

ATTACHMENT A

Market and Octavia Area Plan Amendments California Environmental Quality Act Findings

SAN FRANCISCO PLANNING COMMISSION

PREAMBLE

In determining to approve the Project described in Section I, Project Description below, the San Francisco Planning Commission (“Commission”) makes and adopts the following findings of fact and decisions regarding the significant and unavoidable impacts of the Project, and mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. (“CEQA”), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. (“CEQA Guidelines”), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA, separate and apart from the Commission's certification of the Project's Final Environmental Impact Report (“FEIR”), which the Commission certified prior to adopting these CEQA findings.

These findings are organized as follows:

- **Section I** provides a description of the proposed Hub Plan (hereinafter, the “Project”), the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.
- **Section II** identifies the Project's less-than-significant impacts that do not require mitigation.
- **Section III** identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.
- **Section IV** identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level, and describes any applicable mitigation measures as well as the disposition of the mitigation measures.
- **Section V** evaluates the different Project alternatives and the economic, legal, social, technological, and other considerations that support approval of the Project and the rejection of the alternatives, or elements thereof.

- **Section VI** presents a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 that sets forth specific reasons in support of the Commission’s actions and its rejection of the alternatives not incorporated into the Project.

The Mitigation Monitoring and Reporting Program (“MMRP”) for the mitigation measures that have been proposed for adoption is attached with these findings as **Attachment B** to Planning Commission Motion No. [_____]. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce or avoid a significant adverse impact. Attachment B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in Attachment B.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report (“DEIR”) or Responses to Comments document are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION I. Project Description and Procedural Background

A. Project Description

The project sponsor for the Hub Plan and the Hub HSD, the San Francisco Planning Department (“Department”), proposes to implement the Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan. The Hub Plan would encourage housing and safer and more walkable streets, as well as welcoming and active public spaces and increased transportation options by changing current zoning controls applicable to the area and implementing public realm improvements. In addition, the Department proposes the designation of all or portions of the Hub Plan area as an HSD to allow the City of San Francisco (“City”) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements.

The Hub Plan would change current zoning controls in the Hub Plan area to meet plan objectives. This would include changes to height and bulk districts for select parcels to allow more housing, including more affordable housing. Modifications to land use zoning controls would also allow more flexibility for development of nonresidential uses, specifically office, institutional, art, and public uses. Under the proposed zoning, there would be two zoning districts, Downtown General Commercial (C-3-G) and Public (P), and the Van Ness & Market Residential Special Use District (“SUD”) would be expanded to encompass the entire Hub Plan area. A portion of the Veterans Commons SUD would be changed to the Van Ness & Market Residential SUD. All sites in the Hub Plan area would continue to be zoned for residential and active uses on the ground floor that provide neighborhood services and amenities. In addition, the existing prohibition on certain nonresidential uses above the fourth floor would be eliminated. Further, the SUD residential-to-nonresidential ratio would increase to three square feet of residential use for every one square foot of nonresidential land use (i.e., a 3:1 ratio), with arts, institutional, replacement office, and public uses exempt from this requirement. In addition, requirements for micro retail would encourage a mix of retail sizes and uses and decrease off-street vehicular parking capacity within the Hub Plan area, a transit-rich location, by reducing the currently permitted off-street vehicular parking maximums. The Hub Plan also calls for public realm improvements to streets and

alleys within and adjacent to the Hub Plan area, such as sidewalk widening, streetlight upgrades, median realignment, road and vehicular parking reconfiguration, tree planting, the elimination of one segment of travel on Duboce Avenue, and the addition of bulb-outs.

The Hub Plan seeks to increase the space available for housing through changes to the Planning Code and the Zoning Map to allow the development of a taller, larger, denser, and more diverse array of buildings and heights on select parcels within the Hub Plan area. The proposed zoning under the Hub Plan would allow for additional height at the two major intersections at Market Street and Van Ness Avenue and Mission Street and South Van Ness Avenue, with towers ranging from 250 to 650 feet. This proposed zoning would allow increases in heights for 18 sites. If all of these sites were to be developed to the proposed maximum height limit, the changes would result in approximately 8,530¹ new residential units (approximately 16,540 new residents). This estimate also assumes a 15 percent increase in the number of units to account for potential density bonuses allowed by either state or local regulations.

The Hub Plan area, which is irregular in shape and approximately 84 acres, is spread across various city neighborhoods, such as the Downtown/Civic Center, South of Market (SoMa), Western Addition, and Mission neighborhoods. The Hub Plan area is entirely within the boundaries of the Market and Octavia Area Plan. In addition to the streets in the Hub Plan area, adjacent streets such as Lily Street between Gough Street and Franklin Street, Minna Street between 10th Street and Lafayette Street, and Duboce Avenue between Valencia Street and Mission Street are included in the project description.

B. Project Objectives

The FEIR discusses several Hub Plan Project objectives identified by the Department. The objectives are as follows:

1. Create a vibrant mixed-used neighborhood.
2. Maintain a strong preference for housing as a desired use.
3. Encourage residential towers on selected sites.
4. Establish a functional, attractive, and well-integrated system of public streets and open spaces.
5. Reconfigure major streets and intersections to make them safer for people walking, bicycling, and driving.
6. Take advantage of opportunities to create public spaces.

In addition, the project objectives for the Hub HSD are:

1. To allow for ministerial approval of housing projects in the Hub Plan area.
2. To streamline environmental review of housing projects in the Hub Plan area.

C. Project Approvals

The Hub Plan

¹ This represents the number of new housing units that could be built. This number does not represent capacity of housing units under the proposed zoning.

Approval of the Hub Plan by the San Francisco Planning Commission and San Francisco Board of Supervisors, specifically, the General Plan, Planning Code, and Zoning Map amendments, would also approve land use and height changes proposed.

The Hub Plan requires the following Board of Supervisors approvals:

- Approve General Plan amendments, Planning Code text amendments, Business and Tax regulations code amendments, and zoning map amendments to update the Market and Octavia Area plan and change the land use, zoning, and height and bulk classifications in the Hub Plan area.
- Approve encroachment permits for the installation of nonstandard street or sidewalk paving or other nonstandard street or sidewalk improvements.

The Hub Plan requires the following Commission approvals/actions:

- Certify the Environmental Impact Report.
- Initiate general plan amendments.
- Recommend to the San Francisco Board of Supervisors General Plan amendments, Planning Code text amendments, Business and Tax regulations code amendments, and zoning map amendments to update the Market and Octavia Area plan and change the land use, zoning, and height and bulk classifications in the Hub Plan area.

The Hub Plan requires the following San Francisco Municipal Transportation Agency approvals/actions:

- Approve vehicular parking and traffic changes associated with the Hub Plan's circulation, streetscape improvements, and street network changes.

The Hub Plan requires the following San Francisco Public Health approvals/actions:

- Approve the use of groundwater wells during dewatering associated construction.

The Hub Plan requires the following San Francisco Public Utilities Commission approvals/actions:

- Approve landscape and irrigation plans. This applies to projects installing or modifying 500 square feet or more of landscape area.
- Approve the use of groundwater wells during dewatering associated construction.

The Hub Plan requires the following San Francisco Public Works approvals/actions:

- Approve streetscape improvements.

The Hub Plan requires the following Caltrans approvals/actions:

- Approve the redesign of South Van Ness Avenue (U.S. 101) between Mission and 13th streets.

