



## Legislation Text

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**File #:** 19-498, **Version:** 1

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Resolution making findings and recommending that the City Council approve a Use Permit, Design Review, Parking Reduction, Transportation Demand Management Plan, and Vesting Tentative Parcel Map to construct a seven-story mixed-use building at 200 Airport Boulevard; make a determination that the Project is exempt from the California Environmental Quality Act (CEQA); and approve the Environmental Consistency Analysis.

WHEREAS, the applicant has proposed construction of a high-density mixed-use residential development, consisting of 94 rental units, 3,630 sq. ft. of retail space, and 110 parking spaces over 0.55 acres on 200-214 Airport Boulevard (consisting of five parcels (APNs: 012-338-010, 012-338-020, 012-338-030, 012-338-040, and 012-338-050)) collectively referred to as “Project Site” in the City; and

WHEREAS, the proposed Project is located within the southwestern portion of the Downtown Station Areas Specific Plan (“DSASP”) area; and

WHEREAS, the applicant seeks approval of a Conditional Use Permit (UP18-0014), Design Review (DR18-0036), Parking Reduction, Transportation Demand Management Plan (TDM18-0010), and Vesting Tentative Map (PM19-0001) for the 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 City Council certified an Environmental Impact Report (“EIR”) on January 28, 2015 (State Clearinghouse number 2013102001), 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 development of the DSASP; and

WHEREAS, the City Council also adopted a Statement of Overriding Considerations (“SOC”) on January 28, 2015, in accordance with the provisions of the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq., “CEQA”) and 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 exempt from CEQA pursuant to Government Code Section 65457, as it is a residential development project that is being undertaken pursuant to a specific plan for which an EIR was prepared and certified and no event specified in Public Resources Code Section 21166 has occurred; and, the Project is also exempt pursuant to CEQA Guidelines Section 15332 as it is a qualified in-fill development project; and

WHEREAS, the City and applicant prepared an Environmental Consistency Analysis for the Project pursuant to CEQA Guidelines § 15158(c)(2) and concluded that even if the Project was not exempt from CEQA pursuant to the above-listed exemptions, in accordance with the requirements of CEQA Guidelines § 15162, the Project would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the DSASP EIR certified by City Council nor would new mitigation be required; and

WHEREAS, on June 20, 2019, 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.

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 and the Downtown Station Area Specific Plan EIR; the South San Francisco Municipal Code; the Project applications; the Project Plans, as prepared by CarrierJohnson + Culture, dated April 15, 2019; the Environmental Consistency Analysis, as prepared by the applicant and City staff dated April 25, 2019, including all appendices thereto; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed June 20, 2019 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:

## **SECTION 1 FINDINGS**

### General

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The Exhibits attached to this Resolution, including the 200 Airport Boulevard Entitlement Submittal Set Project Plans (Exhibit A), Draft Conditions of Approval (Exhibit B), the Environmental Consistency Analysis and supporting documents (Exhibit C), Preliminary TDM Plan (Exhibit D) and Geotechnical Draft Report (Exhibit E) 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 Planning Manager, Sailesh Mehra.

### CEQA Findings

1. For the reasons stated in this Resolution, the Project is exempt from CEQA pursuant to Government

Code § 65457(a) as a residential project consistent with and undertaken to implement the DSASP and no event specified in Public Resources Code § 21166 has occurred because:

- a. No substantial changes are proposed to the DSASP as part of the Project, which would require major changes to the DSASP EIR. This is supported by the fact that the Project is consistent with DSASP and proposes no changes or amendments to the DSASP itself. As there are no proposed changes to the DSASP, there are no changes which would require revisions to the DSASP EIR.
  - b. No substantial changes have occurred with respect to the circumstances under which the Project is to be undertaken to implement the DSASP that will require major revisions to the DSASP EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified effects. This is supported by the fact that the DSASP EIR was only certified in 2015 and the circumstances surrounding the implementation of the DSASP are substantially similar to the current circumstances.
  - c. No new information, which was not known at the time the EIR was certified as complete, has become available justifying preparation of a supplemental or subsequent EIR.
2. For the reasons stated in this Resolution, the Project is also exempt from CEQA pursuant to CEQA Guidelines § 15332: Class 32 as an in-fill development project because:
- a. As described in the record, the Project is consistent with the City's General Plan, all applicable General Plan policies and zoning designations and regulations.
  - b. The Project will be located within the City's limits, on a site of less than 5 acres and will be surrounded by urban uses in a built-out downtown environment.
  - c. The Project Site has no value as habitat for endangered, rare, or threatened species as it is in a built-out environment and is currently disturbed as the site of an existing building and parking lots.
  - d. As supported by the findings of the ECA, approval of the Project would not result in any significant effects relating to traffic, noise, air quality or water quality.
  - e. The Project can be adequately serviced by all required utilities and public services.
3. For the reasons stated in this Resolution, there is not substantial evidence in the record to support a fair argument that approval of the Project will result in significant environmental effects beyond those adequately evaluated and addressed by the DSASP EIR nor would the Project require any new mitigation measures because:
- a. The Project does not propose substantial changes to the DSASP Project, which will require

