shadow on Franklin Square Park by the Project would not be adverse to the use of Franklin Square Park.

Actions by the City and County Board of Supervisors

- Approval of a General Plan Amendment which would amend the Urban Design Element by amending Urban Design Element Map 4 ("Urban Design Guidelines for the Height of Buildings") and Urban Design Element Map 5 ("Urban Design Guidelines for the Bulk of Buildings"). Urban Design Element Map 4 would be amended to state that Lot 001 in Assessor's Block 3971 has a height designation of 89-160 feet. Urban Design Element Map 5 would be amended to modify the bulk limits at the site to accommodate the Project's massing.
- Approval of a proposed Planning Code Amendment which would add a new Special Use District—the Potrero Yard Special Use District—to the Planning Code permitting the Project's proposed uses at the site and imposing certain development standards upon the Project.
- Approval of a proposed Zoning Map Amendment which would amend the City Zoning Map to reflect the new Potrero Yard Special Use District.

Actions by City Public Works

- If sidewalks are used for construction staging and pedestrian walkways are constructed in the curb lanes, approval of a street space permit from the Bureau of Street Use and Mapping.
- Approval of an encroachment permit or a street improvement permit for signage and streetscape improvements.
- Approval of a new curb cut and removal of existing curb cuts.

Approvals by City Recreation and Parks Commission

- Review and comment to Planning Commission regarding shadowing of Franklin Square Park.

Approvals by City Department of Building Inspection

- Approval of demolition, grading, site/building permits, sign permits, and other ministerial approvals as needed.

E. Environmental Review

On November 20, 2019, SFMTA submitted an Environmental Evaluation Application for the Project to the Planning Department, initiating the environmental review process. The EIR process includes an opportunity for the public to review and comment on the Project's potential environmental effects and to further inform the environmental analysis.

On August 19, 2020, the Planning Department published a Notice of Preparation (NOP) of an EIR and Notice of Public Scoping Meeting (EIR Appendix A, Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meeting, August 19, 2020), announcing its intent to solicit public comments on the scope of the environmental analysis and to prepare and distribute an EIR on the Project. The Planning Department distributed the Notice of Availability of an NOP and Notice of Public Scoping Meeting to the State Clearinghouse and relevant state and regional agencies; occupants of the site and adjacent properties; property owners within 300 feet of the project site; and other potentially interested parties, including neighborhood organizations that have requested such notice. A legal notice was published in the newspaper on Wednesday, August 19, 2020. Publication of the NOP initiated a 30-day public review and comment period that ended on September 18, 2020. Pursuant to CEQA section 21083.9 and CEQA Guidelines section 15206, the Planning Department held a public scoping meeting on September 2, 2020, to receive input on the scope of the environmental review for this Project. During the NOP review and comment period, eight comments were received. One speaker provided oral comments at the scoping meeting and seven comment letters and emails were submitted to the Planning Department. The comment letters received in response to the NOP and a copy of the transcript from the public scoping meeting are available for review at the Planning Department offices as part of Case File No. 2019-021884ENV. The Planning Department considered the comments made by the public in preparation of the Draft EIR for the project and project variants.

The Planning Department published the Draft EIR, including the Initial Study, on June 30, 2021. The Draft EIR identified a 62-day public comment period—from July 1, 2021 through August 31, 2021—to solicit public comment on the Draft EIR. A public hearing on the draft EIR was held before the San Francisco Planning Commission on August 26, 2021. Five public comments on the draft EIR were made in written form during the public comment period and four comments were made as oral testimony at the public hearing.

Additionally, there was a public hearing before the San Francisco Historic Preservation Commission on Wednesday, August 4, 2021. This hearing allowed the Historic Preservation Commissioners to provide comments on the Draft EIR, including the Initial Study, to the Planning Commission.