D. Environmental Review

On May 23, 2018, the Department published a NOP for the Environmental Impact Report and Notice of Public Scoping Meeting for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District. Publication of the NOP initiated a 30-day public review and comment period that ended on June 22, 2018. On June 12, 2018, the Department held a public scoping meeting regarding the Project.

On July 24, 2019, the Department published the 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. Notices of availability of the DEIR and the date and time of the public hearing were posted near the project site by the Project Sponsor on July 24, 2019. The EIR contains both analysis at a "program-level" pursuant CEQA Guidelines section 15168 for adoption and implementation of the Hub Plan, and "project-level" environmental review for the Project's streetscape and street network improvements, and the project at 30 Van Ness Avenue and the project at 98 Franklin Street. The EIR also evaluates the designation of portions or all of the Hub Plan area as an HSD, in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On August 29, 2019, the Commission held a duly advertised public hearing on the DEIR, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for commenting on the DEIR ended on September 9, 2019. The Department prepared responses to comments on environmental issues received during the 46 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 clerical errors in the DEIR.

A 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, the Responses to Comments document, and an Errata document dated April 20, 2020, all as required by law. 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.

On May 14, 2020, the Commission 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 comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code. The FEIR was certified by the Commission on May 14, 2020 by adoption of its Motion No. [_____].

E. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the proposed Project are based include the following:

- The FEIR, and all documents referenced in or relied upon by the FEIR, including the Responses to Comments document;
- All information (including written evidence and testimony) provided by City staff to the Commission relating to the FEIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the FEIR;
- All information (including written evidence and testimony) presented to the Commission by the environmental consultant and subconsultants who prepared the FEIR, or incorporated into reports presented by the Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the FEIR;
- All applications, letters, testimony, and presentations presented to the City by the Department and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the EIR;
- The MMRP; and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcripts and audio files, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Department, Jonas P. Ionin, is the custodian of these documents and materials.

F. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III and IV set forth the Commission's findings about the FEIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the FEIR and adopted by the Commission as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the FEIR, these findings will not repeat the analysis and conclusions in the FEIR, but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings.

In making these findings, the Commission has considered the opinions of the Department and other City staff and experts, other agencies, and members of the public. The Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the City; (ii) the significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City staff; and (iii) the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Commission is not bound by the significance determinations in the FEIR (see Public Resources Code, Section 21082.2, subdivision(e)), the Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the FEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the FEIR, and these findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts and incorporates in these findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings, and relies upon them as substantial evidence supporting these findings.

As set forth below, the Commission adopts and incorporates the mitigation measures for the Project set forth in the FEIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Commission intends to adopt the mitigation measures proposed in the FEIR that are within its jurisdiction and urges other City agencies and departments that have jurisdiction over other mitigation measures proposed in the FEIR, and set forth in the MMRP, to adopt those mitigation measures. Accordingly, in the event a mitigation measure recommended in the FEIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the FEIR due to a clerical error, the language of the policies and implementation measures as set forth in the FEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FEIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the FEIR or the mitigation measures recommended in the FEIR for the Project.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION II. IMPACTS OF THE PROJECT FOUND TO BE LESS-THAN SIGNIFICANT AND THUS DO NOT REQUIRE MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.). Based on the evidence in the whole record of this proceeding, the Planning Commission finds that the Project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation:

Transportation and Circulation

- Cause substantial additional VMT or substantially induce automobile travel.
- Create major driving hazards.
- Substantially delay local or regional transit or create potentially hazardous conditions for public transit providers.

- Cause hazardous conditions for people walking or otherwise interfere with accessibility for people walking to the project site or adjoining areas.
- Create hazardous conditions for people bicycling or otherwise interfere with bicycle accessibility.
- Result in a substantial vehicular parking deficit.
- Result in inadequate emergency access.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site:
 - contribute considerably to significant cumulative impacts related to VMT or substantially induce automobile travel.
 - contribute considerably to significant cumulative impacts related to traffic hazards.
 - contribute considerably to significant cumulative impacts on transit.
 - contribute considerably to significant cumulative impacts on people walking.
 - contribute considerably to significant cumulative bicycle impacts.
 - contribute considerably to significant cumulative vehicular parking impacts.
 - contribute considerably to significant cumulative impacts related to emergency access.

Noise

- In combination with past, present, and reasonably foreseeable future projects, result in the generation of excessive ground-borne vibration or ground-borne noise levels during construction.

Air Quality

- Conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan.
- Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in nonattainment status under an applicable federal, state, or regional ambient air quality standard.
- Construction and operation of streetscape and street network improvements proposed would not result in a cumulatively considerable net increase in criteria pollutants for which the project region is in nonattainment status under an applicable federal, state, or regional ambient air quality standard.
- Construction and operational activities of streetscape and street network improvements proposed would not result in emissions of fine particulate matter (PM_{2.5}) and toxic air contaminants that could expose sensitive receptors to substantial levels of toxic air contaminants.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Biological Resources

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The Initial Study determined that the Project would result in a less than significant impact or no impact for the following impact areas and, therefore, these impact areas were not included in the EIR for further analysis:

- Land Use and Land Use Planning (all impacts)
- Aesthetics (all impacts)
- Population and Housing (all impacts)
- Transportation and Circulation (impacts to air traffic)
- Noise (impacts related to airport noise)
- Greenhouse Gas Emissions (all impacts)
- Recreation (all impacts)
- Utilities and Services Systems (all impacts)
- Public Services (all impacts)
- Biological Resources (impacts to movement of native resident or migratory fish or wildlife species or with established wildlife corridors or use of native wildlife nursery sites; or conflict with local policies or ordinances)
- Geology and Soils (all impacts, except impacts to paleontological resources or sites or unique geological features)
- Hydrology and Water Quality (all impacts)
- Hazards and Hazardous Materials (all impacts)
- Mineral and Energy Resources (all impacts)
- Agriculture and Forest Resources (all impacts)

SECTION III. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this Section III and in Section IV concern mitigation measures set forth in the Draft EIR to mitigate the potentially significant impacts of the Project. These mitigation measures are included in the MMRP. A copy of the MMRP is included as Attachment B to the Planning Commission Motion adopting these findings.

The Planning Department, as the Project Sponsor, has agreed to implement the following mitigation measures to address the potential transportation and circulation, noise, air quality, cultural resources, and geology and soils impacts identified in the Initial Study and/or FEIR. As authorized by CEQA Section 21081 and CEQA Guidelines Sections 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Commission finds that, unless otherwise stated, the Project will be required to incorporate mitigation measures identified in the Initial Study and/or FEIR into the Project to mitigate or avoid significant or potentially significant environmental impacts. These mitigation measures will reduce or avoid the potentially significant impacts described in the Initial Study and/or FEIR, and the Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and will be included as conditions of approval for any project approvals under the Plan, and also will be enforced through conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level. The Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

Cultural Resources

- **Impact CUL-3:** The proposed Project could result in a substantial adverse change in the significance of an individual built environment resource and/or historic district, as defined in section 15064.5, including those resources listed in article 10 or 11 of the San Francisco Planning Code, from ground-borne vibration caused by temporary construction activities. With implementation of *Mitigation Measure M-NOI-1a (Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use)*, Impact CUL-3 is reduced to a less-than-significant level.

Construction activities occurring as a result of the Project are analyzed for their potential to materially impair the significance of historical resources under Impact NOI-3.