major revisions of the DSASP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- b. No substantial changes have occurred with respect to the circumstances under which the DSASP Project is undertaken which will require major revisions of the DSASP EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects;
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the DSASP Program EIR was certified as complete, shows any of the following:
  - i. The Project will have one or more significant effects not discussed in the DSASP EIR;
  - ii. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the mitigation measure or alternative; or
  - iv. Mitigation measures or alternatives which are considerably different from those analyzed in the DSASP EIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.

4. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, including but not limited to the Environmental Consistency Analysis, as prepared by City staff and the applicant and attached hereto as Exhibit C, the Planning Commission, exercising its independent judgment and analysis, finds that the Project is statutorily and categorically exempt from CEQA pursuant to Government Code §65457(a) and CEQA Guidelines § 15332: Class 32 and pursuant to CEQA Guidelines § 15168(c), the Project falls within the environmental parameters analyzed in the DSASP EIR, and further finds that the Project would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the DSASP EIR certified by City Council nor would new mitigation be required by the Project. These findings are supported by the fact that, consistent with the DSASP EIR Mitigation Monitoring and Reporting Program, the Project prepared an Air Quality, Greenhouse Gas (GHG) Emissions Assessment and Health Risk Assessment (HRA), an Historic Resources Analysis, a Shadow Analysis, a Noise and Vibration Analysis, and a Traffic and Circulation Analysis, all of which determined that the Project would not result in any new impacts not adequately evaluated and addressed by the DSASP EIR and Statement of Overriding Considerations.

### Conditional Use Permit

1. The proposed use is allowed within the Downtown Transit Core (DTC) Zoning District and complies with all other applicable provisions of this Ordinance and all other titles of the South San Francisco Municipal Code.
2. The proposed Project is consistent with the General Plan and the Downtown Station Area Specific Plan by creating a high-density residential mixed-use project that emphasizes active retail storefronts and pedestrian improvements that implements the goals of the Downtown Station Area Specific Plan, and is consistent with the City's Design Guidelines as they relate to building design, form and articulation.
3. The proposed residential use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements, because the proposed use is consistent with the approved uses in both the General Plan and Downtown Station Area Specific Plan. The Project proposes high-density mixed-uses located in the City's Downtown Station Area Specific Plan District, which is intended for this type of use, and would be redeveloping underutilized and vacant parcels. The General Plan has analyzed this type of use and concluded that such mixed-uses are not adverse to the public health, safety, or welfare. As the proposed Project is consistent with other mixed-use and residential land uses in the Downtown Transit Core Zoning District, approval of the Project will not be detrimental to nearby properties. Further, the proposed use is well suited to the site, and would improve the property for surrounding users and the City. In addition, the Environmental Consistency Analysis prepared for the Project concludes that the as a result of the Project no new environmental effects would result from the Project beyond those previously analyzed and addressed in the DSASP EIR and MMRP.
4. The design, location, size, and operating characteristics of the proposed Project are compatible with the existing and reasonably foreseeable future land uses in the vicinity because the Project proposes residential and mixed-uses in the Downtown Transit Core Zoning District, which is specifically intended for such uses.
5. With the exception of the parking standards, as discussed below, the proposed project complies with any design or development standards applicable to the zoning district or the use in question and has been vetted and recommended for approval by the City's Design Review Board at their meeting on January 15, 2019.
6. The site is physically suitable for the type of development and density proposed, as the residential use will benefit from being located in close proximity to the South San Francisco Caltrain Station, Grand Avenue and uses and amenities within the Downtown Station Area Specific Plan Area, and the size and development is appropriate for the location and meets the City's land use and zoning standards, as amended by the Conditional Use Permit process. Access to the site via existing roadways is sufficient as the project is within a built-out urban environment, utilities are provided on-site or proposed for minor upgrades, and no physical constraints such as topography or lack of facilities exists that would prevent suitable development.
7. Per South San Francisco Municipal Code Section 20.330.007, Downtown Parking, the Planning