As described in Section I above, the Draft EIR project was refined (Refined Project) and a new variant added (Paratransit Variant) after publication of the Draft EIR. The Planning Department analyzed the Refined Project and the Paratransit Variant and determined that neither would result in the new significant environmental impacts or substantially increase the severity of the impacts presented in the Draft EIR. Nor do they add any new mitigation measures or alternatives that the project sponsor team has declined to implement.

Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when “significant new information” is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term “information” can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not

“significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5, subd. (a).)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

On December 13, 2023, the Planning Department distributed a Responses to Comments (RTC) on the Draft EIR document for review to the Planning Commission as well as to the other public agencies and commissions, non-governmental organizations including neighborhood associations, and individuals who commented on the Draft EIR. The RTC document provides a complete description of the Refined Project and Paratransit Variant, an analysis of the physical environmental impacts of each compared to the Draft EIR Project, responds to the comments made on the Draft EIR during the 62-day review period, and revises Draft EIR text based on additional information and minor errata that became available or known subsequent to Draft EIR publication.

The Commission finds that none of the changes and revisions presented in the RTC substantially affects the analysis or conclusions presented in the Draft EIR; therefore, recirculation of the Draft EIR for additional public comments is not required.

F. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the Project are based include the following:

- The Final EIR, consisting of the Draft EIR, the RTC document, and all documents referenced in or relied upon by the Final EIR;
- All information (including written evidence and testimony) provided by city staff members to the Planning Commission related to the Final EIR, the Project, the project approvals and entitlements, and the alternatives set forth in the Final EIR;

- All information (including written evidence and testimony) presented to the Planning Commission, or incorporated into reports presented by the Planning Department, by the environmental consultant and subconsultants who prepared the Final EIR;
- All information (including written evidence and testimony) presented to the city from other public agencies relating to the Project or the final EIR;
- All applications, letters, testimony, and presentations provided to the city by the Department and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Final EIR;
- The MMRP; and
- All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The public hearing transcripts and audio files, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco. The San Francisco Planning Commission Secretary is the custodian of these documents and materials.

G. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III, and IV set forth the Planning Commission's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Planning Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted by the Planning Commission as part of the Project. To avoid duplication and redundancy, and because the Planning Commission agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not repeat the analysis and conclusions in the Final EIR, but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings.

In making these findings, the Planning Commission has considered the opinions of the Department and other city staff members and experts, other agencies, and members of the public. The Planning Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the city; (ii) the significance thresholds used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and city staff members; and (iii) the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Planning Commission is not bound by the significance determinations in the Final EIR (see Public Resources Code section 21082.2, subdivision [e]), the Planning Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR, and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Planning Commission ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures,

except to the extent any such determinations and conclusions are specifically and expressly modified by these findings, and relies upon them as substantial evidence supporting these findings.

As set forth below, the Planning Commission adopts and incorporates the mitigation measures for the Project set forth in the Final EIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Planning Commission intends to adopt the mitigation measures proposed in the Final EIR that are within its jurisdiction and urges other city agencies and departments that have jurisdiction over other mitigation measures proposed in the Final EIR, and set forth in the MMRP, to adopt those mitigation measures. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION II. IMPACTS OF THE PROJECT FOUND TO BE LESS THAN SIGNIFICANT AND THUS NOT REQUIRING MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Public Resources Code section 21002; CEQA Guidelines sections 15126.4, subdivision [a][3], 15091). Based on the evidence in the entire record of this proceeding, the Planning Commission finds that the Project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation.

Cultural Resources

- CR-2: Construction of the Project would not materially alter, in an adverse manner, the physical characteristics of any off-site historical resource that justifies its inclusion in the California Register of Historical Resources.
- C-CR-1: The Project, in combination with cumulative projects, would not materially alter, in an adverse manner, the physical characteristics of historical resources that justify their eligibility for inclusion in the California Register of Historical Resources, resulting in a cumulative impact.

Transportation and Circulation

- TR-1: Construction of the Project would not require a substantially extended duration or intense activity and the secondary effects would not create potentially hazardous conditions for people walking, bicycling, or driving; or interfere with accessibility for people walking or bicycling; or substantially delay public transit.