- **Impact CUL-4:** The proposed Project could cause a substantial adverse change in the significance of an archaeological resource, as defined in section 15064.5. With implementation of *Mitigation Measures M-CUL-4a: Project-Specific Preliminary Archaeological Review for Project Involving Soil Disturbance, M-CUL-4b: Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance, and M-CUL-4c: Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements*, Impact CUL-4 is reduced to a less-than-significant level.

Ground-disturbing activities would occur during subsequent development projects under the Hub Plan, including streetscape and street network improvements, across the Hub Plan area. Subsequent development projects under the Hub Plan could include excavations for foundations and basement levels; the depth of these future excavations is unknown at this time. Streetscape and street network improvements and new building developments would occur in areas, and at depths, that are sensitive for both prehistoric and historical archaeological resources. Therefore, excavations from subsequent development and from the streetscape and street network changes have the potential to physically damage or destroy as-yet undocumented archaeological resources, resulting in significant impacts on archaeological resources. With implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, and, in instances where street network improvements are proposed within the Hub Plan area, M-CUL-4c, avoidance or minimization of adverse effects on archaeological resources would occur, or archaeological monitoring when avoidance or minimization is not possible would occur to preserve significant information from an archaeological resource, Hub Plan-related impacts on archaeological resources would be reduced to less-than-significant levels.

- **Impact CUL-5:** The proposed Project could disturb human remains, including those interred outside of formal cemeteries. *Mitigation Measures M-CUL-4a (Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance); M-CUL-4b (Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance); and M-CUL-4c (Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements)*, Impact CUL-5 is reduced to a less-than-significant level.

There are no known extant archaeological resources that contain human remains within the Hub Plan area; CA-SFR-28 was discovered in the Hub Plan area but was removed during construction of the Civic Center

BART station. However, proposed construction activity would extend below the known depth of fill and into undisturbed dune and marsh deposits, which have elevated potential for containing buried archaeological resources and associated human remains. Therefore, excavations have the potential to damage or destroy known archaeological resource and/or as-yet undocumented archaeological resources that include human remains, resulting in a significant impact. Impacts on archaeologically significant human remains would be mitigated to a less-than-significant level with implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, and M-CUL-4c through avoidance or minimization of adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resource.

- **Impact C-CUL-3:** In combination with past, present, and reasonably foreseeable projects in the vicinity, the proposed Project could result in a significant cumulative impact on archaeological resources and human remains. With implementation of *Mitigation Measures M-CUL-4a (Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance)*; *M-CUL-4b (Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance)*; *M-CUL-4c (Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements)*; *M-CUL-4d (Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report)*, Impact C-CUL-3 is reduced to a less-than-significant level.

The Hub Plan would result in ground-disturbing activities in areas identified as having moderate to high sensitivity for containing buried undocumented historical and prehistoric archaeological resources, which may also contain human remains. These ground-disturbing activities have the potential to affect undocumented archaeological resources and human remains. Therefore, the Hub Plan, when considered with the past, present, and reasonably foreseeable future projects within and surrounding the Hub Plan area that would include ground-disturbing activities with the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on archaeological resources and human remains; the impact would be significant. With implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, M-CUL-4c, M-CUL-4d, the Project's contribution to impacts on archaeological resources and human remains would be reduced to a less than considerable level through avoidance or minimization of adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resource.

Noise

- **Impact NOI-3:** The proposed Project would generate excessive ground-borne vibration or ground-borne noise levels. With implementation of *Mitigation Measures M-NOI-3a (Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration)*, *M-NOI-3b (Construction Monitoring Program for Structures Potentially Affected by Vibration)*, Impact NOI-3 is reduced to a less-than-significant level.

No immediate changes are anticipated to occur with Hub Plan implementation that would result in construction vibration. However, construction of subsequent development projects under the Hub Plan could involve the use of vibration generating construction equipment, which could result in damage to structures or, if operated during nighttime hours, sleep disturbance. These effects of construction vibration are analyzed below. Streetscape and street network improvements would also generate construction

vibration. Implementation of Mitigation Measures M-NOI-3a and M-NOI-3b would ensure that any cosmetic or structural damage caused by construction-related vibration would be avoided or identified through a monitoring program and repaired as necessary to its pre-construction condition. Therefore, following the implementation of M-NOI-3a and M-NOI-3b, construction vibration impacts from the Project would be reduced to a less-than-significant level.

- **Impact NOI-4:** During operation, the proposed Project would result in the generation of a substantial temporary or permanent *increase* in ambient noise levels in the Hub Plan area in excess of standards. With implementation of *Mitigation Measures M-NOI-4 (Noise Analysis for Projects in Excess of Applicable Noise Standards)*, Impact NOI-4 is reduced to a less-than-significant level.

Subsequent development under the Hub Plan could result in the siting of noise sources, such as places of entertainment, emergency generators, HVAC and mechanical equipment, new outdoor gathering spaces, and loading areas, among other noise-generating uses. Although some noise sources are regulated by article 29, article 29 regulation occurs in response to complaints received by the City. Because this process is typically complaint based, it is possible that noise sources regulated by article 29 could be installed and operated out of compliance with article 29 regulations. Also, there are several noise-generating sources that may be included in subsequent development projects under the Hub Plan that are not regulated by article 29, such as noise from loading areas. Therefore, the potential exists for these noise sources to generate a temporary or permanent increase in noise levels in excess of the noise ordinance standards. As stated on page 3.C-69 of the DEIR, impacts on ambient noise levels would be mitigated to a less-than-significant level with implementation of Mitigation Measure M-NOI-4 because the measure would ensure that design and/or changes in operation would comply with the applicable municipal code criteria.

- **Impact C-NOI-3:** Operation of the proposed Project, in combination with past, present, and reasonably foreseeable projects in the vicinity, would result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards. With implementation of *Mitigation Measure M-NOI-4 (Noise Analysis for Projects in Excess of Applicable Noise Standards)*, Impact C-NOI-3 is reduced to a less-than-significant level.

In general, most operational sources of noise do not generate noise that is perceptible far beyond the edge of a project site. However, it is possible that operational sources of noise for subsequent development projects under the Hub Plan, as well as other cumulative projects in the Hub Plan area, could generate noise in excess of allowable levels or result in a permanent increase in ambient noise levels. It is also possible noise-generating uses from subsequent development projects under the Hub Plan and other projects in the Hub Plan area could be located close enough to one another that operational (non-traffic) noise from multiple projects could combine and result in a cumulative noise impact. Therefore, because complete details about noise-generating uses for subsequent development projects under the Hub Plan and other nearby cumulative projects are not known, it is possible that noise from multiple subsequent development projects or sources could combine to cause a cumulative impact. Therefore, without mitigation, the Hub Plan would result in a cumulatively considerable contribution to this cumulative impact. As stated on page 3.C-85 of the DEIR, impacts on ambient noise levels would be mitigated to a less-than-significant level with implementation of Mitigation Measure M-NOI-4 because the measure would reduce potential conflicts between existing sensitive receptors and new noise-generating uses and ensure that design and/or changes in operation would comply with the applicable municipal code criteria.

Air Quality

- **Impact AQ-4:** During construction, the Hub Plan could result in a cumulatively considerable net increase in criteria air pollutants for which the project region is in nonattainment status under an applicable federal, state, or regional ambient air quality standard. With implementation of *Mitigation Measures M-AQ-4a (Construction Emissions Analysis for Projects Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds)* and *M-AQ-4b (Construction Emissions Minimization Plan for Projects Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds or as Required by Impact AQ-7)* Impact AQ-4 is reduced to a less-than-significant level.

