



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20677 HEARING DATE: FEBRUARY 27, 2020

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Record No.: 2017-003559ENV
Project Address: 3700 California Street
Permit Appl. Nos: 2019.1224.0616-0646, 2019.1224.0649 and 2019.1224.0653
Zoning: RH-2 (Residential, House – Two Family) and RM-2 (Residential, Mixed – Moderate Density) Zoning Districts
80-E and 40-X Height and Bulk Districts
Block/Lot: 1015/001, 052 & 053; 1016/001-009; 1017/027 & 028
Project Sponsor Denise Pinkston
TMG Partners
100 Bush Street
San Francisco, CA 94104
Property Owner: Sutter Bay Hospitals
San Francisco, CA 94107
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ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING IMPACTS FOUND NOT TO BE SIGNIFICANT THAT DO NOT REQUIRE MITIGATION, FINDINGS REGARDING POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE REDUCED TO LESS-THAN-SIGNIFICANT LEVELS THROUGH MITIGATION, AND EVALUATION OF MITIGATION MEASURES, RELATED TO APPROVALS FOR THE 3700 CALIFORNIA STREET RESIDENTIAL PROJECT (“PROJECT”), LOCATED ON LOTS 001, 052 AND 053 ON ASSESSOR’S BLOCK 1015, LOTS 001-009 ON ASSESSOR’S BLOCK 1016, AND LOTS 027 AND 028 ON ASSESSOR’S BLOCK 1017.

PREAMBLE

The 3700 California Street Project proposes redevelopment on a portion of the current site of the California Pacific Medical Center (CPMC) campus at 3700 California Street in the Presidio Heights neighborhood of San Francisco. The approximately 214,000-square-foot, 4.9-acre irregularly shaped Project site encompasses 14 parcels on one full city block (Block 1016, Lots 001–009) and portions of two other blocks (Block 1015, Lots 001, 052, and 053, and Block 1017, Lots 027 and 028). The Project site is bounded by Sacramento Street to the north, residential uses to the east, California Street to the south, and medical office and residential uses to the west. The Project site is located primarily within an RM-2 (Residential, Mixed – Moderate Density) Zoning District, with portions also in an RH-2 (Residential, House – Two Family) Zoning District. Majority of the Project site is located in an 80-E Height and Bulk district, with the exception of two lots that cover approximately 8 percent of the Project site and are in a 40-X height and bulk district.

The Project proposes demolition of five of the six existing hospital buildings on the Project site, including an accessory off-street parking garage; renovation and adaptive re-use of a portion of the Marshal Hale

hospital building at 3698 California Street to residential use; retention and renovation of the existing nine-unit residential building at 401 Cherry Street; and construction of 31 new residential buildings, including some accessory amenity spaces. The residential buildings on the project site would contain 273 dwelling units, reflecting the design and scale of the existing neighborhood, including 14 single-family homes and 19 multi-family residential buildings with studios and one-, two-, three-, and four-bedroom units. The proposed Project would be constructed on three blocks, with residential buildings ranging from three to seven stories (36 to 80 feet). With the exception of 12 of the single-family homes that would be on separate lots, all residential buildings would be situated above below-grade parking podiums on each block. A total of 416 parking spaces would be provided, consisting of 392 subterranean spaces and 24 private spaces for the 12 single-family residences on separate lots. The proposed Project would include shared onsite amenity space and approximately 88,100 square feet of private and common open space areas. The project sponsor is seeking Conditional Use Authorization and Planned Unit Development approval for height and certain planning code exceptions. The existing 14 lots on the project site would be merged and subdivided into 16 parcels.

The Project Sponsor filed an Environmental Evaluation Application for the Project with the San Francisco Planning Department ("Department") on March 17, 2017.

Pursuant to and in accordance with the requirements of Section 21094 of CEQA and Sections 15063 and 15082 of the CEQA Guidelines, the Department, as lead agency, published and circulated a Notice of Preparation ("NOP") on September 19, 2018, which solicited comments regarding the scope of the environmental impact report ("EIR") for the proposed project. The NOP and its 30-day public review comment period were advertised in a newspaper of general circulation in San Francisco and mailed to governmental agencies, organizations and persons interested in the potential impacts of the proposed project.

During the approximately 30-day public scoping period that ended on October 19, 2018, the Department accepted comments from agencies and interested parties that identified environmental issues that should be addressed in the EIR. Comments received during the scoping process were considered in preparation of the Draft EIR.

The Department prepared the Draft EIR, which describes the Project and the environmental setting, analyzes potential impacts, identifies mitigation measures for impacts found to be significant or potentially significant, and evaluates alternatives to the Project. The Draft EIR assesses the potential construction and operational impacts of the Project on the environment, and the potential cumulative impacts associated with the Project in combination with other past, present, and future actions with potential for impacts on the same resources. The analysis of potential environmental impacts in the Draft EIR utilizes significance criteria that are based on the San Francisco Planning Department Environmental Planning Division guidance regarding the environmental effects to be considered significant. The Environmental Planning Division's guidance is, in turn, based on CEQA Guidelines Appendix G, with some modifications.

