



Legislation Text

File #: 19-883, **Version:** 1

Resolution determining that the proposed construction of 800 residential units, an approximately 8,307 SF childcare facility, an approximately 12,992 SF commercial retail space, approximately one-acre of publicly accessible open space, and related infrastructure at the 5.9-acre Former San Francisco Public Utilities Commission (“PUC”) Opportunity Site, located at 1051 Mission Road, is consistent with an adopted Program Environmental Impact Report for the El Camino Real/Chestnut Avenue Area Plan as updated by the Community Civic Campus Project Subsequent Environmental Impact Report and, based on an Environmental Consistency Analysis dated October 2019, would not necessitate the need for preparing a subsequent environmental document pursuant to the criteria of Section 15162 of the California Environmental Quality Act Guidelines.

WHEREAS, the Developer, SSF Housing Partners LLC, has proposed construction of a high-density mixed-use residential development, consisting of 800 rental units, an approximately 8,307 SF childcare facility, approximately 12,992 SF of retail space (market hall), 1 acre of publically accessible open space, and 800 parking spaces over 5.9 acres on 1051 Mission Road (APNs: 093312050 and 093312060) collectively referred to as “Project Site” in the City; and

WHEREAS, the proposed Project (P18-0081) is located within the El Camino Real/Chestnut Avenue Area Plan (“ECR/Ch Area Plan”) area; and

WHEREAS, the Developer seeks approval of a Conditional Use Permit (UP19-0008), Design Review (DR19-0028), Transportation Demand Management Plan (TDM19-0004), Density Bonus (DB19-0003), Waivers and Modifications Request (WM19-0002), Parking Management and Monitoring Plan (PMMP19-0001), Vesting Tentative Tract Map (SA19-0001); Development Agreement (DA19-0002); Affordable Housing Agreement (AHA19-0003) for the Project and these entitlements are considered by separate resolution and ordinance; and

WHEREAS, approval of the Developer’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 July 27, 2011 (State Clearinghouse #2010072015), 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 ECR/Ch Area Plan; and

WHEREAS, the City Council also adopted a Statement of Overriding Considerations (“SOC”) on July 27, 2011, 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 City Council certified a Supplemental Environmental Impact Report (“SEIR”) on December 13, 2017 (State Clearinghouse #2010072015), 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 a new civic center that would include a library, recreation center, new police station, new fire station and make minor edits to the ECR/Ch Area Plan; and

WHEREAS, the City and Developer prepared an Environmental Consistency Analysis (EIR19-0002) for the Project pursuant to CEQA Guidelines § 15162 and determined 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 ECR/Ch EIR and SEIR certified by City Council nor would new mitigation be required; and

WHEREAS, on October 17, 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, determined that the proposed project is consistent with the City’s adopted General Plan pursuant to Government Code section 65402, and determined that the proposed project is consistent with the adopted ECR/Ch EIR as updated by the Community Civic Campus Project SEIR and, based on the Environmental Consistency Analysis, would not necessitate the need for preparing a subsequent environmental document pursuant to the criteria of CEQA Guidelines Section 15162; and

WHEREAS, on November 13, 2019, the City Council for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment 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 El Camino Real/Chestnut Avenue Area Plan and associated EIR and SEIR; the South San Francisco Municipal Code; the Project applications; the Project Plans, as prepared by BAR Architects, dated September 17, 2019; the Environmental Consistency Analysis, as prepared by the Developer and City staff dated October 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 October 17, 2019 meeting; all site plans, and all reports, minutes, and public testimony submitted as part of the City Council’s duly noticed November 13, 2019 meeting and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council 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, as follows, are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
 - A. Environmental Consistency Analysis and supporting documents (Exhibit A):
 - a. Air Quality Assessment
 - b. Arborist Report and Tree Assessment
 - c. Geotechnical Report and Environmental Soils Report
 - d. Phase I Environmental Site Assessment
 - e. Noise and Vibration Assessment
 - f. Wind Effects Assessment
 - g. Shadow Analysis extracted from Submittal Set Project Plans
 - h. Traffic Assessment
 - i. Water Supply Assessment
 - j. Kimley Horn Transportation Impact Analysis
 - k. Preliminary TDM Plan
 - l. ECR/Ch SEIR Mitigation Monitoring and Reporting Program
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. Pursuant to CEQA Guidelines Sections 15152 [Tiering], 15153 [Use of an EIR from an Earlier Project], 15162 [Subsequent EIRs], 15168 [Program EIR], 15183 [Projects Consistent with Community Plan, General Plan or Zoning] and Public Resources Code Section 21155.4 [Transit Priority Exemption], and 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 ECR/Ch EIR and SEIR nor would the Project require any new mitigation measures because:
 - A. The Project does not propose substantial changes to the ECR/Ch Area Plan Project, which will require major revisions of the ECR/Ch EIR and SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - B. The previously identified and analyzed mitigation measures set forth in the EIR and SEIR remain applicable to the Project, and the Project continues to include those previously identified measures and would not create additional traffic impacts;
 - C. No substantial changes have occurred with respect to the circumstances under which the ECR/Ch Area Plan Project is undertaken which will require major revisions of the ECR/Ch EIR and SEIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects;
 - D. 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 ECR/Ch program EIR and SEIR were certified as complete, shows any of the following:

- i. The Project will have one or more significant effects not discussed in the ECR/Ch EIR and SEIR;
- ii. Significant effects previously examined will be substantially more severe than shown in the previous ECR/Ch EIR and SEIR;
- 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 ECR/Ch EIR and SEIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.

2. 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 dated October 2019, as prepared by City staff and the Developer and attached hereto as Exhibit A, the City Council, exercising its independent judgment and analysis, finds that the Project falls within the environmental scope analyzed in the ECR/Ch EIR and SEIR, 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 ECR/Ch EIR and SEIR certified by City Council nor would new mitigation be required by the Project. These findings are supported by the fact that, consistent with the ECR/Ch SEIR Mitigation Monitoring and Reporting Program, the Project prepared an Air Quality Assessment, Arborist Report and Tree Assessment, Geotechnical Report and Environmental Soils Report, Noise and Vibration Assessment, Wind Analysis, Shadow Analysis, Traffic Assessment, Water Supply Assessment, Transportation Impact Analysis, and Preliminary TDM Plan, all of which determined that the Project would not result in any new impacts not adequately evaluated and addressed by the ECR/Ch EIR and Statement of Overriding Considerations or ECR/Ch SEIR, and the Project also incorporates previously identified mitigation measures set forth in the ECR/Ch EIR and SEIR and would not create additional traffic impacts.

SECTION 2 DETERMINATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of South San Francisco hereby makes a determination that the project is consistent with an adopted Program Environmental Impact Report for the El Camino Real/Chestnut Avenue Area Plan as updated by the Community Civic Campus Project Subsequent Environmental Impact Report and, based on the Environmental Consistency Analysis dated October 2019 and implementation of the mitigation measures in the ECR/Ch EIR and SEIR, would not necessitate the need for preparing a subsequent environmental document pursuant to the criteria of the California Environmental Quality Act (CEQA) Guidelines Section 15162 as analyzed in the Environmental Consistency Analysis.

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

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