



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion 18829

HEARING DATE: March 21, 2013

Date: March 7, 2013
Case No.: **2008.1084E**
Project Address: **706 Mission Street – The Mexican Museum and Residential Tower Project**
Zoning: C-3-R (Downtown Retail)
400-I Height and Bulk District
Blocks/Lots: Block 3706, Lots 093, 275 and portions of Lot 277
Project Sponsor: 706 Mission Street Co., LLC
c/o Millennium Partners
735 Market Street, 6th Floor
San Francisco, CA 94103
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED-USE PROJECT AT 706 MISSION STREET (ASSESSOR'S BLOCK 3706, Lots 093, 275 and portions of Lot 277).

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2008.1084E, 706 Mission Street – The Mexican Museum and Residential Tower 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 April 13, 2011.
 - B. On June 27, 2012, 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 project site by the project sponsor on June 27, 2012.
 - D. On June 27, 2012, 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 27, 2012.
2. The Commission held a duly advertised public hearing on said DEIR on August 2, 2012 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 13, 2012.
 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 March 7, 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 as part of case file 2008.1084E, and are part of the record before the Commission.
 6. On March 21, 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 Planning Commission hereby does find that the FEIR concerning File No. 2008.1084E, 706 Mission Street – The Mexican Museum and Residential Tower 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.
 8. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR:

- A. Will have a significant effect on the environment in that it would result in the following significant and unavoidable transportation and circulation impacts under Variant 6 or Variant 7 as indicated below. It is noted that these two variants were analyzed in response to comments on the Notice of Preparation of an Environmental Impact Report for this project and are not proposed by the project sponsor.

Impact Variant TR-1: Variant 6 would cause a substantial increase in traffic that would cause the level of service to decline from LOS D or better to LOS E or F, or from LOS E to F at the intersection of Fourth Street and Market Street. *(Applicable to Variant 6 only)*

Impact Variant TR-2: Variant 6 would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity; or would cause a substantial increase in delays or costs such that significant adverse impacts in transit service levels could occur. *(Applicable to Variant 6 only)*

Impact Variant TR-5: Variant 7 would cause a substantial increase in traffic that would cause the level of service to decline from LOS D or better to LOS E or F, or from LOS E to F at the intersection of Fourth Street and Market Street. *(Applicable to Variant 7 only)*

Impact Variant TR-6: Variant 7 would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity; or would cause a substantial increase in delays or costs such that significant adverse impacts in transit service levels could occur. *(Applicable to Variant 7 only)*

- B. Will have a significant cumulative effect on the environment in that it would result in a cumulatively considerable contribution to the following significant and unavoidable cumulative transportation impacts under Variant 6 or Variant 7 as indicated below. It is noted that these two variants were analyzed in response to comments on the Notice of Preparation of an Environmental Impact Report for this project and are not proposed by the project sponsor.

Impact Variant TR-3: Variant 6 would contribute considerably to critical movements at the intersection of Fourth Street and Market Street that would operate at LOS F under 2030 Cumulative conditions, and cumulative contribution to cumulative traffic impacts would be considered significant. *(Applicable to Variant 6 only)*

Impact Variant TR-4: Variant 6 would contribute considerably to critical movements at the intersection of Fourth Street and Mission Street that would operate at LOS F under 2030 Cumulative conditions, and cumulative contribution to cumulative traffic impacts would be considered significant. *(Applicable to Variant 6 only)*

Impact Variant TR-7: Variant 7 would contribute considerably to critical movements at the intersection of Fourth Street and Market Street that would operate at LOS F under 2030 Cumulative conditions, and cumulative contribution to cumulative traffic impacts would be considered significant. *(Applicable to Variant 7 only)*

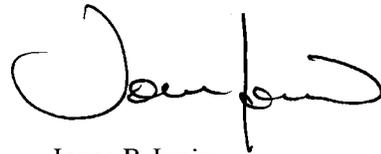
Impact Variant TR-8: Variant 7 would contribute considerably to critical movements at the intersection of Fourth Street and Mission Street that would operate at LOS F under 2030 Cumulative conditions, and cumulative contribution to cumulative traffic impacts would be considered significant. (*Applicable to Variant 7 only*)

- C. Will have a significant cumulative effect on the environment in that it would result in a cumulatively considerable contribution to the following unavoidable significant cumulative effect with respect to shadow:

Impact C-WS-2: The proposed project, or any of its variants, in combination with past, present, and reasonably foreseeable future projects in the project vicinity would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas resulting in a significant cumulative shadow impact. The proposed project would make a cumulatively considerable contribution to this significant cumulative shadow impact.

9. The Planning Commission will consider 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 March 21, 2013.



Jonas P. Ionin
Acting Commission Secretary

AYES: Fong, Antonini, Borden, Hillis

NOES: Moore, Sugaya

ABSENT: Wu

ADOPTED: March 21, 2013