



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: NOVEMBER 17, 2016

*Date:* November 17, 2016  
*Case No.:* 2008.0586E  
*Project Address:* Academy of Art University Project  
*Zoning:* Various  
*Block/Lot:* Various  
*Project Sponsor:* Gordon North  
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**ADOPTING ENVIRONMENTAL FINDINGS (AND A STATEMENT OF OVERRIDING CONSIDERATIONS) UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH A FINDING OF PLANNING CODE TEXT AMENDMENTS AND CONDITIONAL USE AUTHORIZATIONS RELATED TO THE ACADEMY OF ART UNIVERSITY PROJECT, AND RELATED ACTIONS NECESSARY TO IMPLEMENT THE PROJECT. THE PROJECT SITE 40 SITES AND 12 STUDY AREAS LOCATED WITHIN THE CITY AND COUNTY OF SAN FRANCISCO.**

Whereas, the Planning Department has undertaken a planning and environmental review process for the proposed Academy of Art University Project (“Project”) and provided for appropriate public hearings before the Planning Commission.

Whereas, the Proposed Project would add about 110,000 sf of residential uses, 1,063,207 sf of institutional uses, and 17,533 sf of community facility uses, none of which includes new construction. The Legalization Approvals proposed in the EIR and Existing Site Technical Memorandum would result in the full legalization of 29 of AAU’s 40 existing and project sites, with 3 pending recommendations, which total 2,741,199 sf of AAU institutional, residential, and community facility uses. It should be noted that 6 of the 29 sites contain legal uses and do not require any additional action.

Whereas, the Department Proposed Project reflects revisions in the Proposed Project to include only residential conversions where the conversion to student housing serves a higher intensity use than what would otherwise be located on the subject site; support conversion of industrial to institutional uses only where the conversion to institutional remains industrial in nature or maintains an industrial component and is therefore best situated on the subject site rather than elsewhere in the City; support conversions of commercial to institutional uses only where the conversion to institutional use maintains a publicly-accessible, active use, and therefore is best situated on the subject site rather than elsewhere in the City; and support conversions of office uses where the institutional use is office in nature, such as the institution’s administrative headquarters, and is appropriate for the subject site. The Department

Proposed Project would result in the full legalization of 29 of AAU's 40 existing and project sites, with 3 pending recommendations. The Department Proposed Project would add about 16,370 sf of residential uses (converted from a tourist motel), and 314,592 sf of institutional uses (converted from office).

Whereas, the Department Proposed Project meets many of the Project Objectives, provides numerous public benefits, and provides greater consistency with Planning Department policies, including approving only residential conversions where the conversion to student housing serves a higher intensity use than what would otherwise be located on the subject site; permitting conversion of industrial to institutional uses only where the conversion to institutional remains industrial in nature or maintains an industrial component and is therefore best situated on the subject site rather than elsewhere in the City; permitting conversions of commercial to institutional uses only where the conversion to institutional use maintains a publicly-accessible, active use, and therefore is best situated on the subject site rather than elsewhere in the City; and permitting conversions of office uses where the institutional use is office in nature, such as the institution's administrative headquarters, and is appropriate for the subject site.

Whereas, the Planning Commission will consider—in conjunction with the proposed project—adoption of Planning Code text amendments for certain properties, Conditional Use Authorizations, Building Permits, and other applicable changes.

Whereas, the actions listed in Attachment A hereto ("Actions") are part of a series of considerations in connection with the adoption of the Academy of Art Proposed Project ("Project"), as more particularly described in Attachment A and B hereto.

Whereas, the Planning Department determined that an Environmental Impact Report ("EIR") was required for the proposed Academy of Art University Project, and provided public notice of that determination by publication in a newspaper of general circulation on September 29, 2010.

Whereas, the Planning Department on February 25, 2015 published the Draft Environmental Impact Report ("DEIR"). The DEIR was circulated for public review in accordance with the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.* ("CEQA"), the State CEQA Guidelines, 14 California Code of Regulations, Section 15000 *et seq.*, ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Planning Commission held a public hearing on the DEIR on April 16, 2015.

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on June 30, 2016, which together with the DEIR, background studies and materials, and additional information that became available, constitute the Final Environmental Impact Report ("FEIR").

Whereas, the Planning Commission, on July 28, 2016, by Motion No. 19704, reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

Whereas, the Planning Commission by Motion No. 19704, also certified the FEIR and found that the FEIR was adequate, accurate, and objective, reflected the independent judgment of the Planning Commission and that the Comments and Responses document contains no significant revisions to the DEIR that would have required recirculation under CEQA Guidelines Section 15088.5, and adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

Whereas, the Planning Department prepared proposed Findings, as required by CEQA, regarding the alternatives, mitigation measures, and significant environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, including all of the actions listed in Attachment A and B hereto, and a proposed mitigation monitoring and reporting program, attached as an Exhibit to Attachment A, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration, and actions.

**THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed and considered the FEIR and the actions associated with the Academy of Art University Project and hereby adopts the Project Findings attached hereto as Attachment A including a statement of overriding considerations, and the Mitigation Monitoring and Reporting Program.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of November 17, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: