

RESOLUTION NO. 2860-2020

**PLANNING COMMISSION, CITY OF SOUTH SAN FRANCISCO
STATE OF CALIFORNIA**

RESOLUTION MAKING FINDINGS AND DETERMINING THAT THE GATEWAY OF PACIFIC PHASE 5 PROJECT IS FULLY WITHIN THE SCOPE OF ENVIRONMENTAL ANALYSIS IN THE 2012 PARTIAL RECIRCULATED ENVIRONMENTAL IMPACT REPORT AND THAT THE 2020 ADDENDUM TO THE EIR IS THE APPROPRIATE ENVIRONMENTAL DOCUMENT FOR THE PROJECT.

WHEREAS, in 2016 the City of South San Francisco (“City”) adopted (1) Resolution No. 93-2016 certifying the 2012 Partial Recirculated Environmental Impact Report (“2012 Partial Recirculated EIR”) (State Clearinghouse No. 2012082101), (2) Resolution No. 94-2016 approving a use permit, alternative landscape plan, design review and transportation demand management (“TDM”) program, and (3) Ordinance No. 1522-2016 approving a development agreement with BMR-475 Eccles Avenue LLC, for the construction of two R&D/ Office buildings, a parking structure, and related improvements on an approximately 6.1-acre site located at 475 Eccles Avenue; and

WHEREAS, BioMed Realty (“Owner” or “Applicant”) submitted an application requesting approval of a Use Permit Modification, Design Review Modification and Development Agreement Amendment to alter the site plan and exterior appearance of the previously entitled project and to expand the area of property covered by the entitlements to include the adjacent rail spurs property, incorporating the previously entitled project into the adjacent Gateway of Pacific (“GOP”) Campus as GOP Phase 5 (“Project”); and

WHEREAS, approval of the Applicant’s proposal is considered a “project” for purposes of the California Environmental Quality Act, Pub. Resources Code § 21000, et seq. (“CEQA”); and

WHEREAS, the 2012 Partial Recirculated EIR was certified in accordance with the provisions of the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq., “CEQA”) and CEQA Guidelines, which analyzed the potential environmental impacts of the Project; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, an addendum to the 2012 Partial Recirculated EIR was prepared for the Project (“2020 Addendum”) which evaluates whether preparation of a Supplemental or Subsequent EIR or Negative Declaration is required; and

WHEREAS, the 2020 Addendum concludes that in accordance with Public Resources Code § 21166 and CEQA Guidelines § 15162, the implementation of GOP Phase 5 will not cause significant impacts, that it will not trigger any new or more severe impacts than were studied in the previously certified 2012 Partial Recirculated EIR, that no substantial changes in the project or circumstances justifying major revisions to the previous EIR have occurred, and that no new

information of substantial importance has come to light since the 2012 Partial Recirculated EIR was certified that shows new or more severe significant impacts nor shows new, different or more feasible mitigation measures; and

WHEREAS, the City Council previously adopted a Mitigation Monitoring and Reporting Program for the project and a Statement of Overriding Considerations for the project's significant and unavoidable impacts, both of which remain in full force and effect; and,

WHEREAS, the Planning Commission held a properly noticed public hearing on August 6, 2020 to solicit public comment and take public testimony, at which time interested parties had the opportunity to be heard, to consider the Project and the 2020 Addendum, as well as supporting documents, prior to the Planning Commission making its decision on the Project; and

WHEREAS, the Planning Commission exercised its independent judgment and analysis, and considered all reports, recommendations and testimony before making a determination on the Project.

NOW THEREFORE, based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. ("CEQA) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan, and General Plan Environmental Impact Report; the South San Francisco Municipal Code; 2012 Partial Recirculated EIR, and associated Mitigation Monitoring and Reporting Programs; 2020 Addendum to the 2012 Partial Recirculated EIR; the Project applications; the BMR GOP Phase 5 Precise Plan, as prepared by Flad Architects, dated June 8, 2020; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed August 6, 2020 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The Exhibits attached to this Resolution, including the 2012 Partial Recirculated EIR (Exhibit A) and the 2020 Addendum (attached as Exhibit B) are each incorporated by reference as if they were each set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Planning Manager.

B. CEQA Findings

1. The Planning Commission, pursuant to CEQA Guidelines section 15164, subsection (d), has considered the 2020 Addendum prepared for the Project including the related environmental analysis, along with the previously certified 2012 Partial Recirculated EIR.
2. Upon consideration of the 2020 Addendum, the Planning Commission finds that the proposed Project will not result in any of the conditions identified in CEQA Guidelines section 15162 that would require further environmental review through preparation of a subsequent or supplemental EIR.
3. The Project will not create any new significant impacts or substantially more severe impacts as compared to those already identified and analyzed in the 2012 Partial Recirculated EIR. Further, the Planning Commission finds that there is no new information of substantial importance that demonstrates new or substantially more severe significant effects, as compared to those identified in the prior CEQA documents. Nor are any new, additional, or more feasible mitigation measures required to mitigate any impacts of the Project.
4. Accordingly, the Planning Commission finds that CEQA Guidelines section 15162 does not require any further CEQA review, and that the 2020 Addendum, prepared pursuant to CEQA Guidelines section 15164, is the appropriate environmental document for approval of the Project.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution, and makes the determination that the 2020 Addendum is the appropriate environmental document for approval of the Project and no further environmental review is required.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

* * * * *

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 6th day of August, 2020 by the following vote:

AYES: Chair Wong, Vice-Chair Evans, Commissioner Faria, Commissioner Shihadeh, Commissioner Murphy, Commissioner Bernardo, Commissioner Tzang

NOES:

ABSTENTIONS:

ABSENT:

RECUSE:

Attest /s/Sailesh Mehra
Secretary to the Planning Commission