Implementation of the Hub Plan, except for the Hub Plan's proposed streetscape and street network improvement projects would not, in and of itself, result in construction related-emissions. However, for the purposes of the Hub Plan-level analysis, it is recognized that construction of subsequent development projects would result in criteria air pollutant emissions. Implementation of the Hub Plan would allow for development of new residential, office, retail, and other uses, at a greater intensity than is currently allowed under existing land use controls. Most development projects in the Hub Plan area would entail demolition and removal of existing structures, excavation, site preparation and construction of new buildings. Emissions generated during construction activities would include exhaust emissions from heavy duty construction equipment, trucks used to haul construction materials to and from sites, and worker vehicle emissions, as well as fugitive dust emissions associated with earth-disturbing activities and other demolition and construction work. As stated on pages 3.D-51 through-52, implementation of Mitigation Measures M-AQ-4a and M-AQ-4b would ensure that construction-related emissions would be less than significant by requiring the use of construction equipment which generate lower emissions of criteria air pollutants.

Wind

- **Impact WI-1:** The proposed Project could create wind hazards in publicly accessible areas with substantial pedestrian use. With Implementation of *Mitigation Measures M-WI-1a (Wind Analysis and Minimization Measures for Subsequent Projects)*; *M-WI-1b (Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way)*, Impact WI-1 is reduced to a less-than-significant level.

Subsequent development projects proposed in the Hub Plan area may combine building exposure, massing, and/or orientation in a way that accelerates wind speeds at the ground level. In addition, future affordable housing projects in the Hub Plan area could result in additional height, as allowed by density bonus programs. Design details, such as setting back a tall tower from the edges of a podium, installing deep canopies close to ground level, installing wind screens, and planting trees with dense landscaping, could help reduce wind speeds at all future projects. The choice and effectiveness of these measures would depend on the exposure and orientation of the site with respect to the prevailing wind directions and the size and massing of the proposed buildings. These structural features would be expected to reduce ground-level wind speeds and turbulence. For the program-level wind testing, wind tunnel models did not include detailed landscape features in open areas or specific building articulation beyond basic setbacks or specific plans identified under the Approach to Analysis section, above. Without these features included in the wind tunnel model, the test results reported are conservative and likely to indicate higher wind speeds than would actually occur. However, the Hub Plan would rezone all of the Hub Plan area to Downtown General Commercial (C-3-G) zoning, with the exception of the two small pockets of existing Public (P)

zoning. Therefore, any buildings proposed in the Hub Plan area, including projects for which additional height is requested, pursuant to state density bonus law, would be required to comply with section 148. The specific design for subsequent projects, when proposed, would be required to not exceed the wind hazard criterion specified in section 148. Building articulation and landscaping features for subsequent development projects could eliminate the 11 net new hazard criterion exceedances that were identified in the Hub Plan condition. However, because these details have not been developed and cannot be known at this time, it is not possible to assess the effects that these specific design measures for future buildings may have on winds in the Hub Plan area and vicinity. Therefore, the program level wind testing of the massing model indicates that the Hub Plan could result in 11 net new exceedances of the one-hour per year hazard criterion, resulting in a significant impact. Implementation of Mitigation Measures M-WI-1a and M-WI-1b would reduce the potential for a net increase in wind hazard exceedances and the hours of wind hazard exceedances through identification of methods to comply with section 148 and a specific maintenance plan to ensure wind baffling in perpetuity. Therefore, implementation of Mitigation Measures M-WI-1a and M-WI-1b impact would be reduced to less than significant with mitigation.

Tribal Cultural Resources

- **Impact TCR-1:** The proposed Project could result in a substantial adverse change in the significance of a tribal cultural resource. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact TCR-1 is reduced to a less-than-significant level.

Prehistoric archaeological resources may also be considered tribal cultural resources. In the event that project activities associated with the Project disturb unknown archaeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require the Project to be redesigned to avoid adverse effects on significant tribal cultural resource, if feasible. If preservation in place is not feasible, the measure would require implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives. With implementation of this mitigation measure, the Project would have a less-than-significant impact on tribal cultural resources.

- **Impact C-TCR-1:** In combination with past, present, and reasonably foreseeable projects in the city, the proposed Project could result in a significant cumulative impact on tribal cultural resources. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact C-TCR-1 is reduced to a less-than-significant level.

Ground-disturbing activities have the potential to affect undocumented tribal cultural resources. Without mitigation, the Project, when considered against the past, present, and reasonably foreseeable future projects within and surrounding the Hub Plan area that would include ground-disturbing activities that have the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on tribal cultural resources. This is because the Project has the potential to damage or destroy as-yet undocumented archaeological resources that have the potential to be eligible for listing in the California Register, and which may be considered of traditional importance to Native American tribes. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require redesign to avoid adverse effects on significant tribal cultural resource, if feasible; and if

preservation in place is not feasible, the measure would require implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives, which would reduce the cumulative impacts of the Hub Plan and individual development projects on potential tribal cultural resources to less-than-significant levels.

Biological Resources

- **Impact BI-1:** The Hub Plan could have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact BI-1 is reduced to a less-than-significant level.

Impacts on nesting special-status birds, American peregrine falcon nests or individuals, and special-status bat roosts could be significant. Mitigation Measures M-BI-1 and M-BI-2 would be implemented to avoid impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species and would reduce impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species to less than significant with mitigation. The implementation of Mitigation Measures M-BI-1 and M-BI-2 would comply with CEQA requirements by avoiding impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species. Through the avoidance of active nests and roosts specified in the mitigation measures, impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species would be reduced to a less-than-significant level.

- **Impact C-BI-1:** In combination with other past, present, or reasonably foreseeable projects, the proposed Hub Plan would not result in a considerable contribution to cumulative impacts on biological resources. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact C-BI-1 is reduced to a less-than-significant level.

The subsequent development projects incentivized by the Hub Plan would not adversely affect biological resources; however, vegetation removal and structure demolition or modification could result in potential impacts on nesting migratory and special-status birds and roosting bats. Through the avoidance of active nests and roosts specified in the relevant mitigation measures described above (M-BI-1 and M-BI-2) and compliance with the City of San Francisco Standards for Bird-Safe Buildings (I-BI-1), subsequent development projects incentivized by the Hub Plan would have less-than-significant impacts on sensitive species. Tree removals would require permits through public works, and subsequent tree replacement would occur pursuant to the Planning Code and the Better Streets Plan. Development projects in downtown San Francisco would be required to comply with the same laws and regulations. Therefore, with implementation of mitigation measures, no significant cumulative effects on biological resources would result from development within the Hub Plan area combined with the effects of development projects in the greater downtown San Francisco area. The impact would be reduced to a less-than-significant level.

Geology and Soils

- **Impact GE-7:** Construction activities for the Hub Plan would directly or indirectly result in damage to, or destruction of, as-yet unknown paleontological resources or sites, should such resources, sites, or features exist on or beneath the Project site. With implementation of *Mitigation Measure M-GE-1 (Inadvertent Discovery of Paleontological Resources)*, Impact GE-7 would be less-than-significant.

The Project could extend into the Colma formation; impacts on significant fossils would be significant. Implementation of Mitigation Measure M-GE-1, which would require that the Project Sponsor educate construction workers, monitor for discovery of paleontological resources, evaluate found resources, and prepare and follow a recovery plan for found resources, would reduce the likelihood that significant, or unique, paleontological resources would be destroyed or lost. With implementation of this mitigation measure, the impact would be less than significant.