- TR-2: Operation of the Project would not create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations.
- TR-3: Operation of the Project would not interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access.
- TR-4: Operation of the Project would not substantially delay public transit.
- TR-5: Operation of the Project would not cause substantial additional VMT or substantially induce automobile travel.
- TR-6: Operation of the Project would not result in a loading deficit.
- C-TR-1: The Project, in combination with cumulative projects, would not result in significant construction-related transportation impacts.
- C-TR-2: The Project, in combination with cumulative projects, would not create potentially hazardous conditions.
- C-TR-3: The Project, in combination with cumulative projects, would not interfere with accessibility.
- C-TR-4: The Project, in combination with cumulative projects, would not substantially delay public transit.
- C-TR-5: The Project, in combination with cumulative projects, would not cause substantial additional VMT or substantially induce automobile travel.
- C-TR-6: The Project, in combination with cumulative projects, would not result in significant loading impacts.

Noise and Vibration

- C-NO-2: Construction vibration as a result of the Project, combined with construction vibration from cumulative projects in the vicinity, would not generate excessive groundborne vibration or groundborne noise levels.
- C-NO-3: Operation of the Project, combined with operation noise from cumulative projects in the vicinity, would not cause a substantial permanent increase in ambient noise levels in the Project vicinity.

Air Quality

- AQ-2: During operation, the Project would generate criteria air pollutant emissions at levels that would not result in a cumulatively considerable net increase in criteria air pollutants for which the region is in nonattainment.
- AQ-4: The Project would not conflict with implementation of the 2017 Bay Area Clean Air Plan.

- AQ-5: The Project would not create objectionable odors that would affect a substantial number of people.

Shadow

- SH-1: The Project would not create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces.
- C-SH-1: The Project in combination with cumulative projects in the vicinity would not create new shadow in a manner that substantially and adversely affects the use and enjoyment of publicly accessible open spaces. The Project would not make a cumulatively considerable contribution to a significant cumulative shadow impact.

SECTION III. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS OF THE PROJECT THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this Section III concern mitigation measures set forth in the EIR to mitigate the potentially significant impacts of the Project. These mitigation measures are included in the MMRP, which is included as Attachment B to the Planning Commission motion adopting these findings.

The project sponsor team has agreed to implement the mitigation measures identified below to address the potential impacts identified in the EIR. As authorized by CEQA section 21081 and CEQA Guidelines sections 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project will be required to incorporate mitigation measures identified in the EIR into the Project to mitigate or avoid significant or potentially significant environmental impacts. These mitigation measures will reduce or avoid the potentially significant impacts described in the EIR, and the Planning Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the city to implement or enforce. In addition, the required mitigation measures are fully enforceable and will be included as conditions of approval for project approvals under the Project, as applicable, and also will be enforced through conditions of approval in building permits issued for the Project by the San Francisco Department of Building Inspection, as applicable. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level.

Noise and Vibration

- NO-1: Construction of the Project would generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the San Francisco Noise Ordinance or applicable standards of other agencies.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-1 (Construction Noise Control) would reduce this impact to a less-than-significant level.

- NO-2: Construction of the Project would generate excessive groundborne vibration or groundborne noise levels.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-2 (Vibration-Sensitive Equipment at 2601 Mariposa Street (KQED Building)) would reduce this impact to a less-than-significant level.

- NO-3: Operation of the Project would generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, or applicable standards of other agencies.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-3 (Fixed Mechanical Equipment Noise Control for Building Operations) would reduce this impact to a less-than-significant level.

- C-NO-1: Construction noise as a result of the Project, combined with construction noise from cumulative projects in the vicinity, would cause a substantial temporary increase in ambient noise levels.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-1 (Construction Noise Control) would reduce this impact to a less-than-significant level.

