



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: June 28, 2012

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Hearing Date: June 28, 2012
Case No.: **2004.0557E**
Project Address: **1601-1603 Larkin Street**
Zoning: RM-3 (Residential, Mixed, Medium Density)
65-A Height and Bulk District
Block/Lot: 0620/006
Project Sponsor: Pacific Polk Properties. LLC
c/o David Silverman, Reuben & Junius, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Project Site Owner: California Nevada Conference of the Methodist Church
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR PROPOSED DEMOLITION OF A CHURCH BUILDING AND REMOVAL OF AN ASPHALT-SURFACE PARKING LOT, AND CONSTRUCTION OF A 63-FOOT HIGH, SIX-STORY TALL, APPROXIMATELY 67,500-GROSS-SQUARE-FOOT BUILDING, PLUS A PROJECT VARIANT WHICH IS 65-FOOT HIGH WITH APPROXIMATELY 59,951 GROSS SQUARE FEET. EITHER BUILDING WOULD CONTAIN 28 DWELLING UNITS AND 29 PARKING SPACES IN TWO SEPARATED PARKING LEVELS WITH ONE ACCESS ON LARKIN STREET AND THE OTHER ON CLAY STREET, ON AN APPROXIMATELY 11,200-SQUARE-FOOT CORNER LOT, LOT 006 IN ASSESSOR'S BLOCK 0620.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2004.0557E, 1601-1603 Larkin Street Housing 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 July 8, 2006.

- B. In addition, public notices of the EIR requirement determination were mailed to property owners and occupants within a 300-foot radius of the project site on July 8, 2006.
 - C. On April 14, 2007, 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.
 - D. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on April 14, 2007.
 - E. On April 14, 2007, 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.
 - F. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on April 11, 2007.
2. The Commission held a duly advertised public hearing on said DEIR on May 24, 2007, 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 May 29, 2007.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 30-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 Comments and Responses document, published on May 27, 2007, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at Department offices.
 4. A Final Environmental Impact Report (FEIR) has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document, all as required by law.
 5. A public hearing on certification of the FEIR was held on June 24, 2010. A motion to certify the FEIR failed by a vote of 3 to 4, and the FEIR was not certified.
 6. In response to submittal for review of a modified project, the project variant, and submittal of a Structural Report by Murphy Burr Curry Inc. on the existing building on May 10, 2012, the DEIR was revised to include a description of the project variant and its impacts, and to include three variants of the Partial Preservation alternative.

7. Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1650 Mission Street, and are part of the record before the Commission.
8. The revised FEIR was sent to the Planning Commission and to members of the public who commented on the 2007 EIR. Recirculation of the EIR is necessary when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information added to an EIR is not significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect, including a feasible project alternative. The revised EIR that is before the Commission on June 28, 2012 does not contain significant new information and therefore does not require recirculation.
9. On June 28, 2012, the Commission reviewed and considered the Final Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
10. The Planning Commission hereby does find that the Final Environmental Impact Report concerning File No. 2004.0557E: 1601-1603 Larkin Street Housing Project reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.
11. The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the project described in the Environmental Impact Report:
 - A. Will have a project-specific significant effect on the environment by the demolition of the church building, an historical resource as under CEQA Section 21084.1 and CEQA Guidelines Section 15064.5, which would result in an unavoidable significant adverse impact on an historical resource.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of June 24, 2010.

Linda Avery
Commission Secretary

Motion No. XXXXXX
Hearing Date: June 28, 2012

CASE NO. 2004.0557E
1601-1603 Larkin Street

AYES:

NOES:

ABSENT:

ADOPTED: June 24, 2010