The Department published a Draft EIR for the Project on June 13, 2019, and circulated the Draft EIR to local, state, and federal agencies and to interested organizations and individuals for public review. On July 10, 2019, the Department also distributed notices of availability of the Draft EIR; published notification of its availability in a newspaper of general circulation in San Francisco; posted the notice of availability at the San Francisco County Clerk's office; and posted notices at locations within the project area. The Planning

Commission held a public hearing on September 19, 2019, to solicit testimony on the Draft EIR during the public review period. A court reporter, present at the public hearing, transcribed the oral comments verbatim, and prepared written transcripts. The Department also received written comments on the Draft EIR, which were sent through mail, hand delivery, or email. The public comment period on the Draft EIR ended on September 24, 2019.

The Department then prepared the Responses to Comments on Draft EIR document ("RTC"). The RTC document was published on February 13, 2020, and includes copies of all of the comments received on the Draft EIR and written responses to each comment.

In addition to describing and analyzing the physical, environmental impacts of the revisions to the Project, the RTC document provided additional, updated information, clarification and modifications on issues raised by commenters, as well as Planning Department staff-initiated text changes to the Draft EIR. The Final Environmental Impact Report (Final EIR), which includes the Draft EIR, the RTC document, the Appendices to the Draft EIR and Attachments to the RTC document, and all of the supporting information, has been reviewed and considered. The RTC document and its attachments and all supporting information do not add significant new information to the Draft EIR that would individually or collectively constitute significant new information within the meaning of Public Resources Code Section 21092.1 or CEQA Guidelines Section 15088.5 so as to require recirculation of the Final EIR (or any portion thereof) under CEQA. The RTC document and attachments and all supporting information contain no information revealing (1) any new significant environmental impact that would result from the Project or from a new mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project, but that was rejected by the project sponsor, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Commission reviewed and considered the Final EIR for the Project and found the contents of said report and the procedures through which the Final EIR was prepared, publicized and reviewed complied with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg. section 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code.

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31 by its Motion No. 20671.

The Planning Commission Secretary is the Custodian of Records for the Planning Department materials, located in the File for Case No. 2017-003559ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

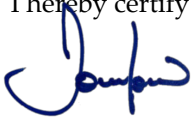
On February 27, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2017-003559ENV to consider the approval of the Project. The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written

materials and oral testimony presented on behalf of the Project, the Planning Department staff, expert consultants and other interested parties.

This Commission has reviewed the entire record of this proceeding, the Environmental Findings below, regarding mitigation measures, improvement measures, and environmental impacts analyzed in the FEIR, and the proposed MMRP attached as Exhibit C and incorporated fully by this reference, which includes both mitigation measures and improvement measures. The entire record, including Exhibit C, was made available to the public.

MOVED, that the Planning Commission hereby adopts these findings under the California Environmental Quality Act, and adopts the MMRP attached as Exhibit C, based on substantial evidence in the entire record of this proceeding.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on February 27, 2020.



Jonas P. Ionin
Commission Secretary

AYES: Koppel, Moore, Johnson, Diamond, Fung and Imperial

NAYS: None

ABSENT: Richards

ADOPTED: February 27, 2020

ATTACHMENT A

3700 CALIFORNIA STREET RESIDENTIAL PROJECT

California Environmental Quality Act findings:

FINDINGS OF FACT, AND EVALUATION OF MITIGATION MEASURES

SAN FRANCISCO PLANNING COMMISSION

February 27, 2020

In determining to approve the 3700 California Street Residential Project (“Project”), as described in Section I.A, Project Description, below, the following findings of fact and decisions regarding mitigation measures are made and adopted, based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act, California Public Resources Code Sections 21000-21189.3 (“CEQA”), particularly Sections 21081 and 21081.5, the Guidelines for implementation of CEQA, California Code of Regulations, Title 14, sections 15000-15387 (“CEQA Guidelines”), particularly sections 15091 through 15092, and Chapter 31 of the San Francisco Administrative Code.

This document is organized as follows:

Section I provides a description of the project proposed for adoption, project objectives, the environmental review process for the project, the approval actions to be taken and the location of records;

Section II identifies the impacts found not to be significant that do not require mitigation;

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

Section IV addresses (lack of) significant impacts that cannot be avoided or reduced to less-than-significant levels and describes any applicable mitigation measures as well as the disposition of the mitigation measures;

Section V addresses mitigation measures considered but rejected as infeasible for economic, legal, social, technological, or other considerations; and

Section VI addresses the (lack of) need for a statement of overriding considerations setting forth specific reasons in support of the actions for the project.

The Mitigation Monitoring and Reporting Program (“MMRP”) for the mitigation measures that have been proposed for adoption is attached with these findings as Exhibit 1 to Attachment A to Motion No. XXXXX. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the Final Environmental Impact Report for the Project (“Final EIR”) that is required to reduce or avoid a significant adverse impact. The MMRP also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in the MMRP.

These findings are based upon substantial evidence in the entire record before the San Francisco Planning Commission (the "Commission"). The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report ("Draft EIR" or "DEIR") or the Responses to Comments document ("RTC") 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.