Air Quality

- AQ-1: During construction, the Project would not generate significant fugitive dust emissions, but would generate criteria air pollutant emissions at levels which would result in a cumulatively considerable net increase in criteria air pollutants for which the region is in nonattainment.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-AQ-1 (Off-Road Construction Equipment Emissions Minimization) would reduce this impact to a less-than-significant level.

Wind

- WI-1: The Project would create wind hazards in publicly accessible areas of substantial pedestrian use in the vicinity of the project site.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-WI-1 (Design Measures to Reduce Project-Specific Wind Impacts) would reduce this impact to a less-than-significant level.

- C-WI-1: The Project, in combination with cumulative projects, would not alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative wind impact.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-WI-1 (Design Measures to Reduce Project-Specific Wind Impacts) would reduce this impact to a less-than-significant level.

Tribal Cultural Resources

- TCR-1: Construction of the Project could cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-TCR-1 (Tribal Cultural Resources Preservation and/or Interpretive Program) would reduce this impact to a less-than-significant level.

- C-TCR-1: The Project, in combination with cumulative projects in the vicinity, would not result in significant cumulative tribal cultural resources impacts.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-TCR-1 (Tribal Cultural Resources Preservation and/or Interpretive Program) would reduce this impact to a less-than-significant level.

Geology and Soils

- GE-6: The Project could directly or indirectly destroy a unique paleontological resource or site.

The Planning Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-GE-6a (Inadvertent Discovery of Paleontological Resources) would reduce this impact to a less-than-significant level.

SECTION IV. SIGNIFICANT IMPACTS OF THE PROJECT THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant Project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The Final EIR identifies significant impacts in two significant impact topic areas—Cultural Resources and Air Quality—that would remain significant and unavoidable, even with implementation of mitigation measures; those impacts topics and the mitigation measures that reduce the impacts, although not to a less-than-significant level, are listed below.

The Planning Commission further finds based on the analysis contained within the Final EIR, other considerations in the record, and the significance criteria identified in the Final EIR, that feasible mitigation measures are not available to reduce the significant Project impacts to less-than-significant levels, and thus those impacts remain significant and unavoidable. The Planning Commission also finds that, although measures were considered in the Final EIR that could reduce some significant impacts, certain measures, as described below, are infeasible for reasons set forth below; therefore, those impacts remain significant and unavoidable or potentially significant and unavoidable.

The following significant impacts on the environment, as reflected in the Final EIR, are unavoidable. But, as more fully explained in Section VII, below, under Public Resources Code section 21081(a)(3) and (b) and CEQA Guidelines sections 15091(a)(3), 15092(b)(2)(B), and 15093, the Planning Commission finds that these impacts are acceptable in light of the legal, environmental, economic, social, technological and other benefits of the Project. This finding is supported by substantial evidence in the record of this proceeding.

A. Impacts That Remain Significant and Unavoidable After Implementation of Mitigation Measures

Cultural Resources

- CR-1: The Project would cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5 of the CEQA Guidelines.

The Project would demolish the entire bus yard and building and redevelop the whole site with an approximately 1,250,000-gross-square-foot building that rises between 70 to 150 feet in height, including a partial basement level. The demolition under the Project would eliminate all the character-defining features that contribute to and convey the historic and architectural significance of the project site as a post-Earthquake reinforced concrete car barn designed by master Michael M. O'Shaughnessy.

For these reasons, the Project would materially alter the physical characteristics of the Potrero Trolley Coach Division Facility that convey its historic significance and that justify its inclusion in the California Register. As such, the Project would cause a substantial adverse impact on the Potrero Trolley Coach Division Facility, a historical resource, and this would be a significant impact.

Mitigation measures M-CR-1a (Documentation of Historical Resource), M-CR-1b (Salvage Plan), M-CR-1c (Interpretation of the Historical Resource), and M-CR-1d (Oral Histories) would document and present the complex history of the site and subject building. These mitigation measures would reduce the cultural resource impact but not to a less-than-significant level. The impact is significant and unavoidable with mitigation. Because identified mitigation measures M-CR-1a, M-CR-1b, M-CR-1c and M-CR-1d would not reduce the impact to a less-than-significant level, a full and a partial preservation alternatives to the Project have been identified.