SECTION IV. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The FEIR identifies ten significant impacts that would remain significant and unavoidable, even with implementation of mitigation measures; those impacts and the mitigation measures that reduce the impacts, although not to a less-than-significant level, are listed below. In addition, the FEIR identifies four impacts that would be significant and unavoidable, where mitigation is not feasible. Those impacts are also listed below.

The Commission further finds based on the analysis contained within the FEIR, other considerations in the record, and the significance criteria identified in the FEIR, that feasible mitigation measures are not available to reduce the significant Project impacts to less-than-significant levels, and thus those impacts remain significant and unavoidable. The Commission also finds that, although measures were considered in the FEIR that could reduce some significant impacts, certain measures, as described in this Section IV below, are infeasible for reasons set forth below, and therefore those impacts remain significant and unavoidable or potentially significant and unavoidable.

Thus, the following significant impacts on the environment, as reflected in the FEIR, are unavoidable. But, as more fully explained in Section VI, below, under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Commission finds that these impacts are acceptable for the legal, environmental, economic, social, technological and other benefits of the Project. This finding is supported by substantial evidence in the record of this proceeding.

The FEIR identifies the following impacts for which mitigation measures were identified, but no feasible mitigation measures were identified that would reduce these impacts to a less than significant level, and therefore they remain significant and unavoidable with mitigation:

Impacts to Cultural Resources

Impact CUL-1

The proposed Hub Plan could cause a substantial adverse change in the significance of individual built-environment resources and/or historic districts, as defined in section 15064.5, including resources listed in articles 10 or 11 of the San Francisco Planning Code. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-CUL-1a: Avoid or Minimize Effects on Identified Built Environment Resources;*
- *Mitigation Measure M-CUL-1b: Prepare and Submit Historical Documentation of Built Environment Resources;*
- *Mitigation Measure M-CUL-1c: Develop and Implement an Interpretive Program for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District;*
- *Mitigation Measure M-CUL-1d: Video Recordation for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District;*
- *Mitigation Measure M-CUL-1e: Architectural Salvage for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District; and*
- *Mitigation Measure M-CUL-1f: New Locations for Auxiliary Water Supply System Elements to Preserve Historic District Character.*

The Commission finds that, for the reasons set forth in the FEIR, although implementation of *Mitigation Measures M-CUL-1a, M-CUL-1b, M-CUL-1c, M-CUL-1d, M-CUL-1e, and M-CUL-1f* would partially compensate for impacts associated with development under the Hub Plan through comprehensive documentation and memorialization of historic resources, but this impact would nevertheless remain significant and unavoidable because the mitigation measures would not be enough to avoid, rectify, reduce, or compensate for the loss of built-environmental resources, as set forth in the DEIR at pages 3.A-71 to 3.A-85.

Impact C-CUL-1

The proposed Hub Plan, in combination with past, present, and reasonably foreseeable projects in the vicinity, would result in demolition and/or alteration of built-environment resources. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the mitigation measures M-CUL-1a to M-CUL-1f, as detailed above.

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at page 3.A-107, although implementation of *Mitigation Measures M-CUL-1a, M-CUL-1b, M-CUL-1c, M-CUL-1d, M-CUL-1e, and M-CUL-1f* would partially compensate for impacts associated with development under the Hub Plan and other cumulative projects, through comprehensive documentation and memorialization of historic resources, but this impact would nevertheless remain significant and unavoidable because the mitigation measures would not be enough to avoid, rectify, reduce, or compensate for the loss of built-environmental resources.

Impacts to Transportation and Circulation

Impact TR-1

The proposed Hub Plan would require an extended duration for the construction period and intense construction activity, the secondary effects of which could create potentially hazardous conditions for people walking, bicycling, or driving; interfere with accessibility for people walking or bicycling; or substantially delay public transit. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measure:

- *Mitigation Measure M-TR-1: Construction Management Plan*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.B-56 to 3.B-58, although implementation of *Mitigation Measure M-TR-1* would reduce the cumulative transportation and circulation impact of the construction phase of the Project, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant impacts related to hazardous conditions for people walking or bicycling, or driving; interference with accessibility for people walking or bicycling; or substantially delay public transit.

Impact C-TR-1

The proposed Hub Plan, combined with past, present, and reasonably foreseeable future projects, would contribute considerably to significant cumulative construction-related transportation impacts. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measure:

- *Mitigation Measure M-TR-1: Construction Management Plan*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.B-92 to 3.B-93, although implementation of *Mitigation Measure M-TR-1* would reduce the cumulative transportation and circulation impact of the construction phase of the Project, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative impacts related to conflicts between multiple construction activities and pedestrians, bicyclists, transit vehicles and automobiles.

Impacts to Noise

Impact NOI-1

The proposed Hub Plan would generate of a substantial temporary or permanent increase in ambient noise levels in excess of standards. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-NOI-1a: Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use; and*
- *Mitigation Measure M-NOI-1b: Site-Specific Noise Control Measures for Projects Involving Pile Driving.*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.C-36 to 3.C-39, although implementation of *Mitigation Measures M-NOI-1a and M-NOI-1b* would reduce the noise impact resulting from the generation of substantial temporary or permanent increases in ambient noise levels, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant increase in ambient noise.

Impact C-NOI-1

The proposed Hub Plan, combined with past, present, and reasonably foreseeable future projects, would alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative noise impact and result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-NOI-1a: Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use; and*
- *Mitigation Measure M-NOI-1b: Site-Specific Noise Control Measures for Projects Involving Pile Driving*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.C-78 to 3.C-79, although implementation of *Mitigation Measures M-NOI-1a and M-NOI-1b* would reduce the cumulative noise impact resulting from the generation of substantial temporary or permanent increases in ambient noise levels, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in ambient noise.

Impacts to Air Quality

Impact AQ-5

During operation, the Hub Plan could result in a cumulatively considerable net increase in criteria air pollutants for which the project region is in nonattainment status under an applicable federal, state, or regional ambient air quality standard. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-AQ-5a: Educate Residential and Commercial Tenants Concerning Low-VOC Consumer Products;*
- *Mitigation Measure M-AQ-5b: Reduce Operational Emissions for Projects That Exceed Criteria Air Pollutant Thresholds; and*
- *Mitigation Measure M-AQ-5c: Best Available Control Technology for Projects with Diesel Generators and Fire Pumps.*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.D-54 to 3.D-55, although implementation of *Mitigation Measures M-AQ-5a, M-AQ-5b, and M-AQ-5c* would reduce the air quality impact resulting from the cumulative considerable net increase in criteria air pollutants, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in air pollutants.

Impact AQ-7

The Hub Plan would result in emissions of fine particulate matter (PM_{2.5}) and toxic air contaminants that could expose sensitive receptors to substantial level of toxic air contaminants. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. In addition to M-AQ-5c, above, the Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-AQ-7a: Additional Air Quality Improvement Strategies to Reduce Hub Plan-Generated Emissions and Population Exposure;*
- *Mitigation Measure M-AQ-7b: Air Quality Analysis That Considers the Siting of Uses That Emit Particulate Matter (PM_{2.5}), Diesel Particulate Matter, or Other Toxic Air Contaminants;*
- *Mitigation Measure M-AQ-7c: Design Land Use Buffers Around Active Loading Docks;*
- *Mitigation Measure M-AQ-7d: Implementation of Mitigation Measures M-AQ-4b and M-AQ-5c for Projects within the Existing or Future Air Pollutant Exposure Zone; and*
- *Mitigation Measure M-AQ-7e: Update Air Pollution Exposure Zone.*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.D-72 to 3.D-76, although implementation of *Mitigation Measures M-AQ-5c, M-AQ-7a, M-AQ-7b, M-AQ-7c, M-AQ-7d, and M-AQ-7e* would reduce the air quality impact resulting from the net increase in fine particulate matter, cancer risk levels, and toxic air contaminants, and due to uncertainty of timing, duration, and intensity of construction, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in air pollutants.