I. PROJECT DESCRIPTION, OBJECTIVES, ENVIRONMENTAL REVIEW PROCESS, APPROVAL ACTIONS, AND RECORDS

A. Project Description

The 3700 California Street Project proposes redevelopment on a portion of the current site of the California Pacific Medical Center (CPMC) campus at 3700 California Street in the Presidio Heights neighborhood of San Francisco. The approximately 214,000-square-foot, 4.9-acre irregularly shaped Project site encompasses 14 parcels on one full city block (Block 1016, Lots 001–009) and portions of two other blocks (Block 1015, Lots 001, 052, and 053, and Block 1017, Lots 027 and 028). The Project site is bounded by Sacramento Street to the north, residential uses to the east, California Street to the south, and medical office and residential uses to the west. The Project site is located primarily within an RM-2 (Residential, Mixed – Moderate Density) Zoning District, with portions also in an RH-2 (Residential, House – Two Family) Zoning District. Majority of the Project site is located in an 80-E Height and Bulk district, with the exception of two lots that cover approximately 8 percent of the Project site and are in a 40-X height and bulk district.

The Project proposes demolition of five of the six existing hospital buildings on the Project site, including an accessory off-street parking garage; renovation and adaptive re-use of a portion of the Marshal Hale hospital building at 3698 California Street to residential use; retention and renovation of the existing nine-unit residential building at 401 Cherry Street; and construction of 31 new residential buildings, including some accessory amenity spaces. The residential buildings on the project site would contain 273 dwelling units, reflecting the design and scale of the existing neighborhood, including 14 single-family homes and 19 multi-family residential buildings with studios and one-, two-, three-, and four-bedroom units. The proposed Project would be constructed on three blocks, with residential buildings ranging from three to seven stories (36 to 80 feet). With the exception of 12 of the single-family homes that would be on separate lots, all residential buildings would be situated above below-grade parking podiums on each block. A total of 416 parking spaces would be provided, consisting of 392 subterranean spaces and 24 private spaces for the 12 single-family residences on separate lots. The proposed Project would include shared onsite amenity space and approximately 88,100 square feet of private and common open space areas. The project sponsor is seeking Conditional Use Authorization and Planned Unit Development approval for height and certain planning code exceptions. The existing 14 lots on the project site would be merged and subdivided into 16 parcels.

B. Project Objectives

The Project Sponsor seeks to achieve the following objectives by undertaking the Project:

1. Develop the project site in a manner that is consistent with existing residential neighborhood character and the Neighborhood Vision Plan with the Visioning Advisory Committee.

2. Create housing that is attractive to families by providing new adequately sized units with two or more bedrooms and family-friendly amenities, including onsite recreational facilities, private and shared gardens, and open space.
3. Develop new residential uses that “knit together” the project site and existing neighborhood through architectural, site, landscape design, and overall development scale, thereby extending the existing neighborhood fabric through the site.
4. Develop building and landscape designs that reflect the diversity of existing San Francisco neighborhoods.
5. Under the Transportation Demand Management (TDM) Plan, encourage a reduction in the number of person trips by automobile through the following: enhanced sidewalks, shared cargo bikes, shared cars, utility carts, subsidized clipper cards, secure bike parking, onsite delivery services and storage facilities for delivered goods, and onsite family-friendly recreational amenities.
6. Promote sustainability through environmentally sensitive design features including those required by the San Francisco Public Utilities Commission’s (SFPUC’s) Non-Potable Water Ordinance as well as the City and County of San Francisco’s (City’s) Stormwater Management Requirements, Green Building Ordinance, Better Roofs Ordinance, and Better Streets Design Guidelines.
7. Retain the existing 401 Cherry Street apartment building on the corner of Cherry Street and Sacramento Street to avoid the loss of existing housing units.
8. Preserve and incorporate the historic portion of the Marshal Hale building (fronting California Street) into the proposed design.
9. Provide off-street parking that is adequate for the occupancy proposed.

C. Environmental Review

The City and County of San Francisco, acting through the planning department (hereinafter “department”) fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 et seq., hereinafter “CEQA”), the State CEQA Guidelines (Cal. Code. Regs. Title 14, section 15000 et seq., hereinafter “CEQA Guidelines”), and Chapter 31 of the San Francisco Administrative Code (hereinafter “Chapter 31”).

The department determined that an environmental impact report (hereinafter “EIR”) was required and provided public notice of that determination by publication in a newspaper of general circulation on September 19, 2018.

On June 13, 2019, the department published the draft EIR (hereinafter “DEIR”) and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and

of the date and time of the commission public hearing on the DEIR. Also, on June 13, 2019, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. Due to an error in the initial notice, the department re-issued the public notice on June 19, 2019 which was mailed to the department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site.

A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on June 13, 2019.

The planning commission held a duly advertised public hearing on said DEIR on September 19, 2019 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 24, 2019.

The department prepared responses to comments on environmental issues received at the public hearing and in writing during the 103-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a response to comments document, published on February 13, 2020, distributed to the commission and all parties who commented on the DEIR, and made available to others upon request at the department.

A final EIR (hereinafter "FEIR") was prepared by the department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

Project EIR files have been made available for review by the commission and the public. These files are available for public review at the department at 1650 Mission Street, Suite 400, and are part of the record before the commission.

On February 27, 2020, the commission reviewed and considered the information contained in the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, and found that the FEIR reflected the independent judgement and analysis of the City and County of San Francisco, was adequate, accurate and objective, and that the responses to comments document contained no significant revisions to the DEIR that would require recirculation of the document pursuant to CEQA Guideline section 15088.5, and certified the FEIR as complete, and in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

D. Approval Actions

The Project requires the following approvals:

1. Actions by the San Francisco Planning Commission
 - Certification of Environmental Impact Report (EIR) and adoption of findings under the CEQA.

