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PLANNING COMMISSION MOTION NO. 21482

HEARING DATE: JANUARY 11, 2024

Record No.:	**2019-021884ENV**
Project Title:	**2500 Mariposa Street (SFMTA Potrero Yard Modernization Project)**
Zoning:	Public (P) Use District 65-X Height and Bulk Districts
Block/Lot:	3971/001
Project Sponsor:	San Francisco Municipal Transportation Agency Chris Lazaro – (415) 549-6572 Chris.Lazaro@sfmta.com
Property Owner:	San Francisco Municipal Transportation Agency (City and County of San Francisco) 1 S. Van Ness Ave, 7th Floor San Francisco, CA 94103
Staff Contact:	Jennifer McKellar – (628) 652-7563 Jennifer.McKellar@sfgov.org

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED PROJECT AND A PROPOSED PROJECT VARIANT AT 2500 MARIPOSA STREET. THE PROJECT WOULD INCLUDE SFMTA BUS PARKING AND CIRCULATION (UP TO 213 BUSES); SFMTA MAINTENANCE, OPERATION, AND ADMINISTRATIVE USES; AND JOINT DEVELOPMENT (RESIDENTIAL AND COMMERCIAL) USES AS PART OF A JOINT DEVELOPMENT PROGRAM BETWEEN SFMTA AND A PRIVATE PROJECT CO-SPONSOR. THE APPROXIMATELY 1,250,000 GROSS-SQUARE-FOOT STRUCTURE WOULD RISE TO HEIGHTS RANGING FROM 70 TO 150 FEET ACROSS THE SITE. IT WOULD CONTAIN A FOUR-LEVEL (INCLUDING MEZZANINE LEVEL), APPROXIMATELY 70-FOOT-TALL REPLACEMENT TRANSIT FACILITY (700,000 GROSS SQUARE FEET) PLUS A JOINT DEVELOPMENT WITH A MIX OF COMMERCIAL (3,000 GROSS SQUARE FEET) AND RESIDENTIAL USES (UP TO 530,000 GROSS SQUARE FEET AND 513 UNITS). THE MAJORITY OF RESIDENTIAL DEVELOPMENT WOULD BE ATOP THE REPLACEMENT TRANSIT FACILITY ON FLOORS 7 THROUGH 13. A PROJECT VARIANT (PARATRANSIT VARIANT) IS ALSO PROPOSED, WHICH WOULD CONSTRUCT BRYANT STREET FAMILY HOUSING (103 UNITS) BUT REPLACE THE REMAINDER OF THE PODIUM HOUSING WITH SFMTA'S PARATRANSIT OPERATIONS.

PREAMBLE

On January 11, 2024, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting regarding the final Environmental Impact Report ("EIR") in compliance with the California Environmental Quality Act for Record No. 2019-021884ENV.

The Project EIR files have been made available for review by the Commission and the public. The Commission Secretary is the Custodian of Records; the file for Record No. 2019-021884ENV is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California. The project EIR has also been made available for public review online at https://bit.ly/SFPlanning_PotreroYard.

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 applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2019-021884ENV, for the Potrero Yard Modernization Project at 2500 Mariposa Street (hereinafter "Project"), including the project variant (hereinafter "Project Variant") based on 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 August 19, 2020. On the same date, the Department submitted the notice of preparation of an EIR and notice of public scoping meeting to the state Office of Planning and Research electronically, and emailed or mailed the notice to the Department's list of persons requesting such notice, and to owners and occupants of properties within 300 feet of the project site on August 19, 2020.

   B. On September 2, 2020, the Department held a virtual public scoping meeting by Zoom conference and telephone to receive public comments on the scope of the environmental analysis in the EIR for the project.

   C. On June 30, 2021, 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 Planning Commission public hearing on the DEIR; the Department emailed or mailed the notice to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on June 30, 2021.

   D. Electronic copies of the notice of availability of the DEIR and the DEIR were posted to the Planning Department's environmental review documents web page and available for download. The notice of availability of the DEIR was also posted on the website of the San Francisco County Clerk's Office.

   E. The notice of availability of the DEIR and of the date and time of the public hearing at the Planning Commission were posted at and near the project site on June 30, 2021.

   F. On June 30, 2021, the DEIR was emailed or otherwise delivered to government agencies and was submitted to the State Clearinghouse electronically for delivery to responsible or trustee state agencies.

G. A notice of completion of an EIR was filed with the State Secretary of Resources via the State Clearinghouse on June 30, 2021.

2. The Commission held a duly advertised public hearing on said DEIR on August 26, 2021, 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 August 31, 2021.

3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 62-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 Responses to Comments document, published on December 13, 2023, posted to the Planning Department's environmental review documents web page, distributed to the Commission, other decisionmakers, and all parties who commented on the DEIR, and made available to others upon request at the Department.

4. A final environmental impact report (hereinafter "FEIR") has been 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.

5. The Planning Department Commission Secretary is the Custodian of Records; all pertinent documents are located in the File for Case No. 2019-021884ENV, at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

6. The Commission, in certifying the completion of said FEIR, hereby does find that none of the factors that would necessitate recirculation of the FEIR under CEQA Guidelines Section 15088.5 are present. The FEIR contains no information revealing (1) any new significant environmental impact that would result from the Project (or Project Variant) 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 (or Project Variant) alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project (or Project Variant), but that was rejected by the Project's proponents, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

7. The Commission finds that the Project and Project Variant proposed for approval are within the scope of the Project and Project Variant analyzed in the FEIR, and the FEIR fully analyzed the Project and Project Variant proposed for approval. No new impacts have been identified that were not analyzed in the FEIR.

8. On January 11, 2024, 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 of the San Francisco Administrative Code.

9. The Commission hereby does find that the FEIR concerning File No. 2019-021884ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Responses to Comments document contains no significant revisions to the DEIR, and hereby does

CERTIFY THE COMPLETION of said FEIR in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

10. The Commission, in certifying the completion of said FEIR, hereby does find that the Project and Project Variant described in the EIR:

    A. Would have a significant unavoidable project-specific impact on cultural resources: historical architectural resources;

    B. Would have a significant unavoidable project-specific impact on air quality for construction- and operation-related health risk; and

    C. Would make a considerable contribution to significant unavoidable cumulative impacts on air quality: construction- and operation-related health risk.

11. The Commission reviewed and considered the information contained in the FEIR prior to approving the Project and Project Variant.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 11, 2024.

Jonas P. Ionin
Commission Secretary

Jonas P Ionin
Digitally signed by Jonas P Ionin
Date: 2024.01.17 15:08:06 -08'00'

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Moore, Tanner

NAYS: None

ABSENT: None

ADOPTED: January 11, 2024