Impact C-AQ-1

The Hub Plan, in combination with past, present, and reasonably foreseeable projects in the vicinity, would result in exposure of sensitive receptors to substantial levels of fine particulate matter (PM_{2.5}) and toxic air contaminants under 2040 cumulative conditions. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measure M-AQ-4b: Construction Emissions Minimization Plan for Projects Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds;*
- *Mitigation Measure M-AQ-5c: Best Available Control Technology for Projects with Diesel Generators and Fire Pumps;*
- *Mitigation Measure M-AQ-7a: Additional Air Quality Improvement Strategies to Reduce Hub Plan-Generated Emissions and Population Exposure;*
- *Mitigation Measure M-AQ-7b: Air Quality Analysis That Considers the Siting of Uses That Emit Particulate Matter (PM_{2.5}), Diesel Particulate Matter, or Other Toxic Air Contaminants;*
- *Mitigation Measure M-AQ-7c: Design Land Use Buffers Around Active Loading Docks;*
- *Mitigation Measure M-AQ-7d: Implementation of Mitigation Measures M-AQ-4b and M-AQ-5c for Projects within the Existing or Future Air Pollutant Exposure Zone; and*
- *Mitigation Measure M-AQ-7e: Update Air Pollution Exposure Zone.*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.D-101 to 3.D-102, although implementation of *Mitigation Measures M-AQ-4b, M-AQ-5c, M-AQ-7a, M-AQ-7b, M-AQ-7c, M-AQ-7d, and M-AQ-7e* would reduce the cumulative particulate matter, cancer risk levels, and toxic air contaminants generated by construction equipment, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in particular matter and toxic air contaminants.

Impacts to Wind

Impact C-WI-1

The proposed Hub Plan, combined with past, present, and reasonably foreseeable future projects, would alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative wind impact. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following Mitigation Measures:

- *Mitigation Measure M-WI-1a: Wind Analysis and Minimization Measures for Subsequent Projects; and*
- *Mitigation Measure M-WI-1b: Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way.*

The Commission finds that, for the reasons set forth in the FEIR, and more specifically in the DEIR at pages 3.E-20 to 3.E-22, although implementation of *Mitigation Measures M-WI-1a* and *M-WI-1b* would reduce the cumulative wind impact of the Project, this impact would nevertheless remain significant and unavoidable. The specific design for subsequent reasonably foreseeable projects, when proposed, would be required not to exceed the wind hazard criterion specified in San Francisco Planning Code section 148. Building articulation and landscaping features for subsequent development projects could eliminate new hazard criterion exceedances for future projects. Although future project mitigation and/or design modifications would be based on a test of existing conditions (i.e., when a future project is proposed), using section 148 alone, they would not consider other foreseeable buildings in the area. Therefore, it cannot be stated with certainty that each subsequent development project would not contribute to a cumulative impact without substantial modifications to individual project design and programs.

In addition, the FEIR found the following impacts for which no feasible mitigation measures were identified, and therefore they remain significant and unavoidable:

Impacts to Transportation

Impact TR-8

The proposed Hub Plan would result in commercial vehicle and passenger loading demand that could not be accommodated off street or within curbside loading spaces, which could result in potentially hazardous conditions or significant delays for transit, people bicycling, or people walking. There are no feasible mitigation measures to reduce this impact, and it would be significant and unavoidable, for the reasons set forth in the DEIR, at pages 3.B-83 to 3.B-84.

Impact C-TR-7

The proposed Hub Plan, in combination with past, present and reasonably foreseeable projects in the vicinity, would contribute considerably to significant cumulative loading impacts. There are no feasible mitigation measures to reduce this impact, and it would be significant and unavoidable, for the reasons set forth in the DEIR, at pages 3.B-99 to 3.B-100.

Impacts to Shadow

Impact SH-1

The proposed Hub Plan would create new shadow that would substantially and adversely affect the use and enjoyment of publicly accessible open spaces, specifically, on McCoppin Hub. McCopping Hub is under the jurisdiction of San Francisco Public Works. There are no feasible mitigation measures that would reduce shadow impacts from the Hub Plan on McCoppin Hub. Therefore, this impact would remain significant and unavoidable, for the reasons set forth in the DEIR, at page 3.F-60.

Impact C-SH-1

The proposed Hub Plan, in combination with past, present, and reasonably foreseeable projects in the vicinity would result in cumulative shadow impacts, specifically on Patricia's Green, McCoppin Hub, Howard and Langton Mini Park. Both Patricia's Green and Howard and Langton Mini Park are under the jurisdiction of San Francisco Recreation and Parks while McCoppin Hub is under the jurisdiction of San Francisco Public Works. There are no feasible mitigation measures that would reduce shadow impacts from the Hub Plan on these parks, and therefore, this impact would remain significant and unavoidable, for the reasons set forth in the DEIR, at page 3.F-81.

SECTION V. Evaluation of Project Alternatives

A. Alternatives Analyzed in the Final Environmental Impact Report

This section describes the EIR alternatives and the reasons for rejecting the alternatives as infeasible. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that would feasibly attain most of the Project's basic objectives, but that would avoid or substantially lessen any identified significant adverse environmental effects of the project. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The Department considered a range of alternatives in Chapter 5 of the FEIR. The FEIR analyzed the Hub Plan and Hub HSD No Project Alternative (Alternative A), the Hub Plan Land Use Plan Only Alternative (Alternative B), and the Hub Plan Reduced Intensity Alternative (Alternative C). Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter 5 of the FEIR. In addition, the FEIR analyzed several alternatives to the two individual projects at 30 Van Ness Avenue

and 98 Franklin Street (including No Project Alternatives and Reduced Intensity Alternatives for each of those projects). Those alternatives are not considered herein, but will be considered at the time those projects are brought forward for approval.

In addition, in developing the Hub Plan, two individual projects, and the Hub HSD, the Department and the project sponsors analyzed a series of alternatives that were rejected and did not receive in-depth analysis in the FEIR, including various variations of the reduced development alternatives. These alternatives were rejected and not studied in depth because either they were determined to be infeasible, or they did not avoid or lessen (and sometimes indeed they increased) the impacts of the Hub Plan, the individual projects, or the Hub HSD, or were covered by the range of alternatives selected. These alternatives considered but rejected included the search for an alternative location, and design alternatives for the 30 Van Ness Avenue and 98 Franklin Street projects.

The Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the FEIR and in the record. The FEIR reflects the Commission's and the City's independent judgment as to the alternatives. The Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the FEIR.

B. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible ... the project alternatives identified in the EIR." (CEQA Guidelines § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the FEIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make these Alternatives infeasible, for the reasons set forth below.