- Adoption of Findings of Consistency with the general plan and priority policies of Planning Code section 101.1.
 - Conditional use authorization to permit development of buildings with heights in excess of 50 feet in an RM district and in excess of 40 feet in an RH district, all within the 80-E height and bulk district, as well as planned unit development approval of rear yard modifications (Planning Code section 134), building front moderations (section 144.1), minor deviation from height measurement (sections 261 and 304(d)(6)), and dwelling unit exposure (section 140).
 - Approval of a Transportation Demand Management Plan (Planning Code section 169) to provide a strategy for managing the transportation demands created by the project.
 - Approval of a Streetscape Plan (Planning Code section 138.1).
2. Actions by the San Francisco Board of Supervisors
- Approval of General Plan Referral for subdivision and changes to public streets and sidewalks.
 - Approval of Final Subdivision Map(s), including any dedications and easements for public improvements, and acceptance of public improvements, as necessary
3. Actions by San Francisco Department of Building Inspection
- Review and approval of demolition, grading, and building permits.
4. Actions by San Francisco Public Works
- Approval of the merger of 14 existing parcels and the subsequent subdivision into 16 new parcels.
 - If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a street space permit from the Bureau of Street Use and Mapping.
 - Approval of a permit to remove significant trees on privately owned property.
 - Approval of a permit to remove and plant street trees and partial waiver from Public Works Code section 806(d) to provide 31 fewer street trees than required.
 - Approval of construction within the public right-of-way (e.g., curb cuts, bulb-outs, sidewalk extensions, and new crosswalk).
 - Approval of an encroachment permit or a street improvement permit for streetscape improvements
5. Actions by San Francisco Municipal Transportation Agency
- Approval of modifications to on-street loading and other colored curb zones.
 - Approval of a special traffic permit from the Sustainable Streets Division if sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s).
 - Approval of the placement of bicycle racks in the public right-of-way.
6. Actions by San Francisco Public Utilities Commission
- Review and approval of construction permit for non-potable water system.

- Review and approval of plumbing plans and documentation for non-potable water reuse system per the Non-potable Water Ordinance.
- Review and approval of erosion and sediment control plan per Public Works Code article 4.1.
- Review and approval of changes to sewer laterals (connections to the City sewer system).
- Review and approval of changes to existing publicly owned fire hydrants, water service laterals, water meters, and/or water mains.
- Review and approval of size and location of new fire, standard, and/or irrigation water service laterals.
- Review and approval of post-construction stormwater design guidelines, including a Stormwater Control Plan, in accordance with City's 2016 Stormwater Management Requirements and Design Guidelines.
- Review and approval of Project's landscape and irrigation plans per the Water Efficient Irrigation Ordinance and the SFPUC Rules & Regulations Regarding Water Service to Customers.
- Review and approval of groundwater dewatering wells (if they are to be used during construction), per San Francisco Health Code article 12B (Soil Boring and Well Regulation Ordinance) (joint approval with the San Francisco Department of Public Health).

7. Actions by San Francisco Department of Public Health

- Review and approval of a site mitigation plan, in accordance with San Francisco Health Code article 22A (Maher Ordinance).
- Review and approval of a construction dust control plan, in accordance with San Francisco Health Code article 22B (Construction Dust Control Ordinance).
- Review and approval of design and engineering plans for a non-potable water reuse system and testing prior to issuance of a Permit to Operate.
- Review and approval of groundwater dewatering wells (if they are to be used during construction), (joint approval with the San Francisco Public Utilities Commission)

8. Actions by other Government Agencies

- Bay Area Air Quality Management District approval of any necessary air quality permits for installation, operation, and testing (e.g., Authority to Construct/Permit to Operate) of individual air pollution sources, such as boilers.

E. Findings About Significant Environmental Impacts and Mitigation Measures

The following Sections II and III set forth the findings about the determinations of the Final EIR regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide written analysis and conclusions regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted as part of the Project.

In making these findings, the opinions of the Planning Department and other City staff and experts, other agencies and members of the public have been considered. These findings recognize that the determination of significance thresholds is a judgment within the discretion of the City and County of San Francisco; 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; and 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.

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 (which includes the Initial Study, Draft EIR, and Response to Comments document) and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the Project impacts and mitigation measures designed to address those impacts. For ease of reference only, the page of the Initial Study (IS), Draft EIR (DEIR) or Response to Comments document (RTC) is noted after the impact number where the primary discussion and analysis of that impact can be found. In making these findings, the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures are hereby ratified, adopted and incorporated in these findings, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the mitigation measures set forth in the Final EIR and the attached MMRP are hereby adopted and incorporated, to substantially lessen or avoid the potentially significant impacts of the Project. 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 nevertheless 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 measure in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the numbers contained in the Final EIR.

In Sections II and III below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance are the conclusions of the Final EIR, or the mitigation measures recommended in the Final EIR for the Project, being rejected.

F. Location and Custodian of Records

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 Planning Department, 1650 Mission Street, San Francisco. The Planning Commission Secretary, Jonas P. Ionin, is the Custodian of Records for the Planning Department and the Planning Commission.

