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Planning Commission Motion No. 18792

HEARING DATE: January 31, 2013

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Date: January 10, 2013
Case No.: **2000.618E**
Project Address: **801 Brannan and One Henry Adams Streets Project**
Zoning: UMU (Urban Mixed Use District)
68-X Height and Bulk District
Blocks/Lots: 3783/001 and 3911/001
Project Sponsor: Archstone
807 Broadway, Suite 210
Oakland, CA 94607
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED-USE RESIDENTIAL – COMMERCIAL PROJECT AT 801 BRANNAN STREET (ASSESSOR'S BLOCK 3783, LOT 001) AND ONE HENRY ADAMS STREET (ASSESSOR'S BLOCK 3783, LOT 001).

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2000.618E, 801 Brannan and One Henry Adams Streets Project (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 November 15, 2003.
 - B. On June 22, 2011, the Department published the Draft Environmental Impact Report (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; this notice was mailed to the Department's list of persons requesting such notice.
 - C. Notices of availability of the DEIR and of the date and time of the public hearing were posted at the two project sites by the project sponsor on June 22, 2011.

- D. On June 22, 2011, 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, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.
 - E. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on June 22, 2011.
2. The Commission held a duly advertised public hearing on said DEIR on July 28, 2011 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 8, 2011.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-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 Draft Responses to Comments document, published on January 10, 2013, distributed to the Commission 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. 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.
 6. On January 24, 2013, the Commission reviewed and considered 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.
 7. The project sponsor has indicated that the presently preferred project is Variant 3 to the proposed project, described in the FEIR.
 8. The Planning Commission hereby does find that the FEIR concerning File No. 2000.618E, 801 Brannan and One Henry Adams Streets Project, 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 and the CEQA Guidelines.
 9. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR as Variant 3:

- A. Will have a significant project-specific effect on the environment by resulting in the following unavoidable significant project level effects with respect to transportation and air quality:

Impact TR-1 (TR-6 for Variant 1, TR -11 for Variant 2, TR-55 for Variant 3): Implementation of the proposed project, or any of its variants, would result in a significant traffic impact at the signalized intersection of Division/Brannan/Potrero/Tenth.

Impact TR-2 (TR-7 for Variant 1, TR-12 for Variant 2, TR-56 for Variant 3): Implementation of the proposed project, or any of its variants, would result in a significant traffic impact at the signalized intersection of Eighth/Brannan.

Impact AQ-4 (Operational Criteria Air Pollutant Emissions). Operation of the proposed project, or any of its three variants, would violate air quality standards with respect to, or generate a cumulatively considerable increase in, criteria air pollutants.

Impact AQ-7 (Construction Health Risk – TACs, including PM2.5 and DPM). Construction of the proposed project, or any of its three variants, would expose sensitive receptors to substantial levels of PM2.5 and other TACs, including DPM, resulting in increased health risk.

Impact AQ-8 (Operational Health Risks – TACs, including PM2.5). Operation of the proposed project, or any of its three variants, would expose sensitive receptors to substantial levels of air pollutants from roadway mobile sources and stationary sources, including PM2.5 and other TACs associated with cancer, and non-cancer health risks, which would exceed the BAAQMD project-level cancer risk threshold of significance of 10 in one million; and

- B. Will have a significant cumulative effect on the environment in that it would result in the following unavoidable significant cumulative effects with respect to land use, transportation and air quality:

Impact C-LU-4: The proposed project, or any of its three variants, would demolish existing PDR space and its non-PDR land uses would preclude future PDR use of the site.

Impact C-TR-34 (C-TR-41 for Variant 1, C-TR-48 for Variant 2, and C-TR-66 for Variant 3): Implementation of the proposed project, or any of its three variants, in combination with other foreseeable projects would result in a significant cumulative traffic impact at the intersection of Division/Brannan /Potrero/Tenth under 2025 Cumulative conditions.

Impact C-TR-35 (C-TR-42 for Variant 1, C-TR-49 for Variant 2, and C-TR-67 for Variant 3): Implementation of the proposed project, or any of its three variants, in combination with other foreseeable projects would result in a significant cumulative traffic impact at the intersection of Eighth/Brannan under 2025 Cumulative conditions.

Impact C-TR-36 (C-TR-43 for Variant 1, C-TR-50 for Variant 2, and C-TR-68 for Variant 3): Implementation of the proposed project, or any of its three variants, in combination with other foreseeable projects, would result in a significant cumulative traffic impact at the

intersection of Seventh/Townsend under 2025 Cumulative conditions.

Impact C-TR-37 (C-TR-44 for Variant 1, C-TR-51 for Variant 2, and C-TR-69 for Variant 3): Implementation of the proposed project, or any of its three variants, in combination with other foreseeable projects, would result in a significant cumulative traffic impact at the intersection of Sixteenth/Kansas/Henry Adams under 2025 Cumulative conditions.

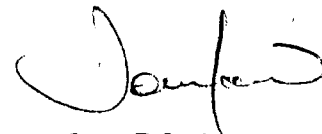
Impact C-TR-38: (C-TR-45 for Variant 1, C-TR-52 for Variant 2, and C-TR-70 for Variant 3): Implementation of the proposed project, or any of its three variants, in combination with other foreseeable projects would result in a significant cumulative traffic impact at the intersection of Division/Rhode Island under 2025 Cumulative conditions.

Impact C-AQ-5 (Cumulative Operational Criteria Air Pollutant Emissions). Operation of the proposed project, or any of its three variants, would violate air quality standards, resulting in a cumulative impact with respect to criteria air pollutants.

Impact C-AQ-9 (Cumulative Health Risk – TACs, including PM_{2.5}). Operation of the proposed project, or any of its three variants, would expose sensitive receptors to substantial levels of air pollutants from roadway mobile sources and stationary sources, including PM_{2.5} and other TACs associated with cancer, and non-cancer health risks, which would exceed the BAAQMD cumulative cancer risk threshold of significance of 100 in one million.

10. 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 January 31, 2013.



Jonas P. Ionin
Acting Commission Secretary

AYES: Fong, Wu, Antonini, Borden, Moore, and Sugaya

NOES: None

RECUSED: Hillis

ADOPTED: January 31, 2013