Air Quality

- AQ-3: Construction and operation of the Project would generate toxic air contaminants, including diesel particulate matter, at levels which would expose sensitive receptors to substantial pollutant concentrations.

Construction of the Project would generate the following local air pollutants of concern: running exhaust DPM and PM2.5 from off-road equipment and on-road trucks, fugitive PM2.5 dust from on-road truck tire wear, brake wear, and resuspension of entrained roadway dust. Operation of the Project would also generate the following local air pollutants of concern: running exhaust DPM, PM2.5, and/or TOG from on-road vehicles and emergency diesel generators, and fugitive PM2.5 dust from on-road vehicle tire wear, brake wear, and resuspension of entrained roadway dust. The emissions of DPM, PM2.5, and TOG during Project construction and operation could pose a health risk to nearby

sensitive receptors.

As explained in the Final EIR, with implementation of Mitigation Measures M-AQ-1 (Off-Road Construction Equipment Emissions Minimization) and M-AQ-3 (Emergency Diesel Generator Health Risk) the excess cancer health risk exposure would be reduced to just below the threshold of significance of 7.0 in a million (i.e., 6.87 in a million overall with 6.22 in a million attributable to off-road construction equipment after mitigation). The 38.5 percent reduction to the overall cancer risk at the maximally exposed individual resident attributable to Mitigation Measure M-AQ-1 would not be assured because of potential increases to the off-road construction equipment roster and intensity of average daily use. As a result, the efficacy of the combination of Mitigation Measures M-AQ-1 and M-AQ-3 would also not be assured. Although a reasonable worst-case construction scenario for the construction air quality emissions modeling was employed and long-term operational benefits associated with the Project's TDM program were not calculated, construction and operation of the Project could result in a substantial increase in the exposure of sensitive receptors to DPM, TOG, and PM_{2.5} and the impact on local air quality is determined to be significant. No additional mitigation measures have been identified and therefore this impact is significant and unavoidable with mitigation.

C-AQ-1: The Project, in combination with cumulative projects in the vicinity, would contribute considerably to cumulative health risk impacts on sensitive receptors. As discussed in the Final EIR, cumulative projects within 1,000 feet of the offsite maximally exposed individual resident are not expected to substantially increase the existing background health risks at the maximally exposed individual resident. However, as discussed under Impact AQ-3, the Project would result in a substantial increase in the existing background health risks at the maximally exposed individual resident. Even with Mitigation Measures M-AQ-1 and M-AQ-3 required as conditions of approval for the Project, construction and/or operation of the Project would result in a substantial increase in the exposure of sensitive receptors to DPM, TOG, and PM_{2.5} and the Project's contribution to cumulatively significant health risk impacts would be significant and unavoidable with mitigation.

SECTION V. Evaluation of Project Alternatives

This section describes the EIR alternatives and the reasons for rejecting the alternatives as infeasible. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the project location that would feasibly attain most of the project's basic objectives, but that would avoid or substantially lessen any identified significant adverse environmental effects of the project. An EIR is not required to consider every conceivable alternative to a Project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. CEQA requires that every EIR also evaluate a "no project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

A. Alternatives Analyzed in the Final EIR

The Department considered a range of alternatives in draft EIR Chapter 5, Alternatives. The Final EIR analyzed the Project compared to four CEQA alternatives:

- Alternative A (No Project Alternative)
- Alternative B (Full Preservation Alternative)
- Alternative C (Partial Preservation Alternative)
- Alternative D (Transit Facility Plus Commercial Only Alternative)

B. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible ... the project alternatives identified in the EIR” (CEQA Guidelines section 15091[a][3]). The Planning Commission has reviewed each of the alternatives to the Project as described in the Final EIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological, and other considerations that make these alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines “feasibility” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors.” The Planning Commission is also aware that under CEQA case law, the concept of “feasibility” encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is “desirable” from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

The following Project alternatives and Project were fully considered and compared in the Final EIR.