II. IMPACTS FOUND NOT TO BE SIGNIFICANT AND THUS DO NOT REQUIRE MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Res. Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a)(3), 15091). As more fully described in the Final EIR and the Initial Study, and based on the evidence in the whole record of this proceeding, it is hereby found that implementation of the Project would not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation:

Land Use

- Impact LU-1 (IS 13): The proposed Project would not physically divide an established community.
- Impact LU-2 (IS 14): The proposed Project would not cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.
- Impact C-LU-1 (IS 16): The proposed Project, in combination with reasonably foreseeable future projects, would not cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Population and Housing

- Impact PH-1 (IS 16): The proposed Project would not directly or indirectly induce substantial unplanned population growth.
- Impact PH-2 (IS 21): The proposed Project would not displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing.
- Impact C-PH-1 (IS 22): The proposed project, in combination with reasonably foreseeable future projects, would not result in cumulative population and housing impacts.

Transportation and Circulation

- Impact TR-1 (DEIR 4.2-51): Construction of the proposed Project would not result in substantial interference with people walking, biking, riding transit, or driving, nor would it result in potentially hazardous conditions.
- Impact TR-2 (DEIR 4.2-55): The proposed Project would not cause substantial additional VMT or substantially induce automobile travel.
- Impact TR-3 (DEIR 4.2-56): The proposed Project would not cause any major traffic hazards.
- Impact TR-4 (DEIR 4.2-59): The proposed Project would not cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity or cause a substantial increase in delays or operating costs such that significant adverse impacts on transit could result.
- Impact TR-5 (DEIR 4.2-61): The proposed Project would not result in potentially hazardous conditions or interfere with accessibility to the Project vicinity.
- Impact TR-6 (DEIR 4.2-64): The proposed Project would not result in potential hazardous conditions for people bicycling and would not interfere with bicycle accessibility to the Project site or adjoining areas.
- Impact TR-7 (DEIR 4.2-65): The proposed Project would accommodate its commercial vehicle and passenger loading demand, and proposed Project loading operations would not create potentially hazardous conditions or significant delays for transit, bicyclists, or people walking.
- Impact TR-8 (DEIR 4.2-66): The proposed Project would not result in significant impacts on emergency access to the Project site or adjacent locations.

- Impact TR-9 (DEIR 4.2-67): The proposed Project would not result in a substantial parking deficit, and thus, the Project's parking supply would not create potentially hazardous conditions or significant delays that would affect transit, bicyclists, or people walking.
- Impact C-TR-1 (DEIR 4.2-71): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative construction-related transportation impacts.
- Impact C-TR-2 (DEIR 4.2.72): The proposed Project, in combination with reasonably foreseeable future projects, would not cause any major traffic hazards.
- Impact C-TR-3 (DEIR 4.2.73): The proposed Project, in combination with reasonably foreseeable future projects, would not result in significant transit impacts.

Noise

- Impact NO-3 (DEIR 4.3-39): Operation of the proposed Project would not result in a substantial periodic or permanent increase in ambient noise levels.
- Impact C-NO-2 (DEIR 4.3-43): Construction activities from the proposed Project, in combination with reasonably foreseeable projects, would not generate excessive ground-borne vibration.
- Impact C-NO-3 (DEIR 4.3-44): Operation of the proposed Project, in combination with reasonably foreseeable projects, would not result in a substantial periodic or permanent increase in ambient noise levels in the Project vicinity, above levels existing without the Project.

Air Quality

- Impact AQ-1 (DEIR 4.4-36): During construction, the proposed Project would generate fugitive dust and criteria air pollutants, but would not contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase in criteria air pollutants.
- Impact AQ-2 (DEIR 4.4-43): At Project buildout, operation of the proposed Project would not result in emissions of criteria air pollutants at levels that would violation an air quality standard or result in a cumulatively considerable net increase in criteria air pollutants.
- Impact AQ-4 (DEIR 4.4.51): The proposed Project would not conflict with implementation of the 2017 Bay Area Clean Air Plan.
- Impact C-AQ-1 (DEIR 4.4-54): The proposed Project, in combination with reasonably foreseeable future cumulative projects, would not result in significant health risk impacts on sensitive receptors.

Greenhouse Gas Emissions

- Impact C-GG-1 (IS 47): The proposed Project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions.

Wind

- Impact WI-1 (IS 50): The proposed Project would not create wind hazards in publicly accessible areas of substantial pedestrian use.
- Impact C-WI-1 (IS 53): The proposed Project, in combination with reasonably foreseeable future projects in the project site vicinity, would not result in cumulative wind impacts.

Shadow

- Impact SH-1 (IS 54): The proposed Project would not create new shadow that would substantially and adversely affect the use and enjoyment of publicly accessible open spaces.

Recreation

- Impact RE-1 (IS 59): The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated or the construction of new facilities would be required.
- Impact RE-2 (IS 61): Construction of open space as part of the proposed Project would not result in substantial adverse physical environmental impacts beyond those analyzed and disclosed in the initial study.
- Impact C-RE-1 (IS 62): Impact C-RE-1: The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts on recreational facilities or resources.

