

1 [Affirming the Certification of the 555 Washington Street Project Final Environmental Impact
2 Report]

3 **Motion affirming the certification by the Planning Commission of the Final**
4 **Environmental Impact Report for the 555 Washington Street Project.**

5
6 WHEREAS, the Project Sponsor proposes to demolish two buildings at 501-505
7 Washington Street and 545 Sansome Street, and construct a 38-story, approximately 390
8 foot-tall building topped with a mechanical penthouse and architectural screening reaching in
9 height to approximately 430 feet, which building would contain approximately 332,000 gross
10 square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor
11 retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share
12 spaces, and which project would also renovate and dedicate Redwood Park as a public park
13 (the "Project"); and

14 WHEREAS, the Project Sponsor applied for environmental review for the Project and
15 for approvals including an increase in the cumulative shadow limits for Maritime Plaza and to
16 establish cumulative shadow limits for Sue Bierman Park, a shadow impact determination
17 under Section 295 of the Planning Code, dedication of Redwood Park, General Plan
18 consistency determination, amendments to the height and bulk maps of the Planning Code
19 and General Plan, various exceptions under Section 309 of the Planning Code, an open
20 space variance; and vacation of Mark Twain Alley (City Planning File 2002.0133EMRKXV);
21 and

22 WHEREAS, The Planning Department ("Department") determined that an
23 Environmental Impact Report ("EIR") was required and provided public notice of that
24 determination by publication in a newspaper of general circulation on November 27, 2007;
25 and

1 WHEREAS, On March 25, 2009, the Department published the Draft Environmental
2 Impact Report (“DEIR”); and

3 WHEREAS, The Planning Commission held a duly advertised public hearing on the
4 DEIR on May 7, 2009, at which time public comment was received on the DEIR and written
5 comments were received through May 18, 2009; and

6 WHEREAS, The Department prepared responses to comments received at the public
7 hearing and in writing during the 54-day public review period for the DEIR, prepared revisions
8 to the text of the DEIR and published a Draft Comments and Responses document on
9 January 7, 2010; and

10 WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the
11 Department, consisting of the DEIR, any consultations and comments received during the
12 review process, any additional information that became available, and the Draft Comments
13 and Responses document, all as required by law; and

14 WHEREAS, On March 18, 2010, the Commission reviewed and considered the FEIR
15 and, by Motion No. 18046, found that the contents of said report and the procedures through
16 which the FEIR was prepared, publicized, and reviewed comply with the provisions of the
17 California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of
18 the San Francisco Administrative Code; and

19 WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the
20 independent judgment and analysis of the Department and Commission, was adequate,
21 accurate and objective, and that the Comments and Responses document contained no
22 significant revisions to the DEIR and certified the FEIR, finding that the Project described in
23 the FEIR will have a project-specific unavoidable significant effect on the environment on
24 historical resources in that it would demolish a potentially significant historic building at 545
25 Sansome Street, and

1 WHEREAS, By Motion No. 18047, the Commission adopted CEQA findings related to
2 the Project approvals, including a statement of overriding considerations, and adopted a
3 Mitigation Monitoring and Reporting Program for the Project, and

4 WHEREAS, on March 18, 2010, at a joint hearing with the Recreation and Park
5 Commission, the Planning Commission and the Recreation and Park Commission approved
6 raising the cumulative shadow limit for Maritime Plaza and establishing a cumulative shadow
7 limit for Sue Bierman Park, found that net new shadow from the project would not be adverse,
8 and authorized the allocation of the cumulative shadow limits for Sue Bierman Park and
9 Maritime Plaza to the Project, and the Recreation and Park Commission recommended to the
10 Board of Supervisors that the Board of Supervisors approve and authorize the execution of
11 the documentation effectuating the expansion, renovation, improvement and subsequent
12 dedication of Redwood Park to the City, and accept the dedication of Redwood Park pursuant
13 to such documentation; and,

14 WHEREAS, On April 2, 2010, Sue Hester, on behalf of San Franciscan's for
15 Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers, filed appeals of
16 the FEIR with the Clerk of the Board of Supervisors; and,

17 WHEREAS, The Board of Supervisors held a public hearing on the Project to review
18 the decision by the Planning Commission to certify the FEIR; and

19 WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the
20 responses to concerns document that the Planning Department prepared, the other written
21 records before the Board of Supervisors, and heard testimony and received public comment
22 regarding the adequacy of the FEIR; and

23 WHEREAS, The FEIR files and all correspondence and other documents have been
24 made available for review by the Board of Supervisors, the Commission, and the public, which
25

1 files are available for public review by appointment at the Department offices at 1650 Mission
2 Street, and are part of the record before the Board of Supervisors; now therefore be it,

3 MOVED, That the Board of Supervisors finds that based on the whole record before it
4 there are no substantial Project changes, no substantial changes in Project circumstances,
5 and no new information of substantial importance that would change the conclusions set forth
6 in the FEIR; and be it

7 FURTHER MOVED, That after carefully considering the appeal of the FEIR, including
8 the written information submitted to the Board of Supervisors and the public testimony
9 presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning
10 Commission in its Motion No. 18046 to certify the FEIR and finds the FEIR to be complete,
11 adequate and objective and reflecting the independent judgment of the City and in compliance
12 with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31.