- **Alternative A (No Project Alternative):** Under Alternative A, existing land use controls on the Project site would continue to govern site development and the existing site would continue to function as a transit facility, which would not constitute a change from existing conditions. Under Alternative A, the existing maintenance and operations building would be retained in its current configuration, including its flat roof (parking deck) and second-story additions constructed in 1924 along Mariposa and Hampshire streets for offices and maintenance shops, respectively. The overall height and massing (approximately 45-foot height at Mariposa and Hampshire streets) would be preserved. The paved bus storage yard on the western portion of the site with access from Mariposa Street would also be retained in its current condition.

If Alternative A were to proceed, no changes would be implemented, and none of the impacts associated with the Project, as described in the Final EIR, would occur. With no change to existing site conditions under the no Project alternative, land use activity on the Project site would not contribute to significant cumulative impacts beyond existing levels.

Alternative A is hereby rejected as infeasible. Although it would eliminate the significant and unavoidable impacts to cultural resources and air quality, it would fail to meet the basic objectives of

the Project. In particular, Alternative A would fail to: (i) rebuild, expand, and modernize the SFMTA's Potrero Bus Yard by 2027 to efficiently maintain and store a growing Muni bus fleet according to the SFMTA Fleet Plan and Facilities Framework schedule; (ii) construct the first SFMTA transit facility with infrastructure for battery electric buses to facilitate Muni's transition to an all-electric fleet, in accordance with San Francisco and California policy; (iii) construct a new public asset that is resilient to earthquakes and projected climate change effects, and provides a safe, secure environment for the SFMTA's employees and assets; (iv) improve working conditions of SFMTA's workforce of transit operators, mechanics, and front-line administrative staff through a new facility at Potrero Yard; (v) achieve systemwide master plan priorities by consolidating scattered transit support functions at Potrero Yard; or (vi) create a development that is financially feasible in that the public asset can be funded by public means and public transportation funds are used only for the bus yard component.

- **Alternative B (Full Preservation Alternative):** The two preservation alternatives are the culmination of a screening process that considered various site plans, building retention programs, building heights, views of the character-defining features, and feedback from the City Historic Preservation Commission. Under the Full Preservation Alternative, the existing, approximately 45-foot-tall, office wing along Mariposa Street would be retained and the remainder of the maintenance and operations building would be demolished, including the shops wing along Hampshire Street north of the office wing. The replacement transit facility would cover the remainder of the site, including the bus yard on the west portion of the site.

Under Alternative B, the building's three transit levels would rise to a height of 75 feet, with multi-family residential floors above rising to 150 feet (inclusive of the 75-foot-tall transit facility podium). The office wing would be retained and preserved in its entirety with no new construction built on top of it. The shops wing along Hampshire Street would be demolished; however, new construction would feature setbacks that reference the wing's original form and massing. Under this alternative, residential uses within the new transit facility would be developed along Mariposa and Bryant streets, and on floors above the new transit facility podium. However, the footprint for residential development would be limited under Alternative B due to the retention of the office wing, the transit facility podium setbacks from the retained office wing, and the residential floor setbacks from the transit facility podium. Ground-floor commercial uses would be developed along Bryant Street. Most of the character-defining features of the historical resource would be retained and reused.

Overall, Alternative B would have approximately 176,000 fewer gross square feet of space compared to the Refined Project and about 53,000 more gross square feet of space than the Paratransit Variant. Compared to the Project (both the Refined Project and the Paratransit Variant), the replacement transit facility would be reduced in size by approximately 122,000 gross square feet—from approximately 700,000 to 578,000 gross square feet.

