



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20291 EIR Certification

HEARING DATE: SEPTEMBER 27, 2018

Record No.: 2015-010013ENV
Project Address: 30 OTIS STREET
Zoning: C-3-G (Downtown – General) Zoning District
NCT-3 Moderate-Scale Neighborhood Commercial Transit Zoning District
85/250-R-2 Height and Bulk District
85-X Height and Bulk District
Van Ness & Market Downtown Residential Special Use District
Block/Lot: Block 3505; Lots 010, 012, 013, 016, and 018
Project Sponsor: Jessie Stuart, Align Real Estate
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED USE PROJECT WITH A 9-STORY (85-FOOT TALL) PODIUM ACROSS THE ENTIRE SITE AND A 26-STORY (250-FOOT TALL) TOWER WITH 416 DWELLING UNITS, APPROXIMATELY 2,199 SQUARE FEET OF GROUND FLOOR RETAIL, APPROXIMATELY 15,993 SQUARE FEET OF ARTS AND ACTIVITIES SPACE, APPROXIMATELY 31,290 SQUARE FEET OF USEABLE OPEN SPACE, 256 BICYCLE PARKING SPACES (224 CLASS 1, 32 CLASS 2), AND 95 VEHICULAR PARKING SPACES AND THREE CAR-SHARE SPACES WITHIN THE DOWNTOWN-GENERAL (C-3-G) ZONING DISTRICT, THE MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT (NCT-3), THE 85/250-R-2 AND 85-X HEIGHT AND BULK DISTRICTS, AND THE VAN NESS AND MARKET DOWNTOWN RESIDENTIAL SPECIAL USE DISTRICT.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2015-010013ENV, for the "30 Otis Project" at 30 Otis Street and various other parcels (hereinafter "Project") based upon the following findings:

1. 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. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

- A. 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 February 9, 2018.
 - B. The Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR in a newspaper of general circulation on June 13, 2018.
 - C. The Department posted notices of availability of the DEIR and of the date and time of the public hearing near the project site on June 13, 2018.
 - D. The Department mailed or otherwise delivered copies of the DEIR to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse, on June 13, 2018.
 - E. The Department filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse on June 13, 2018.
2. The Commission held a duly advertised public hearing on said DEIR on Thursday, July 19, 2018, 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 July 27, 2018.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-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 Comments and Responses to Comments on DEIR document ("RTC"), published on September 13, 2018, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
 4. The Department has prepared a Final Environmental Impact Report (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the RTC document, all as required by law.
 5. The Department has made available project EIR files 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.
 6. On September 27, 2018, the Commission reviewed and considered the information contained in the FEIR and hereby does find 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.

7. The project sponsor has indicated that the presently preferred project is the Preferred Project, analyzed in Chapter 2 of the RTC document, and as further refined and described in the various proposed approvals for the Project, as detailed in revisions to the DEIR and other staff reports.
8. The Planning Commission hereby does find that the FEIR concerning File No. 2015-010013ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the RTC document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA and the CEQA Guidelines.

The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR would cause a substantial adverse change in the significance of a historical resource as defined in the California Environmental Quality Act (CEQA) Guidelines section 15064.5, denoted in the DEIR as Impact CR-1. Despite implementing Mitigation Measures M-CR-1a: Documentation of the Historic Resource, M-CR-1b: Interpretation of the Historic Resource, and M-CR-1c: Video Recordation of the Historic Resource, the Project may not feasibly reduce that impact to a less-than-significant level.

In addition, in certifying the completion of said FEIR, the Commission does hereby find that the project described in the EIR would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially significant delays to transit. Despite implementing Mitigation Measure M-TR-1a: Pedestrian, Bicycle, and Transit Access during Construction, and Mitigation Measure M-TR-1b: Coordinated Construction Traffic Management Plan, the Project may not feasibly reduce that impact to a less-than-significant level.

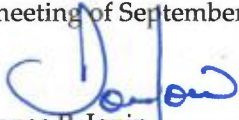
In certifying the completion of said FEIR, the Commission also does hereby find that the project described in the EIR, in combination with other past, present, and reasonably foreseeable future projects, would contribute considerably to significant cumulative construction-related transportation impacts, with substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions and significant delays to transit. Despite implementing Mitigation Measures M-TR-1a: Provision for Adequate Pedestrian, Bicycle, and Transit Access during Construction, and M-TR-1b: Coordinated Construction Traffic Management Plan, the Project may not feasibly reduce that impact to a less-than-significant level.

Finally, in certifying the completion of said FEIR, the Commission also does hereby find that the project described in the EIR, in combination with other past, present, and reasonably foreseeable future projects, would alter wind in a manner that would substantially affect public areas in the

vicinity of the project site. Despite implementing Mitigation Measure M-C-WI-1, the Project may not feasibly reduce that impact to a less-than-significant level.

9. The Planning Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of September 27, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore, Richards

NAYS: None

ABSENT: None

ADOPTED: September 27, 2018