Utilities and Service Systems

- Impact UT-1 (IS 65): Implementation of the proposed Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, nor would it result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.
- Impact UT-2 (IS 67): Adequate water supplies are available to serve the proposed Project and reasonably foreseeable future development in normal, dry, and multiple dry years, unless the Bay Delta Plan Amendment is implemented; in that event, the SFPUC may develop new or expanded water supply facilities to address shortfalls in single and multiple dry years, but this would occur with or without the proposed Project. Impacts related to new or expanded water supply facilities cannot be identified at this time or implemented in the near term; instead, the SFPUC would address supply shortfalls through increased rationing, which could result in significant cumulative effects, but the Project would not make a considerable contribution to impacts from increased rationing.
- Impact UT-3 (IS 72): The proposed Project would not generate solid waste in excess of applicable standards or local infrastructure capacity or otherwise impair attainment of solid waste reduction goals, and construction and operation of the proposed Project would comply with all applicable statutes and regulations related to solid waste.
- Impact C-UT-1 (IS 75): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts on utilities and service systems.

Public Services

- Impact PS-1 (IS 77): The proposed Project would increase demand for fire and police protection, schools, and other public services but not to the extent that would require new or physically altered fire, police, school, or other public facilities, the construction of which could result in significant environmental impacts.
- Impact C-PS-1 (IS 84): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts on public services.

Biological Resources

- Impact BI-3 (IS 91): The proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Geology and Soils

- Impact GE-1 (IS 95): The proposed Project would not directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, lateral spreading, or landslides.
- Impact GE-2 (IS 102): The proposed Project would not result in substantial soil erosion or the loss of topsoil.
- Impact GE-3 (IS 103): The proposed Project would not create substantial risks to life or property as a result of being located on expansive soil.
- Impact C-GE-1 (IS 107): The proposed Project, in combination with reasonably foreseeable future projects in the Project site vicinity, would not result in cumulative impacts related to geology, soils, seismicity, and paleontological resources.

Hydrology and Water Quality

- Impact HY-1 (IS 109): The proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or conflict with or obstruct implementation of a water quality control plan.
- Impact HY-2 (IS 114): The proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin or conflict with or obstruct implementation of a sustainable groundwater management plan.
- Impact HY-3 (IS 115): The proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation onsite or offsite; substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite; or impede or redirect floodflows.
- Impact C-HY-1 (IS 115): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts related to hydrology and water quality.

Hazards and Hazardous Materials

- Impact HZ-1 (IS 120): The proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Impact HZ-2 (IS 123): The proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Impact HZ-3 (IS 131): The proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Impact HZ-4 (IS 133): The proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- Impact C-HZ-1 (IS 134): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts related to hazards and hazardous materials.

Mineral Resources

- Impact MI-1 (IS 135): The proposed Project would not a) result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or b) result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.
- Impact C-MI-1 (IS 136): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative impacts on mineral resources.

Energy

- Impact EN-1 (IS 137): The proposed Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.
- Impact C-EN-1 (IS 141): The proposed Project, in combination with reasonably foreseeable future projects, would not result in cumulative energy impacts.

Agriculture and Forestry Resources

- Not applicable.

Wildfire

- Not applicable.

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

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potentially significant impacts if such measures are feasible (unless mitigation to such levels is achieved through adoption of a project alternative). The following findings concern mitigation measures set forth in the Final EIR for the Project. The full text of the mitigation measures is contained in the Final EIR and in Exhibit C, the Mitigation Monitoring and Reporting Program. The impacts identified herein would be reduced to a less-than-significant level through implementation of the mitigation measures contained in the Final EIR, included in the Project, or imposed as conditions of approval.

The Commission recognizes that some of the mitigation measures are partially within the jurisdiction of other agencies. The Commission urges these agencies to assist in implementing these mitigation measures, and finds that these agencies can and should participate in implementing these mitigation measures.

Cultural Resources

- Impact CR-1 (IS 24): The proposed Project could cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5, including those resources listed in article 10 or article 11 of the San Francisco Planning Code.

Based on a Historic Resource Evaluation Report prepared for the Project site, the existing Marshal Hale building at 3698 California Street was found to be eligible for listing in the California Register. The Marshal Hale building was determined to be significant under California Register Criterion 2 (Architecture) as a distinctive example of an Art Deco institutional building with Art Moderne design elements. The Project proposes to adaptively reuse the Marshal Hale building, and the Project has the potential to adversely impact this historic resource.

Mitigation Measure M-CR-1: Historic Preservation Plan and Protective Measures for 3698 California Street

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-CR-1 would reduce impact CR-1 to a less-than-significant level.

- Impact CR-2 (IS 32): Project-related activities could cause a substantial adverse change in the significance of an archaeological resource, pursuant to section 15064.5.

Based on a preliminary archaeological review for the proposed Project by the Planning Department, the closest previously recorded prehistoric resource, a surface concentration of lithic debitage, was identified approximately 2,000 feet north of the Project site. However, more recent geographic information system modeling of prehistoric sensitivity ranks the Project site as highly sensitive for the presence of undiscovered near-surface and buried prehistoric archaeological resource. The Project site is also adjacent to the former location of the northern entrance to the historic Lone Mountain Cemetery, as depicted on an 1869 map. The Project has the potential to adversely impact prehistoric and historical archaeological resources, if such resources are present within the Project site.