Alternative B is hereby rejected as infeasible because it would fail to meet the basic objectives of the Project. In particular, Alternative B would not fully satisfy the Project's basic objectives to: (i) rebuild, expand, and modernize the SFMTA's Potrero Bus Yard by 2027 to efficiently maintain and store a growing Muni bus fleet according to the SFMTA Fleet Plan and Facilities Framework schedule; (ii) construct the first SFMTA transit facility with infrastructure for battery electric buses to facilitate Muni's

transition to an all-electric fleet, in accordance with San Francisco and California policy; and (iii) achieve systemwide master plan priorities by consolidating scattered transit support functions at Potrero Yard. Reductions to the transit facility under Alternative B could result in less space for operator training, operator and administration areas, transit street operations, and electric bus battery infrastructure, as well as displacement of maintenance bays and bus parking, limiting SFMTA's ability to meet the fleet plan mix, and loss of non-revenue vehicle parking spaces, limiting SFMTA's ability to consolidate transit street operations and other functions at Potrero Yard.

- **Alternative C (Partial Preservation Alternative):** Under the Partial Preservation Alternative, the office wing along Mariposa and Hampshire streets on the southeast portion of the site would be retained and reused. The remainder of the building would be demolished, including the shops wing along Hampshire Street north of the office wing. New construction (i.e., the three-level transit facility, with residential and ground-floor commercial uses plus residential uses atop the transit facility podium) would cover the remainder of the site as it does in Alternative B.

Similar to the Project, the building's three transit levels would rise to a height of 75 feet, with multi-family residential floors above rising to 150 feet (inclusive of the 75-foot-tall transit facility podium). The office wing would be retained and preserved in its entirety, with no new construction built on top of it. The remainder of the building would be demolished but the new building would feature some setbacks and notches to differentiate the new construction from the retained office wing. Residential uses within the new transit facility under this alternative would be developed along Mariposa and Bryant streets and on floors above the transit facility podium. However, the footprint for residential development would be limited under Alternative C due to the retention of the office wing and the residential floor setbacks from the transit facility podium and retained office wing. Ground-floor commercial uses would be developed along Bryant Street as under the Project. Most of the character-defining features of the historical resource would be retained and reused, although to a lesser degree than in Alternative B. A portion of the existing structure would be retained; however, spatial relationships with the site and environment would be altered to a greater extent in Alternative C as compared to Alternative B.

Overall, Alternative C would have approximately 166,000 fewer gross square feet of space compared to the Refined Project and 63,000 more gross square feet of space than the Paratransit Variant. Compared to the Project (Refined Project and Paratransit Variant), the replacement transit facility would be reduced in size by 103,000 gross square feet—from approximately 700,000 to 597,000 gross square feet. Although the interior of the retained office wing of the maintenance and operations building would be renovated to serve the SFMTA's programmatic needs, reductions to the SFMTA program could result in similar land use program reductions as with the Full Preservation Alternative.

Alternative C is hereby rejected as infeasible because it would fail to meet the basic objectives of the Project. In particular, like Alternative B, Alternative C would not fully satisfy the Project's basic objectives to: (i) rebuild, expand, and modernize the SFMTA's Potrero Bus Yard by 2027 to efficiently maintain and store a growing Muni bus fleet according to the SFMTA Fleet Plan and Facilities Framework schedule; (ii) construct the first SFMTA transit facility with infrastructure for battery electric buses to facilitate Muni's transition to an all-electric fleet, in accordance with San Francisco and California policy; and (iii) achieve systemwide master plan priorities by consolidating scattered transit

support functions at Potrero Yard. Reductions to the transit facility under Alternative C could result in less space for operator training, operator and administration areas, transit street operations, and electric bus battery infrastructure, as well as displacement of maintenance bays and bus parking, limiting SFMTA's ability to meet the fleet plan mix, and loss of non-revenue vehicle parking spaces, limiting SFMTA's ability to consolidate transit street operations and other functions at Potrero Yard.

