

1 [Adopting findings related to the reversal of the approval of the mitigated negative declaration
2 issued by the Planning Commission for 601 Duboce Avenue Project.]

3 **Motion adopting findings related to the reversal of the approval of the mitigated**
4 **negative declaration issued by the Planning Commission for the 601 Duboce Avenue**
5 **Project.**

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7 On November 18, 2006, the Environmental Review Officer of the Planning Department
8 issued a preliminary mitigated negative declaration for a proposal to construct a four-story
9 50,100 gross square-foot medical office building on an existing surface parking lot of the
10 California Pacific Medical Center Davis Campus at 601 Duboce Avenue (the "Project") in
11 accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines
12 and San Francisco Administrative Code Chapter 31.

13 On June 7, 2007, following a noticed public hearing, the Planning Commission by
14 Motion No. 17443 adopted a Final Mitigated Negative Declaration for 601 Duboce Avenue
15 ("negative declaration") in accordance with Administrative Code Section 31.11(h). A copy of
16 said document is on file with the Clerk of the Board of Supervisors in File No. 070905 and is
17 incorporated by reference herein.

18 The Clerk of the Board received an appeal of the negative declaration from Nicole M.
19 Phillips, on behalf of the Service Employees International Union, United Healthcare Workers –
20 West (the "Appellant") on June 19, 2007.

21 This Board of Supervisor's held a duly noticed public hearing on September 18, 2007,
22 to consider the negative declaration appeal filed by Appellant. Following the conclusion of the
23 public hearing, the Board reversed the Planning Commission's adoption of the negative
24 declaration for the Project based on the whole record before the Board including the written
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1 record in File No. 070905, as well as the written submissions to, public testimony at, and
2 official written, video and audio records of the Planning Department determination on the
3 negative declaration and subsequent determinations of the Planning Commission related to
4 the Project, the public testimony at, and official written, video and audio records of the Board
5 determination on the negative declaration appeal and deliberation of the oral and written
6 testimony at the public hearing before the Board of Supervisors by all parties and the public in
7 support of and opposed to the appeal of the negative declaration, all of which are declared to
8 be a part of this motion as if set forth fully herein.

9 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors finds that the
10 mitigated negative declaration for the Project is inadequate and incomplete in that although
11 the document adequately addresses the direct physical impacts at the CPMC Davies Campus
12 associated with the Project, including such issues as air quality, noise and traffic associated
13 with the construction and operation of the proposed medical office building, it fails to consider
14 the reasonably foreseeable consequences of that new use in relation to the long-term medical
15 facilities plan of the California Pacific Medical Center (the "CPMC") for its several existing and
16 planned campuses in San Francisco; and be it

17 FURTHER MOVED, That the Board of Supervisors finds that by failing to analyze the
18 Project as part of a larger plan to update and reorganize CPMC facilities in San Francisco, the
19 negative declaration inappropriately segments the environmental impacts that may be
20 associated with the Project; and be it

21 FURTHER MOVED, That the Board of Supervisors finds based on substantial
22 evidence in the record, including in testimony before the Board, that the Project may result in
23 impacts not analyzed in the negative declaration in that CPMC owns and operates several
24 existing medical facilities in San Francisco, CPMC has filed an application with the Planning
25 Department to undertake environmental review of a long-range plan for some of the medical

1 facilities that it owns or plans to construct, in part to comply with requirements of SB 1953,
2 and CPMC intends to use the new medical office building at Davies to relocate certain
3 neuroscience operations now at the CPMC Pacific Campus at 2333 Buchanan Street to the
4 new medical office building proposed at the CPMC Davies Campus, but the mitigated
5 negative declaration does not address the effect of relocating CPMC Pacific Campus
6 functions to the CPMC Davies campus or how the relocation may alter the operations at other
7 CPMC facilities in San Francisco; and be it

8 FURTHER MOVED, That the Board of Supervisors finds that although testimony was
9 presented to the Board that the relocation of neuroscience uses from the CPMC Pacific
10 Campus to the CPMC Davies Campus is designed to relieve overcrowding at the CPMC
11 Pacific Campus, no discussion of the relationship between the two campuses is included in
12 the mitigated negative declaration, the public has not had an opportunity to comment on this
13 information, the Planning Department has not had an opportunity to fully examine the
14 relationship between the two facilities and the environmental impacts associated with this
15 relocation, including the effects on CPMC's planned long-term facilities and, therefore, it is not
16 possible for the Board to know whether all impacts associated with the Project have been
17 thoroughly analyzed in the mitigated negative declaration; and be it

18 FURTHER MOVED, That the Board of Supervisors finds that based on the information
19 presented to it that the 601 Duboce Avenue Project appears to relate to and be a part of the
20 larger long-term facilities plan of CPMC and the impacts associated with the 601 Duboce
21 Avenue Project should be analyzed as part of the CEQA analysis on the overall long-term
22 facilities plan.

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