

## EXHIBIT E

### STATEMENT OF OVERRIDING CONSIDERATIONS

**General.** Pursuant to CEQA Guidelines section 15093, the City Council of the City of San Leandro must adopt a Statement of Overriding Considerations for the significant and unavoidable impacts of the Project in connection with approval of the Project. The City Council believes that many of the unavoidable environmental effects identified in the EIR will be substantially lessened by mitigation measures adopted with the EIR and implemented with the development of the Project. Even with mitigation, the City Council recognizes that the implementation of the Project carries with it significant and unavoidable adverse environmental effects, as identified in the EIR.

#### **Unavoidable Significant Adverse Impacts from the Project EIR**

The following unavoidable significant environmental impacts were identified in the EIR.

- 1) Impact GHG-1: Implementation of the Project would directly or indirectly generate GHG emissions that may have a significant impact on the environment.
- 2) Impact GHG-3: Implementation of the Project would directly or indirectly generate GHG emissions that may have a cumulatively considerable and therefore significant impact on the environment.
- 3) Impact NOISE-2: Implementation of the Project could result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- 4) Impact NOISE-3: Implementation of the Project would result in a substantial permanent increase in ambient noise levels in the vicinity of the project site above levels existing without the Project.
- 5) Impact TRAF-2A: The proposed Project would cause the I-880 northbound segment north of Davis Street to reduce from LOS E to LOS F in the PM peak hour under Year 2020 conditions.
- 6) Impact TRAF-2B: The proposed Project would cause the volume-to-capacity (v/c) ratio on the northbound segment of Doolittle Drive, which would operate at Level of Service (LOS) F, to increase by 0.06 under Year 2020 conditions and by 0.04 under Year 2035 conditions in the PM peak hour.
- 7) Impact TRAF-7B: The addition of traffic associated with implementation of the proposed Project would cause I-880 southbound ramps and Marina Boulevard (#14) to reduce to LOS E during both AM and Saturday peak hours, and would further reduce the service levels from LOS E to LOS F in the PM peak hour, under Near-Term Cumulative Conditions.

- 8) Impact TRAF-7C: The proposed Project would cause operations at the intersection of San Leandro Boulevard and Marina Boulevard (#18) to reduce from LOS D to LOS E in the AM peak hour, adding to the existing substandard LOS F in the PM peak hour and cause the volume-to-capacity (v/c) ratio to increase by 0.07 under Near-Term Cumulative Conditions.
- 9) Impact TRAF-7I: The proposed project would cause the operations at the intersection of I-880 southbound ramps and Marina Boulevard (#14) to further reduce the level of service in the PM and Saturday peak hours causing the volume-to-capacity (v/c) ratios to increase by 0.06, which is higher than the 0.05 allowed by the City.
- 10) Impact TRAF-7J: The proposed Project would add to the Long-Term Cumulative No Project substandard LOS F operations at the intersection of San Leandro Boulevard and Marina Boulevard (#18) and cause the v/c ratio to increase by 0.07 in the AM peak hour and 0.10 in the PM peak hour.

### **Overriding Considerations**

The City Council has carefully considered each significant and unavoidable Project impact in reaching its decision to approve the Project. Even with mitigation, the City Council recognizes that implementation of the Project carries with it unavoidable adverse environmental effects, as identified in the EIR. The City Council specifically finds that, to the extent that the identified significant adverse impacts for the Project have not been reduced to acceptable levels through feasible mitigation or alternatives, there are specific economic, social, land use, and other benefits that support approval of the Project as set forth below. Any one of these benefits is sufficient to justify approval of the Project. The substantial evidence supporting the various benefits can be found in the record as a whole.

The Project will facilitate development of the underutilized Shoreline site, bringing to fruition nearly a decade of City and community planning for the site and area. The Project site is fully served by public utilities, services, and public transit and in an area of urban development. The Project improves an underdeveloped site with convenient freeway, street, bicycle, and pedestrian access, this would allow the City to implement its recently adopted Complete Streets program, improve access to the Bay Trail, and provide increased opportunities for local non-vehicular travel within and connecting to the site.

The Project would provide a daytime employment center with access to public transit and new and existing residential uses. This mix of uses facilitates future employees and residents alike being able to use non-auto transportation options for work and recreation.

The residential development provides a diversity of types of units to meet different types of housing needs and will contribute towards meeting the City's RHNA need for above moderate housing.

The Project will provide commercial and recreational uses to accommodate the needs of the community. The conference center, in particular, provides a convenient venue for City residents to celebrate weddings, family gatherings, etc.

The Project overall promotes economic growth, creates diverse new employment opportunities, expands the City's tax base and will stabilize the Shoreline Enterprise Fund, which is currently burdened with significant debt due to the costs of past dredging operations. Development of the Project site will also provide construction employment opportunities.

For all of the above reasons, the benefits of the Project outweigh its significant and unavoidable environmental impacts as to greenhouse gas emissions, noise and traffic/transportation.