Mitigation Measure M-CR-2: Archaeological Testing

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-CR-2 would reduce impact CR-2 to a less-than-significant level.

- Impact CR-3 (IS 39): Project-related activities could disturb human remains, including those interred outside of formal cemeteries.

Based on preliminary archaeological review, Project site has low potential for encountering early historic burials during Project-related ground disturbance due to its proximity to the Lone Mountain Cemetery. In the event that construction activities disturb unknown human remains within the Project site, any inadvertent damage to human remains would be considered a significant impact.

Mitigation Measure M-CR-2: Archaeological Testing

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-CR-2 would reduce impact CR-3 to a less-than-significant level.

- Impact C-CR-1 (IS 39): The proposed Project, in combination with reasonably foreseeable future projects, could result in cumulative cultural resource impacts.

The Project site is adjacent to the former location of the northern entrance to the historic Lone Mountain Cemetery. Other reasonably foreseeable projects are within the boundaries of the Lone Mountain Cemetery, and with the exception of the Project, the other identified reasonably foreseeable projects are also within the boundaries of the later Laurel Hill Cemetery. The Project are is also considered highly sensitive for the presence of undiscovered near-surface and buried prehistoric archaeological resources. Cumulatively, development in the Project vicinity has the potential to result in impacts on human remains and related archaeological features, which is a potentially significant cumulative impact.

Mitigation Measure M-CR-2: Archaeological Testing

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-CR-2 would reduce impact C-CR-2 to a less-than-significant level.

Tribal Cultural Resources

- Impact TCR-1 (IS 41): Project-related activities could cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code section 21074.

CEQA Section 21074.2 requires the lead agency to consider the effect of a project on tribal cultural resources. As defined in Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to the California Native American tribe that are listed, or determined to be eligible for listing, in a national, state, or local register of historical resources. Pursuant to State law under Assembly Bill 52 (Public Resources Code section 21080.3(d)), the Planning Department contacted Native American individuals and organizations for the San Francisco area, providing description of the Project and requesting comments on the identification, presence, and significance of tribal cultural resources in the Project vicinity. The Planning Department received no responses concerning the Project.

Based on the background research there are no known tribal cultural resources in the Project area; however, based on the preliminary archaeological review, the Project site has been assessed as having high sensitivity for the potential presence of prehistoric archaeological resources, which could also be tribal cultural resources. If tribal cultural resources are discovered during construction, such discovered would be considered a significant impact.

Mitigation Measure M-CR-3: Tribal Cultural Resources Interpretive Program

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-CR-3 would reduce impact TCR-1 to a less-than-significant level.

- Impact C-TCR-1 (IS 42): The proposed Project, in combination with reasonably foreseeable future projects, could result in cumulative tribal cultural resources impacts.

The Project site is adjacent to, and the reasonably foreseeable projects are within the boundaries of, the historic Lone Mountain Cemetery and the later Laurel Hill Cemetery. The area is considered highly sensitive for the presence of undiscovered near-surface and buried prehistoric archaeological resources. Cumulatively, development in the Project vicinity has the potential to cause impacts on tribal cultural resources, and the Project's impact could be cumulatively considerable if the Project were to expose tribal cultural resources.

Mitigation Measure M-CR-2: Archaeological Testing

Mitigation Measure M-CR-3: Tribal Cultural Resources Interpretive Program

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measures M-CR-2 and M-CR-3 would reduce impact C-TCR-1 to a less-than-significant level.

Noise

- Impact NO-1 (DEIR 4.3-30): Construction of the proposed Project could generate substantial temporary or periodic increases in ambient noise levels in the Project vicinity.

Certain equipment used in the Project construction have the potential to cause significant noise impact to sensitive receptors at distances up to 100 feet from the construction activity by exposing them to noise increase of 10 dBA or greater. The noise increase could be as high as 25 dBA, which would be substantially greater than 10 dBA and noticeable to sensitive receptors. Thus, the Project's construction activities could result in temporary or periodic construction noise that would be substantially above ambient noise level, which is considered to be significant.

Mitigation Measure M-NO-1: Construction Noise Control

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

- Impact NO-2 (DEIR 4.3-36): Construction of the proposed Project could generate excessive ground-borne vibration or ground-borne noise levels.

Ground-borne vibrations from certain aspects of Project construction have the potential to affect the existing offsite structures nearest to the Project site. The construction of the Project would use heavy equipment that could generate temporary ground-borne vibration, such as bulldozers and loaded trucks. A medical office building at 3838 California Street is located adjacent to the Project site, and could contain vibration-sensitive equipment for medical uses, such as equipment found in hospital operating rooms, optical microscopes, cell probing devices, and scanning electron microscopes. Interference with the operation of vibration-sensitive equipment at the 3838 California Street building could occur, which would be considered a significant impact.

Mitigation Measure M-NO-2: Vibration-Sensitive Equipment at 3868 California Street

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-2 would reduce impact NO-2 to a less-than-significant level.

- Impact C-NO-1 (DEIR 4.3-41): Construction activities for the proposed Project, in combination with reasonably foreseeable projects, could result in a substantial temporary increase in noise.

Construction noise from the three reasonably foreseeable projects could overlap with construction noise from the proposed Project. Construction noise from the proposed Project and from some of the reasonably foreseeable projects could overlap and be noticeably audible at nearby sensitive receptors, causing an increase in ambient noise levels that would be greater than 10 dBA. Thus, cumulative noise impacts could be significant.