- **Alternative D (Transit Facility Plus Commercial Only Alternative):** Under the Transit Facility Plus Commercial Only Alternative, the 4.4-acre site would be redeveloped to provide a modern transit facility with commercial uses in a 75-foot-tall structure with three transit levels. However, Alternative D, unlike the Project, would not include residential uses within the transit facility (along Mariposa and Bryant streets) or proposed residential development atop the transit facility podium. All joint development space within the transit facility would be repurposed for SFMTA maintenance and circulation space, electric bus battery infrastructure, and staff amenities with the exception of ground-floor commercial space. The approximately 3,000 gross square feet of ground-floor commercial uses under the Project (Refined Project and Paratransit Variant) would be approximately 30,000 gross square feet less than under Alternative D, which would include 33,000 gross square feet of commercial uses along Bryant Street.

Streetscape improvements would be limited to a loading facility on Bryant Street for commercial use, and the off-street loading at the basement level would be dedicated to the SFMTA. There would be no passenger loading space on Hampshire or Bryant streets north of Mariposa Street; thus, fewer parking spaces adjacent to the project site would be lost compared to Project (Refined Project and Paratransit Variant). Alternative D would require 107,000 cubic yards more excavation than the Project (Refined Project and Paratransit Variant) for the foundation and structural work and the below-grade basement. However, due to the smaller construction program for the transit facility and commercial space only, Alternative D could be constructed in 2.5 to 3 years, less than the approximately four years expected for the Project (Refined Project and Paratransit Variant)..

Alternative D is hereby rejected as infeasible. Overall, Alternative D would meet fewer of the additional project objectives than Alternatives B or C because there would be no residential component to the joint development. Without the residential component, the Alternative D project would deliver zero housing units and would fail to maximize reuse of a site located in a central, mixed-use neighborhood by creating a mixed-use development and providing dense housing and striving to maximize the number of affordable units on the site.

SECTION VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, a total of three significant impacts related to cultural resources and air quality would remain significant and unavoidable with mitigation, as described in more detail above.

Pursuant to CEQA section 21081 and CEQA Guidelines section 15093, the Planning Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological, and other benefits of the Project – including, as noted above, either the Refined Project or the Paratransit Variant – independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project, as further

discussed below. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Planning Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found below, and in the record of proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this statement of overriding considerations. The Planning Commission further finds that, as part of the process of obtaining Project approvals, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened, where feasible. All mitigation measures and improvement measures identified in the Final EIR and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Planning Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technological, legal, social, and other considerations. The Project would meet all of the objectives, as described in the Draft EIR.

The Project would have the following benefits:

- The Project would advance SFMTA's Building Progress Program, which has a goal of repairing, renovating, and modernizing SFMTA's aging facilities and facilitating improvement of the overall transportation service delivery system in the City.
- The Project would replace an aging facility a new multilevel bus facility that will not only improve maintenance and storage capabilities, but also contribute to a greener, more sustainable, and reliable transportation system for the City.
- The Project would ensure resiliency to climate change and natural disasters and improve transit service by reducing vehicle breakdowns, increasing on-time performance, and reducing passenger overcrowding. Relatedly, the Project will provide a safer, more secure environment for SFMTA's employees and physical assets.
- The Project would directly address and support the City's housing goals—memorialized in its General Plan Housing Element and the Mayor's Public Lands for Housing Goals—by constructing a range of new housing units (up to 513) on the site.
- The Project would enhance safety and reduce conflicts between transit, commercial vehicles, bicyclists, drivers, and pedestrians in the project site vicinity.
- The Project would support transit-oriented development and promote the use of public transportation through an innovative and comprehensive transportation demand management program.
- The Project would demonstrate the City's leadership in sustainable development by constructing an environmentally low-impact facility intended to increase the site's resource efficiency.

Having considered the above, and in light of evidence contained in the FEIR and in the record, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the FEIR and/or Initial Study, and that those adverse environmental effects are therefore acceptable.

**ATTACHMENT B – AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM:
MITIGATION, IMPROVEMENT AND PUBLIC WORKS STANDARD CONSTRUCTION MEASURES (MMRP) and
MMRP**