RESOLUTION 2012-02

APPROVING THE PLANNING COMMISSION'S CEQA FINDINGS
AND ADOPTING THE EIR MITIGATION MEASURES FOR THE
FIRE STATION NO. 1 RELOCATION PROJECT

WHEREAS, Fire Station No. 1 at 676 Howard Street is in need of repairs and upgrades or replacement; and

WHEREAS, the San Francisco Museum of Modern Art (SFMOMA) proposes to expand its museum building at 151 Third Street, including only onto the 676 Howard Street property, the current site of Fire Department Station No. 1; and

WHEREAS, on February 25, 2010, the San Francisco Fire Commission approved a Letter of Intent with SFMOMA for Exchange of the 676 Howard Street property for a 9,000 square foot parcel of land and a newly constructed Fire Station No. 1 at 935 Folsom Street, to be constructed at the expense of SFMOMA and to the specifications of the Fire Department (the Station No. 1 Relocation Project); and

WHEREAS, on August 3, 2010, the San Francisco Board of Supervisors enacted Ordinance No. 218-10 approving a Conditional Land Disposition and Acquisition Agreement with SFMOMA; and

WHEREAS, on October 15, 2010, the City and SFMOMA entered into the Conditional Land Disposition and Acquisition Agreement (the CLDAA) for the exchange transaction; and

WHEREAS, Fire Department and Department of Public Works staff have developed specifications for construction of the Station No. 1 Relocation Project, and SFMOMA has incorporated such specifications into the design and construction program for the Station No. 1 Relocation Project; and

WHEREAS, on September 12, 2011, the San Francisco Arts Commission approved the final design of the Station No. 1 Relocation Project in its Resolution No. 0912-11-211; and

WHEREAS, The Planning Commission reviewed and considered the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station Relocation and Housing Project (EIR) in Planning Department File Nos. 2009.0291E and 2010.0275E, consisting of the Draft EIR and the Comments and Responses document, and the Planning Commission, by its Motion No. 18484, (1) found that the contents of the EIR and the procedures through which the EIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code (Chapter 31), (2) found that the EIR reflects the independent judgment and analysis of the City and is adequate, accurate, and objective and that the Comments and Responses document contains no significant revisions to the Draft EIR, and (3) certified the completion of the EIR in compliance with CEQA, the CEQA Guidelines and Chapter 31, a copy of which Motion is on file with the Planning Department; and,

WHEREAS, the Board of Supervisors upheld the Planning Commission's certification of the EIR on January 10, 2012 by its Motion No. M12-007; and
WHEREAS, the Planning Commission adopted CEQA Findings in its Motion No. 18486, including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Station No. 1 Relocation Project, set forth as Exhibit B to Motion No. 18486 (the Fire Station MMRP), which is incorporated into this Resolution by this reference; and

WHEREAS, the EIR files available from the Planning Department have been made available to this Commission and the public, and this Commission has reviewed and considered the information in the EIR and the Planning Commission's CEQA Findings, including the Statement of Overriding Considerations, and Fire Station MMRP (attached to this Calendar Item as Attachment A) in furtherance of the actions contemplated by this Resolution; now therefore be it

RESOLVED, that the Fire Commission hereby adopts EIR Mitigation Measures M-NO-2a and M-NO-2b, and be it

FURTHER RESOLVED, That, subject to SFMOMA's satisfaction of all conditions set forth in the CLDAA as prerequisites to City's obligation to proceed with the closing of the real estate transactions contemplated by the CLDAA, the Fire Commission hereby endorses the Station No. 1 Replacement Project and consents to the approval of the final design of the Station No. 1 Relocation Project, as approved by the Arts Commission in its Resolution No. 0912-11-211.

Adopted at the Regular Meeting of the San Francisco Fire Commission on May 10, 2012.

Ayes: 5 (Lau, Hardeman, Nakajo, Evans, Breed)
Nays: 0

____________________________________
Monica Quattrin, Commission Secretary