Mitigation Measure M-NO-1: Construction Noise Control

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-NO-1 would reduce impact C-NO-1 to a less-than-significant level.

Air Quality

- Impact AQ-3 (DEIR 4.4-45; RTC 5-29): Construction and operation of the proposed Project would generate toxic air contaminants, including DPM, at levels that could expose sensitive receptors to substantial pollutant concentrations.

Based on the draft 2020 Citywide Health Risk Assessment database and the updated draft air pollutant exposure zone (APEZ) map, the Project site is located within an APEZ. The updated analysis shows that under both the existing-plus-project and cumulative-plus-project conditions the Project would result in a significant health risk impact to on- and off-site sensitive receptors during the Project's construction activities.

Mitigation Measure AQ-3: Construction Emissions Minimization

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-AQ-3 would reduce impact AQ-3 to a less-than-significant level.

Biological Resources

- Impact BI-1 (IS 86): The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Existing structures on the Project site could support a variety of nesting resident and migratory birds, and existing trees and landscape vegetation could offer suitable nesting habitat for additional bird species. The proposed Project would remove some of the existing street, significant, and non-regulated on-site trees. If Project construction occurs during nesting season (January 15 through August 15), the Project may result in direct mortality of adult or young birds, destruction of active nests, and/or disturbance or nesting displacement of nesting birds, which would be a significant effect.

Mitigation Measure M-BI-1: Preconstruction Nesting Bird Surveys and Buffer Areas

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-BI-1 would reduce impact BI-1 to a less-than-significant level.

- Impact BI-2 (IS 90): The proposed Project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The Project site is used by native resident birds and is located within a bird migratory route. Construction activities have the potential to result in direct mortality for nesting birds, which would be a significant impact.

Mitigation Measure M-BI-1: Preconstruction Nesting Bird Surveys and Buffer Areas

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-BI-1 would reduce impact BI-2 to a less-than-significant level.

- Impact C-BI-1 (IS 92): The proposed Project, in combination with reasonably foreseeable projects, could result in cumulative biological resources impacts.

Three reasonably foreseeable future projects within 0.25 mile of the Project site could have an impact on nesting and migratory birds, similarly to the proposed Project. The cumulative impacts on nesting birds could be significant because reasonably foreseeable projects would remove a substantial number of trees that provide nesting habitat for avian species, which could result in a significant impact.

Mitigation Measure M-BI-1: Preconstruction Nesting Bird Surveys and Buffer Areas

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-BI-1 would reduce impact C-BI-1 to a less-than-significant level.

Geology and Soils

- Impact GE-4 (IS 103): The proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Construction of the Project's below-grade parking levels and foundations would on Blocks A and B extent into the Colma formation and sediments. In total, Project would involve excavation of approximately 39,769 cubic yards of Colma formation sediments and thus the Project has the potential to disturb significant paleontological resources, which is considered a significant impact.

Mitigation Measure M-GE-4: Inadvertent Discovery of Paleontological Resources

The Commission finds that, for the reasons set forth in the Final EIR, implementing Mitigation Measure M-GE-4 would reduce impact GE-4 to a less-than-significant level.

IV. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH THE IMPOSITION OF MITIGATION MEASURES

Based on substantial evidence in the Final EIR, the Planning Commission finds that there are no potentially significant impacts that cannot be avoided or reduced to a less-than-significant level through the imposition of mitigation measures.

V. MITIGATION MEASURES REJECTED AS INFEASIBLE

No mitigation measures identified in the Final EIR are rejected as infeasible.

VI. RECIRCULATION OF THE DRAFT EIR IS NOT REQUIRED.

The Planning Commission recognizes that the Final EIR incorporates information obtained and produced after the DEIR was completed, and that it contains additions, clarifications, and modifications, including minor changes to the project description, assessment of air quality impacts and inclusion of mitigation measure M-AQ-3 Construction Emissions Minimization. The Planning Commission has reviewed and considered the FEIR and all of this information. In certifying the FEIR, the Planning Commission found that the FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The Planning Commission finds, for the reasons set forth in the Final EIR, that the new information added to the DEIR does not involve a new significant environmental impact, a substantial increase in the severity of a significant environmental impact, or a feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the Project that the Project Sponsors declines to adopt. No information indicates that the DEIR was inadequate or conclusory.

VII. EVALUATION OF AND FINDINGS RELATED TO PROJECT ALTERNATIVES ARE NOT REQUIRED

The Final EIR analyzed three alternatives to the Project – the No-Project Alternative, the Reduced Construction Alternative, and the Rehabilitation/Reuse Alternative. Because the Project will not result in significant environmental impacts that will not be avoided or substantially lessened by mitigation measures, the Planning Commission does not need to consider these alternatives included in the EIR or find them infeasible. (Public Resources Code section 21081(a)(1)-(2) and CEQA Guidelines section 15091(a)(1)-(2).)

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS NOT REQUIRED

The Planning Commission finds that, based on the evidence presented in these findings and in the Final EIR, the Project will not result in any significant impacts that cannot be mitigated to a less-than-significant level. Therefore, a statement of overriding considerations under CEQA section 21081(b) and CEQA Guidelines section 15093 is not required.