



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: July 23, 2015

*Hearing Date:* July 23, 2015  
*Case No.:* **2011.1122E**  
*Project Name:* **75 Howard Street**  
*Zoning:* C-3-O (SD) – Downtown Office (Special Development)  
200-S Height and Bulk District  
*Block/Lot:* 3741/031; 3741/035 (Parcel 3)  
*Project Sponsor:* RDF 75 Howard LP  
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED DEMOLITION OF THE EXISTING EIGHT-LEVEL PARKING GARAGE AND CONSTRUCTION OF A 20-STORY-OVER-BASEMENT, APPROXIMATELY 220-FOOT-TALL BUILDING WITH 133 DWELLING UNITS, APPROXIMATELY 5,824 SQUARE FEET OF GROUND-FLOOR RETAIL SPACE AND 100 OFF-STREET PARKING SPACES.

MOVED, that the San Francisco Planning Commission (hereinafter “Commission”) hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2011.1122E, 75 Howard Street (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 31, 2013.
  - B. On July 31, 2013, 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 near the project site on July 31, 2013.
  - D. On July 31, 2013, 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 July 31, 2013.
2. The Commission held a duly advertised public hearing on said DEIR on September 12, 2013 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 September 23, 2013.
  3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 54-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 July 8, 2015, 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, and are part of the record before the Commission.
  6. On July 23, 2015, 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 project sponsor has indicated that the preferred project is the revised Code Compliant Alternative which is described in the FEIR (hereinafter "preferred project").
  8. The Planning Commission hereby does find that the FEIR concerning File No. 2011.1122E, 75 Howard Street 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 FEIR in compliance with CEQA and the CEQA Guidelines.

9. The Commission, in certifying the completion of said FEIR, hereby does find that the preferred project, the revised Code Compliant Alternative, which is described as an Alternative in the FEIR:
  - A. Will have a significant project-specific effect on the environment by creating new shadow in a manner that substantially affects an outdoor public area; and
  - B. Will have significant cumulative effects on the environment in that it would create new shadow that would substantially affect an outdoor public area and would contribute considerably to reasonably foreseeable future cumulative traffic increases that would cause levels of service to deteriorate to unacceptable levels at the intersection of Spear and Howard Streets.
10. The Planning Commission reviewed and considered 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 July 23, 2015.

Jonas Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: July 23, 2015