



Legislation Text

File #: 23-381, Version: 1

Resolution making findings and a determination that the proposed office / R&D project at 120 East Grand Avenue (“Project”) is fully within the scope of environmental analysis in the previously certified 2015 Downtown Station Area Specific Plan Environmental Impact Report (EIR) and that the 2023 project Addendum is the appropriate environmental document for the project, and that no further environmental review is required per the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15164; and the project is subject to CEQA streamlining categorically exempt from CEQA per CEQA Guidelines Sections 15183, and is categorically exempt from CEQA per CEQA Guidelines 15332, and is statutorily exempt from CEQA per California Public Resources Code Section 21155.4.

WHEREAS, the applicant has proposed construction of two office and R&D buildings and an amenity building consisting of approximately 501,700 square feet, an associated parking, open spaces, landscaping, and circulation improvements (“Project”) on the property located at 120 East Grand Avenue, 130 East Grand Avenue, 129 Sylvester Road, 145 Sylvester Road, 160 Sylvester Road, and 180 Sylvester Road (APNs 015-031-170, 015-031-180, 015-031-060, 015-031-070, 015-031-140, 015-031-150) of approximately 4.6 acres (referred to as “Project Site”) in the City; and

WHEREAS, the applicant seeks the following entitlements for Project P22-0039, to be considered by the Planning Commission by separate resolution: Design Review (DR22-0015), Vesting Tentative Map (PM23-0002), and Transportation Demand Management Plan (TDM22-0003); 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 City Council certified an Environmental Impact Report (“EIR”) on January 28, 2015 (State Clearinghouse number 2013102001) in accordance with the provisions of CEQA and the CEQA Guidelines, which analyzed the potential environmental impacts of the development of the Downtown Station Area Specific Plan (DSASP); and

WHEREAS, the City Council also adopted a Statement of Overriding Considerations (“SOC”) on January 28, 2015 in accordance with the provisions of CEQA and the CEQA Guidelines, which carefully considered each significant and unavoidable impact identified in the EIR and found that the significant environmental impacts are acceptable in light of the project’s economic, legal, social, technological and other benefits; and

WHEREAS, the Project is statutorily exempt from CEQA pursuant to Public Resources Code Section 21155.4, as it is a qualified employment project; and

WHEREAS, the Project is also exempt from CEQA pursuant to CEQA Guidelines Section 15183, as it is consistent with the General Plan and the DSASP and would have no environmental impacts that would be peculiar to the Project or Project Site; and

WHEREAS, the Project is also exempt from CEQA pursuant to CEQA Guidelines Section 15332, as it is a qualified infill project; and

WHEREAS, environmental analysis for the proposed project was conducted, which concluded that the environmental effects associated with implementation of the project are fully within the scope of the environmental analysis conducted in the 2015 Environmental Impact Report (“EIR”), such that the project does not meet the criteria under California Environmental Quality Act (“CEQA”) Guidelines Sections 15164 or 15162 justifying preparation of a subsequent EIR and thus, an addendum is the appropriate environmental document for the Project; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the City prepared an addendum to the 2015 EIR for the Project (“120 East Grand Addendum”) (Exhibit B) which along with the 2015 EIR (Exhibit A) is attached hereto and incorporated herein; and

WHEREAS, on May 18, 2023 the Planning Commission for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the proposed entitlements and environmental effects of the Project and take public testimony; 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, BE IT RESOLVED that 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 EIR; the Downtown Station Area Specific Plan Program EIR and Statement of Overriding Considerations; the 120 East Grand Addendum, including all appendices thereto; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed May 18, 2023 meeting; and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2), the Planning Commission of the City of South San Francisco based on substantial evidence hereby finds as follows:

SECTION 1 **FINDINGS**

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 Downtown Station Area Specific Plan EIR (Exhibit A), 120 E. Grand Addendum (Exhibit B), and DSASP EIR Mitigation, Monitoring and Reporting Program (MMRP) (Exhibit C) are each incorporated by reference and made a part of this Resolution, as if 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 Chief Planner, Tony Rozzi.

CEQA Findings

1. The Planning Commission, pursuant to CEQA Guidelines section 15164, subsection (d), has considered the 120 E. Grand Addendum prepared for the Project including the related environmental analysis, along with the previously certified 2015 EIR.
2. Upon consideration of the 120 E. Grand Addendum to the previously certified 2015 EIR, 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 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 2015 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 or additional mitigation measures required to mitigate any impacts of the Project.
4. Accordingly, the Planning Commission finds that per CEQA Guidelines section 15162 the Project does not require any further CEQA review, and that the 120 E. Grand Addendum, prepared pursuant to CEQA Guidelines section 15164, is the appropriate environmental document for approval of the Project.
5. For the reasons stated in this Resolution, the Project is subject to CEQA streamlining pursuant to CEQA Guidelines Section 15183 as the Project is consistent with a Community Plan, General Plan or Zoning because as supported by the Project Addendum to the 2015 EIR:
 - a. The Project is consistent with the development density established by existing DSASP zoning, Specific Plan, and General Plan policies for which the DSASP Program EIR was certified, and the updated General Plan and Zoning Designations adopted in 2022; and
 - b. There are no project-specific effects which are peculiar to the Project or the Project Site; and
 - c. There are no project-specific impacts, which the DSASP Program EIR failed to analyze as significant effects; and

- d. There are no potentially significant off-site and/or cumulative impacts which the DSASP Program EIR failed to evaluate; and
 - e. There is no substantial new information which results in more severe impacts than anticipated by the DSASP Program EIR.
6. For reasons stated in this Resolution, the project is categorically exempt from CEQA per CEQA Guidelines Section 15332, as it is a qualified infill project and meets the following criteria:
- a. The project is consistent with General Plan designation and policies, and applicable zoning designations and requirements; and
 - b. The proposed development site is within the City limits, is less than five acres in size, and is surrounded by urban uses; and
 - c. The project site is a developed site, and the CEQA analysis completed determined that the site has no value as habitat for endangered, rare, or threatened species; and
 - d. The CEQA analysis completed determined that the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
 - e. The project site can be adequately served by all required utilities and public services.
7. For reasons stated in this Resolution, the project is statutorily exempt from CEQA under Public Resources Code Section 21155.4 as it is a qualified employment center project as defined by SB 375 (2008), and meets the following criteria:
- a. The project is proposed within a transit priority area, as it is within one-half mile of the South San Francisco Caltrain station which is an existing major transit stop; and
 - b. The project implements and is consistent with the DSASP, which was approved pursuant to a certified Program EIR; and
 - c. The project is located on a property zoned for commercial use and is proposed for a FAR of no less than .75, as the project site is zoned as TO/RD, which permits office and R&D uses, and the project is proposed to be developed at an FAR of just under 2.5.

SECTION 2 **DETERMINATION**

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 a determination that per CEQA Guidelines 15162, the 120 E. Grand Addendum is the appropriate environmental review document for approval

of the 120 E. Grand project, prepared pursuant to CEQA Guidelines 15164, and no further environmental review is needed, and that the proposed project is exempt from CEQA under CEQA Guidelines Sections 15183 and 15332 and Public Resources Code Section 21155.4 as described in the foregoing section.

BE IT FURTHER RESOLVED that the resolution shall become effective immediately upon its passage and adoption.

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