In making these determinations, the Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

The following Hub Plan alternatives and Project were fully considered and compared in the FEIR:

1. Hub Plan and Hub HSD No Project Alternative (Alternative A)

Alternative A preserves the existing zoning and height and bulk controls in the Market and Octavia Area Plan and assumes no adoption of the Hub Plan or Hub HSD. No streetscape or street network improvements would occur, and the Hub Plan area would not be designated an HSD. However, Alternative A considers individual development projects in general with the assumption that build-out of the 18 sites within the proposed Hub Plan boundaries would occur by 2040 and be developed according to current land use controls for zoning, height, and bulk specifications as specified in the Market and

Octavia Area Plan. The total number of new residential units developed under Alternative A would be approximately 5,300 units.

Alternative A would likely avoid or reduce some—but not all—of the significant impacts identified for the Hub Plan because it would rely on a program of reduced development intensity that is currently in place under the Market and Octavia Area Plan. For the Project, Alternative A would not necessarily avoid significant and unavoidable impacts to loading, air quality, wind, and shadow because development in the area still would occur, but just not to the same density. Alternative A assumes that growth in the Hub Plan area would occur with or without implementation of the Hub Plan, but that, absent implementation of the Hub Plan and Hub HSD, a smaller percentage of citywide growth would occur within the Hub Plan area. Because Alternative A would not increase the allowable building heights and density as the Hub Plan would, this alternative would very likely result in less development pressure for redevelopment of “underutilized” sites because there would be fewer development incentives. Therefore, while it is likely that Alternative A would substantially reduce all of the identified significant and unavoidable impacts and less-than-significant impacts with mitigation related to intensity of development under the Hub Plan (impacts on built-environment resources, noise, and shadow), it cannot be stated with certainty whether Alternative A would substantially reduce or avoid any of the identified impacts because development would continue to occur within the Hub Plan area under this alternative.

Alternative A would accommodate substantially less new housing than the Hub Plan and Hub HSD, resulting in approximately 80 percent fewer housing units than the Hub Plan and Hub HSD. As such, this alternative would be less successful than the Hub Plan in potentially creating housing in an area of the city that needs it.

Alternative A would not prioritize and facilitate the creation of housing in the same way that the Hub Plan and Hub HSD would (by defining neighborhood priorities and guiding growth and development in the area) and would not provide incentives to “maintain a strong preference for housing as a desired use.” Because Alternative A would not include the Hub Plan’s proposed reconfigurations for major streets and intersections (including those that incentivize people walking, biking, and using transit) or public street and public space improvements, subsequent development projects under Alternative A would not necessarily “establish a functional, attractive, and well-integrated system of public streets and open spaces;” “reconfigure major streets and intersections to make them safer for people walking, bicycling, and driving;” or “take advantage of opportunities to create public spaces” in the Hub Plan area. Without the Hub Plan’s proposed zoning changes, designation of the Hub as an HSD, and building height increases, Alternative A would not “encourage residential towers on selected sites” to the degree that it would under the Hub Plan and Hub HSD, nor would it prioritize high-density housing development over other potential development to the degree that it would under the Hub Plan and Hub HSD. Accordingly, Alternative A would only partially meet the project objectives. Alternative A would, however, continue to reflect the objectives established in the Market and Octavia Area Plan because it would maintain the same zoning controls and policies outlined in the plan.

Alternative A only partially meets the objectives of the Hub Plan and HSD.

The Commission rejects Alternative A as infeasible and unreasonable because it would fail to avoid several significant and unavoidable impacts, it would fail to meet the Project Objectives (as described in the DEIR) and the City’s policy objectives for the following reasons:

- It would not fulfill key objectives from the Market and Octavia Area Plan including Objective 7.1, “Create a vibrant new mixed-use neighborhood in SoMa west” and Objective 7.2, “Establish a functional, attractive and well-integrated system of public streets and open spaces in the SoMa west area to improve the public realm”
- It would not fulfill key goals of the General Plan with respect to housing production, including Objective 1 of the Housing Element, “Identify and Make Available for Development Adequate Sites to Meet the City’s Housing Needs, Especially Permanently Affordable Housing,” Policy 1.2, “Focus housing growth and infrastructure-necessary to support growth according to community plans,” and Objective 7, “Secure funding and resources for permanently affordable housing, including innovative programs that are not solely reliant on traditional mechanisms or capital.”
- Alternative A would preserve the existing zoning and as a result, the amount of impact fees to fund affordable housing, transportation, streets, open space and childcare would be substantially reduced.

For the foregoing reasons, the Commission rejects Alternative A as infeasible.

2. Hub Plan Land Use Plan Only Alternative (Alternative B)

Alternative B assumes that the same policies and Planning Code and General Plan amendments would be implemented as with the Hub Plan and Hub HSD, except that this alternative would exclude implementation of the Hub Plan’s proposed streetscape and street network improvements in the Hub Plan vicinity. As such, development assumptions for this alternative would be the same as those for the Hub Plan and Hub HSD, including the addition in the Hub Plan area of approximately 8,530 residential units. Alternative B includes upzoning of the 18 sites, rezoning parcels from Neighborhood Commercial Transit (NCT) to Downtown General Commercial (C-3-G) zoning district and extending the Van Ness & Market Residential Special Use District, as would occur with the proposed project. There would be no change to development intensity as compared to the proposed project.

Alternative B would have slightly fewer impacts than the Hub Plan at the program level because, although the development program assumptions would be the same, the streetscape and street network improvements would not be implemented. This would reduce impacts associated with construction (transportation, noise, and air quality), and eliminate the built-environment impact on the San Francisco Auxiliary Water Supply System because no work would be conducted in city streets.

Alternative B would meet most of the project objectives of the Hub Plan because it would follow the same development program, on the same 18 sites, and at the same heights and densities. Uses and overall projected residential growth under this alternative would be the same. However, because Alternative B would not provide the streetscape and street network improvements in the Hub Plan area that are proposed under the Hub Plan, street network and circulation under this alternative would not prioritize people walking, biking, and using transit as effectively as the Hub Plan. Therefore, this alternative would not meet the Hub Plan’s specific objectives to “establish a functional, attractive, and well-integrated system of public streets and open spaces;” “reconfigure major streets and intersections to make them safer for people walking, bicycling, and driving;” and “take advantage of opportunities to create public spaces.” Therefore, Alternative B would be partially consistent with the project objectives of the Hub Plan

The Commission rejects Alternative B as infeasible and unreasonable because it would fail to avoid several significant and unavoidable impacts, it would fail to meet the Project Objectives (as described in the DEIR) and the City's policy objectives for the following reasons:

- It would not fulfill key objectives from the Market and Octavia Area Plan including Objective 7.2, "Establish a functional, attractive and well-integrated system of public streets and open spaces in the SoMa west area to improve the public realm"
- It would not fulfill key General Plan goals with respect to open space, including policy 3.1 from the Recreation and Open Space Element "Creatively develop existing publicly-owned right-of-ways and streets into open space".
- It would not fulfill key General Plan goals with respect to transportation, including Objective 1, "Meet the needs of all residents and visitors for safe, convenient and inexpensive travel within San Francisco and between the City and other parts of the region while maintaining the high quality living environment of the Bay Area" and Policy 1.2 "Ensure the safety and comfort of pedestrians throughout the city". In addition, this alternative would not fulfill the City's Vision Zero Policy passed in 2014.

For the foregoing reasons, the Commission rejects Alternative B as infeasible.

