RESOLUTION NO. 64–2000
ADOPTED MAY 9, 2000

FINDING AND CERTIFYING THAT THE BRANNAN SQUARE MIXED USE DEVELOPMENT FINAL ENVIRONMENTAL IMPACT REPORT IS ADEQUATE, ACCURATE AND OBJECTIVE (RINCON POINT - SOUTH BEACH REDEVELOPMENT PROJECT AREA).

BASIS FOR RESOLUTION

1. The Redevelopment Agency (the "Agency") and Planning Department (the "Department") of the City and County of San Francisco acting as co-lead agencies for conducting this environmental review, fulfilled all procedural, format and content requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq. ("CEQA")), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq. ("CEQA Guidelines")), Chapter 31 of the San Francisco Administrative Code ("Chapter 31"), and the Agency's Resolution No. 59-77, adopted March 8, 1977 (the "CEQA Resolution").

2. The Agency and the Department jointly determined that an environmental impact report was required. The Agency and the Department provided public notice of that determination by publication of a Notice that an Environmental Impact Report is Determined to be Required in a newspaper of general circulation on September 25, 1999.

3. On February 19, 2000, the Agency and the Department, jointly published the Draft Environmental Impact Report (the "Draft EIR") and provided public notice of the availability of the Draft EIR for public review and comment and of the date and time of the Agency Commission and Planning Commission joint public hearing on the Draft EIR. A notice of availability of the Draft EIR and the date and time of the Draft EIR public hearing was mailed to the Agency's list of persons requesting such notice.

4. On February 19, 2000 copies of the Draft EIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the Draft EIR, to adjacent property owners, and directly and indirectly through the State Clearinghouse to government agencies.

5. A Notice of Completion for the Draft EIR was filed with the State Secretary of Resources via the State Clearinghouse on February 22, 2000.

6. Notices of availability of the Draft EIR and of the date and time of the public hearing were posted near the project site on February 24, 2000.
7. The Agency and Planning Commissions held a duly advertised public hearing on the Draft EIR on March 23, 2000, at which opportunity for public comment was given and public comment was received on the Draft EIR. The public hearing was closed on March 23, 2000.


9. The Agency and the Department jointly prepared responses to comments on environmental issues received at the public hearing for the Draft EIR, and in writing during the 34-day public review period for the Draft EIR; prepared revisions to the text of the Draft EIR in response to comments received or based on additional information that became available during the public review period; and corrected errors in the Draft EIR. This material was presented in a Summary of Comments and Responses document entitled "Brannan Square Mixed Use Development Draft Summary of Comments and Responses," published on May 2, 2000, and distributed to the Commission and to all persons who commented on the Draft EIR, and was available to others upon request at both Agency and Department offices.

10. A Final Environmental Impact Report (the "Final EIR") has been prepared jointly by the Agency and the Department, consisting of the Draft EIR, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses, all as required by law.

11. The Project and Environmental Impact Report files have been made available for review by the Agency Commission, the Planning Commission and the public, and these files are part of the record before the Agency Commission and the Planning Commission.

FINDINGS

1. The Agency has received, reviewed and considered the Final EIR and hereby finds that the contents of said report and the procedures through which the Final EIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines, Chapter 31 and the Agency's CEQA Resolution.

2. The Agency finds that the Final EIR concerning File No. 99.173E reflects the independent judgement and analysis of the Agency, is adequate, accurate and objective and that the Summary of Comments and Responses contains no significant revisions to the Draft EIR.

3. The Agency finds that the project described in the Final EIR and the project proposed for adoption, as described in the Project Description Chapter of the Final EIR, would have the following unavoidable significant environmental impacts:
a. The proposed project would involve demolition of a facade wall at 200 Brannan Street which contributes to the significance of a locally designated historic district and which has been identified in an historic architectural resources survey of the area. Demolition of that wall would be considered a significant environmental impact in that it would demolish a significant historic architectural resource.

b. The wall at 200 Brannan Street is an important visual element that contributes to the historic district’s character and significance. It is a unique structure forming the eastern boundary of the historic district, between two other rated structures. Demolition of the wall would be a significant impact on the South End Historic District. However, even with demolition of the wall, the South End Historic District would retain its integrity as an historic district since virtually all of the character defining features of the district would remain.

c. The project would cause the level of service at the intersection of Brannan/Second Street to deteriorate from LOS D to LOS E. A possible mitigation measure for that impact would be to add left turn lanes to the west and eastbound approaches of that intersection. However, such mitigation would require the elimination of 10 on-street parking spaces. Implementation of such a mitigation measure would be within the jurisdiction of the Department of Parking and Traffic, which must balance the needs for on-street parking supply with the flow of traffic. The decision as to whether to implement such a mitigation measure would be subject to a public hearing process by the Parking and Traffic Commission. Given the uncertainty over whether the mitigation measure would be implemented, the proposed project could have a significant effect upon traffic level of service at the intersection of Brannan/Second Street which might not be mitigated.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Brannan Square Mixed Use Development Final Environmental Impact Report is certified as complete and in compliance with the California Environmental Quality Act and the State CEQA Guidelines.

APPROVED AS TO FORM:

BERTHA A. ONTIVEROS
Agency General Counsel