Commission shall review any request for a reduction in the number of required parking spaces and make a determination whether there is sufficient parking within the District to accommodate the proposed use. The proposed residential development will be adequately served by the 98 on-site parking spaces to serve 94 rental units and the 12 on-site parking spaces to serve 3,630 sq. ft. of retail space. The applicant proposes 110 spaces when 114 spaces is required. The site is within one block of Grand Avenue, is adjacent to the Caltrain station and several bus lines, provides adequate bicycle parking and pedestrian access to encourage alternative modes of transportation, and is walkable to nearby employment centers. The proposed Conditions of Approval to require adherence to the proposed Transportation Demand Management (TDM) program, a master sign program and a parking marking management plan will manage on-site parking. Thus, there is sufficient parking within the site and surrounding District to accommodate the proposed use.

8. The Project is statutorily and categorically exempt from CEQA pursuant to Government Code §65457 (a), Public Resources Code §21166, and CEQA Guidelines § 15332: Class 32. In addition, an environmental determination has been prepared for the Project in accordance with CEQA as the City prepared an Environmental Consistency Analysis in accordance with the requirements of CEQA Guidelines § 15168(c), which concluded that the Project would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the DSASP EIR certified by City Council nor would any new mitigation be required.

### Design Review

1. The Project, including Design Review, is consistent with Title 20 of the South San Francisco Municipal Code because the Project has been designed as a high-density mixed-use and residential project which will provide a pedestrian-friendly, transit-oriented environment with sustainability elements incorporated.
2. The Project, including Design Review, is consistent with the General Plan and the DSASP because the proposed high-density residential development is consistent with the policies and design direction provided in the South San Francisco General Plan for the Downtown Transit Core land use designation by encouraging the development of new residential units within close proximity to the South San Francisco Caltrain Station and within the DSASP area.
3. The Project, including Design Review, is consistent with the applicable design guidelines adopted by the City Council in that the proposed Project is consistent with the Downtown Station Area Specific Plan Design Guidelines, as evaluated in the Zoning Ordinance Compliance analysis for the Project.
4. The Project is consistent with the Use Permit for the reasons stated in the section above.
5. The Project is consistent with the applicable design review criteria in South San Francisco Municipal Code Section 20.480.006 (“Design Review Criteria”) because the project has been evaluated by the Design Review Board on January 15, 2019, and found to be consistent with each of the eight design review criteria included in the Design Review Criteria” section of the Ordinance.

### Vesting Tentative Map

1. The proposed vesting tentative map, prepared by BKF and dated September 27, 2018, including the proposed designs and improvements, is consistent with the City's General Plan and Downtown Station Area Specific Plan (DSASP) Sub-Area because the tentative map would facilitate the infill and development of a mixed-use residential project which would create additional residential units and retail uses in the center of downtown as highlighted by the DSASP policies and goals.
2. The proposed vesting tentative map is consistent with the standards and requirements of the City's Zoning Ordinance and with the provisions of the DSASP.
3. The vesting tentative map complies and meets all of the requirements of Title 19 of the South San Francisco Municipal Code ("Subdivisions") and with the requirements of the State Subdivision Map Act.
4. The Project Site is physically suitable for the type of development and density proposed, as the mixed-use residential project will be located on underutilized parcels in the downtown which calls for a mix of vibrant commercial and residential uses in the DSASP.
5. The vesting tentative map is consistent with the analysis included in the already certified DSASP Programmatic EIR, and the approval of this vesting tentative map would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the DSASP Programmatic EIR certified by City Council, nor does the vesting tentative map constitute a change in the Project or change in circumstances that would require additional environmental review.
6. The design and improvements of the vesting tentative map are not in conflict with any existing public easements.
7. The property is located in a developed, urban setting, and is not subject to a Williamson Act contract, on open space easement, a conservation easement, or an agricultural conservation easement. The surrounding land uses and resulting parcels would not support agricultural uses; the resulting parcels would result in mixed-use development not incidental to commercial agricultural use of the land.

### **SECTION 2 DETERMINATION**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby recommends that the City Council makes the findings contained in this Resolution, approves the entitlements request for 200-214 Airport Boulevard (P18-0071, UP18-0014, DR18-0036, TDM18-0010 and PM19-0001), and makes a determination that the Project is statutorily and categorically exempt from CEQA

pursuant to Government Code §65457(a) and CEQA Guidelines § 15332: Class 32 and the environmental effects of the Project were sufficiently analyzed under the Downtown Station Area Specific Plan (DSASP) Program Environmental Impact Report (EIR), per the requirements of the California Environmental Quality Act (CEQA) as analyzed in the Environmental Consistency Analysis subject to the attached Conditions of Approval.

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