3. Hub Plan Reduced Intensity Alternative (Alternative C)

Alternative C would modify the assumptions of what would occur at the 18 sites identified under the Hub Plan for height and bulk increases. Specifically, under Alternative C, the height increases and rezoning proposed at 99 South Van Ness Avenue, which contains a historical or potentially historical resources, would not occur, and this site would be removed from the project entirely. At 170 Otis Street, upzoning would still occur, but it would meet the Secretary of the Interior's standards. At 10 South Van Ness Avenue, the Full Preservation Alternative identified in the 10 South Van Ness Avenue EIR would be selected, under which the existing building at 10 South Van Ness Avenue, a historical resource, would undergo some changes but it would retain all of its exterior and interior character-defining features. In addition, upzoning would be reduced by 20 feet at 1 South Van Ness Avenue, 10 South Van Ness Avenue, 1500–1540 Market Street, 30 Van Ness Avenue, and 33 Gough Street.

Alternative C would avoid or reduce some—but not all—of the significant impacts identified for the Hub Plan because it would reduce the intensity of development in the Hub Plan area by removing one site from the list of proposed sites and reducing building heights at other selected sites. This alternative would lessen the severity of some of the impacts identified as significant and unavoidable and less than significant with mitigation. These include:

- Built-environment resources impact (Impact CUL-3) of the Hub Plan
- Cumulative impact contribution on built-environment and historic resources (Impact C-CUL-1) of the Hub Plan
- Cumulative wind impact contribution (Impact C-WI-1) of the Hub Plan
- Shadow impact (Impact SH-1) of the Hub Plan
- Cumulative shadow impact contribution (Impact C-SH-1) of the Hub Plan
- Cumulatively considerable net increase in criteria air pollutants for which the project region is in nonattainment status during construction (Impact AQ-4) of the Hub Plan

- Cumulatively considerable net increase in criteria air pollutants for which the project region is in nonattainment status during operation (Impact AQ-5) of the Hub Plan
- Emissions of fine particulate matter (PM2.5) and toxic air contaminants that could expose sensitive receptors to substantial levels of toxic air contaminants (Impact AQ-7) under the Hub Plan
- Cumulative air quality impacts from (PM2.5) and toxic air contaminants (Impact C-AQ-1) under the Hub Plan

Alternative C would not avoid any of the project-specific impacts from the streetscape and street network improvements, such as the built-environment impacts on the San Francisco Auxiliary Water Supply System, because it would have the same project-level components as the Project.

Alternative C would meet most of the project objectives of the Hub Plan, but it would reduce the development program, resulting in less overall residential growth in the Hub Plan area. As such, this alternative would be less successful than the Hub Plan at maximizing housing in an area of the city that needs it, creating “a vibrant mixed-use neighborhood,” and maintaining “a strong preference for housing as a desired use.” In addition, Alternative C would not prioritize and facilitate the creation of housing in the same way and to the same degree that the Hub Plan would. Therefore, Alternative C would be partially consistent with the project objectives of the Hub Plan.

The Commission rejects Alternative C as infeasible and unreasonable because it would fail to avoid several significant and unavoidable impacts, it would fail to meet the Project Objectives (as described in the DEIR) and the City’s policy objectives for the following reasons:

- It would not fulfill key objectives from the Market and Octavia Area Plan including Objective 7.1, “Create a vibrant new mixed-use neighborhood in SoMa west.”
- It would not fulfill key goals of the General Plan with respect to housing production, including Objective 1 of the Housing Element, “Identify and Make Available for Development Adequate Sites to Meet the City’s Housing Needs, Especially Permanently Affordable Housing,” Policy 1.2, “Focus housing growth and infrastructure-necessary to support growth according to community plans,” and Objective 7, “Secure funding and resources for permanently affordable housing, including innovative programs that are not solely reliant on traditional mechanisms or capital.”
- Alternative C would preserve the existing zoning on select sites and as a result, the amount of impact fees to fund affordable housing, transportation, streets, open space and childcare would be reduced.

For the foregoing reasons, the Commission rejects Alternative C as infeasible.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, ten significant impacts would remain significant and unavoidable, related to Cultural Resources, Transportation, Noise, Air Quality, and Wind, as described in more detail above. In addition, the Commission finds that four additional impacts would be significant and unavoidable, related to Transportation and Shadow, also as described above, and that no mitigation measures have been identified to reduce these impacts.

Pursuant to CEQA section 21081 and CEQA Guideline Section 15093, the Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found below.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approvals, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures and improvement measures identified in the FEIR/Initial Study and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technological, legal, social and other considerations. The Project would meet all of the Project Objectives, as described in the DEIR.

The Project will have the following benefits:

1. The Project could add up to 8,530 new residential units to what currently exists in the Hub Plan area today, bringing much needed additional housing into a neighborhood that is well served by public transit, on the edge of Downtown. This would be consistent with, and would advance, myriad City policy objectives that emphasize the need for housing. Among those policies, the Hub Plan would further Policy 1.1 of the Housing Element of the General Plan, as it would increase the housing stock to address a shortage of housing in the City. Additionally, the Hub Plan would support Policy 4.5 of the Housing Element by providing a range of unit types to serve a variety of needs, and Policies 7.1 and 7.2 of the Downtown Plan, because it would expand the supply of housing in and adjacent to Downtown. The Project also would promote several Market and Octavia Area Plan Objectives and Policies, including Objectives 2.3 and 2.4, which encourage increasing the existing housing stock, including affordable units.
2. At full build out, the Hub area could achieve approximately 29% affordability overall and increase the stock of permanently affordable housing by providing onsite affordable residential units for a mix of low- to moderate-income households, offsite affordable residential units, or a mix of onsite and offsite affordable residential units. This would further and promote multiple City policies, such as those enshrined in Objective 1, Policies 1.1, 1.3 and 1.10 of the Housing Element of the General Plan.
3. The Project would add neighborhood serving retail and restaurant space in an area with a growing residential population, consistent with objective 7.1 in the Market & Octavia Area Plan and a number of Downtown Area Plan Objectives and Policies, including Policy 5.1, which encourage the provision of space for commercial activities.

4. The Project would include streetscape improvements to major streets and new living alleys, which would help to establish a functional, attractive, and well-integrated system of public streets and reconfigure major streets and intersections to make them safer for people to walk and ride bikes, consistent with Objective 13, Policies 13.1 and 13.3 of the Housing Element, and many objectives and policies of the Transportation Element of the General Plan, such as Objectives 2 and 24.
5. The Project in this way would promote a number of City urban design and transportation policies, including lowering the amount of off-street parking, reducing curb cuts; slowing vehicular traffic; providing street trees, landscaping, seating, bike racks and other street furniture for public use and enjoyment; widening sidewalks, using high-quality materials; activating the street frontage; maximizing ground floor transparency; and providing adequate lighting, consistent with Objective 24 of the Transportation Element of the General Plan, among others.
6. The Project would generate impact fee revenue that could be used to help facilitate the creation of new parks and improve existing recreational facilities, consistent with objective 7.2 of the Market and Octavia Area Plan and Objectives 1 and 2 of the Recreation and Open Space Element of the General Plan.
7. The additional construction from the Project will create temporary construction jobs and permanent jobs in the retail sector and for building operations. These jobs will provide employment opportunities for San Francisco residents, promote the City's role as a commercial center, and provide additional payroll tax revenue to the City, providing direct and indirect economic benefits to the City.
8. At full build out, the Hub area is expected to generate \$958 million in public benefits to the City, an additional \$235 million in impact fees for affordable housing, transportation, streets, open spaces and childcare that what could be generated under the existing zoning.

Having considered the above, and in light of the evidence contained in the FEIR and in the record, the Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the FEIR, and that those adverse environmental effects are therefore acceptable.