



San Francisco Public Works  
General – Director’s Office  
City Hall, Room 348  
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**Public Works Order No: 203654**

RECOMMENDING APPROVAL OF FINAL MAP 9585, A 18 LOT SUBDIVISION, A 306 RESIDENTIAL UNIT AND 70 COMMERCIAL UNIT NEW CONDOMINIUM PROJECT, BEING A PORTION OF LANDS AS SHOWN IN FINAL TRANSFER MAP 9597, RECORDED FEBRUARY 7, 2019, IN BOOK HH OF SURVEY MAPS, PAGES 89-98, IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

1. On December 19, 2019 on behalf of the Port of San Francisco, Martin M. Ron Associates, Inc. submitted an application for the final map described above for Phase 1 of the 28-acre Pier 70 mixed-use project (the “Project”). The application was assigned Project Identification No. 9585. Said map is referred to hereafter as the “Final Map.” Lots 1 through 7 are for residential and commercial uses, Lots A through F are for future public streets, and Lots G through K are for open space.
2. The Project is subject to that certain Disposition and Development Agreement between the City and County of San Francisco, acting by and through its Port Commission (“Port”) and FC Pier 70, LLC (the “Subdivider”), recorded in the Official Records of the City and County of San Francisco on May 25, 2018 as Document No. 2018-K619435 (the “DDA”) approved by the Board of Supervisors through the passage of Resolution 401-17, and that certain Development Agreement between the City and County of San Francisco and FC Pier 70, LLC which the Board of Supervisors approved through Ordinance No. 224-17 (“Development Agreement”).
3. On August 24, 2017, by Motion No. 19976, the Planning Commission certified the Final Environmental Impact Report (“FEIR”) for the Pier 70 Project, prepared pursuant to the California Environmental Quality Act (Cal. Pub. Resources Code §§ 21000 et seq.). The FEIR analyzed environmental impacts associated with the “28-Acre Site” which is the approximately 28 acre area located between 20th, Michigan, and 22nd streets and San Francisco Bay. The FEIR also studied the environmental impacts associated with the “Illinois Parcels”, which constitute approximately seven additional acres adjacent to the Project (collectively the 28-Acre Site and the Illinois Parcels are referred to as the “Pier 70 Project site”). On November 9, 2017, the Board of Supervisors adopted these findings in Resolution No. 401-17.
4. The Planning Department, by letter dated March 18, 2019, found that the Tentative Map presented any: i) no substantial changes to the Project that require major revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; ii) no substantial changes with respect to the circumstances under which the Project was approved that require major revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and iii) no new information of substantial importance, that

would result in new or more severe significant impacts than were addressed in the FEIR. Accordingly, the Planning Department determined that no supplemental or subsequent EIR or other environmental review is required.

5. The Planning Department, by letter dated March 18, 2019, found that the subdivision, on balance, is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1(b)(1) - (8) pursuant to the Planning Commission's Finding of Consistency for the Project.
6. The Planning Commission, by Motion No. 19980, and the Port Commission, in Port Resolution No. 17-45, have approved the Pier 70 Special Use District ("SUD") and Design for Development ("D4D"), which provides land use controls, detailed development standards, and guidelines for buildings, open space, and streetscape improvements for the Pier 70 project area.
7. The Port, and the State Lands Commission entered into that certain Compromise Title Settlement and Land Exchange Agreement for Pier 70, dated as of September 14, 2018 (Port Commission Resolution 17-44; Board of Supervisors Resolution No. 402-17; State Lands Commission item No. 77 (11/29/17) (the "Exchange Agreement"). Pursuant to the Exchange Agreement, upon implementation of the trust exchange, all Trust Termination Lands (as defined therein) may be sold or leased free of the public trust and free of any use or alienation restrictions of the public trust or the Burton Act.
8. The Port and the Master Developer have entered into a Master Lease, dated as of May 2, 2018 (the "Master Lease"), pursuant to which Subdivider has leased the Premises as described therein. A Memorandum of Master Lease was recorded on May 25, 2018 as Document No. 2018-K619436 in the Official Records of the City and County of San Francisco.
9. On November 7, 2019, the Director of Public Works ("Director") adopted Public Works Order No. 202196 approving Tentative Map No. 9585 ("Tentative Map") for the merger and 48 lot subdivision of portions of those certain patents entitled, 'State of California, Trust Termination Patent', recorded September 14, 2018, in Document No. 2018-K672971, Official Records, City and County of San Francisco.
10. Because the Subdivider has not completed the required public improvements associated with this Final Map and certain conditions have not been fulfilled at the time of the filing of this Final Map, the San Francisco Subdivision Code requires that the Subdivider and the City enter into a public improvement agreement to address this requirement. The Subdivider executed a Public Improvement Agreement ("Improvement Agreement") to address this requirement, and has provided the required security.
11. The Director recommends that the Board of Supervisors approve the Public Improvement Agreement and authorize the Director and City Attorney to execute and file the Improvement Agreement in the Official Records of the City. Subdivider has provided bonds in conjunction with the Improvement Agreement pertaining to this Final

Map to secure the construction of public improvements to the extent required by the Improvement Agreement.

12. The Final Map includes offers of improvements required by the Improvement Agreement. The Director recommends that the Board of Supervisors conditionally accept on behalf of the public the offers of improvements as required by the Improvement Agreement, subject to completion and subsequent Board of Supervisors action.
13. The Director and County Surveyor find that the Final Map is consistent with the requirements and conditions imposed by the Subdivision Map Act, California Government Code Sections 66410 et seq., the San Francisco Subdivision Code, and the Final Map substantially conforms to the Tentative Map.
14. The Director, City Engineer, and County Surveyor recommend that the Board of Supervisors approve the Final Map subject to the conditions specified herein.

**Attachments & Transmittals**

- I. ATTACHMENT 1, Enlarged Copy of Map Notes Included on Final Map 9585.
- II. Transmitted herewith are the following:
  - i. One (1) copy of the Motion approving said map in electronic format.
  - ii. One (1) copy "Final Map No. 9585", each comprising 10 sheets in electronic format.
  - iii. One (1) copy of the Tax Certificates from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes in electronic format.
  - iv. One (1) copy of the offer of improvements described on the Improvement Agreement provided with the Final Map in electronic format.
  - v. One (1) copy of the Improvement Agreement in electronic format.
  - vi. One (1) copy of the letter from the Planning Department, dated March 18, 2019, verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in Planning Code Section 101.1, and the project approvals.
  - vii. One (1) copy of the letter from the Port, dated June 10, 2020, verifying conformity of the subdivision with the DDA.

It is recommended that the Board of Supervisors adopt this legislation.

X

DocuSigned by:

Bruce Storrs

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Storrs, Bruce<sup>97ABC41507B0494...</sup>  
City and County Surveyor

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DocuSigned by:

Suzanne Suskind

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Suskind, Suzanne<sup>3619FDB7F6564EA...</sup>  
Acting City Engineer

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DocuSigned by:

Alaric Degrafinried

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Degrafinried, Alaric  
Acting Director