



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19979

HEARING DATE: AUGUST 24, 2017

Case No.: **2014-001272MAP/PCA**
Project Name: **Pier 70 Mixed-Use Project**
Existing Zoning: M-2 (Heavy Industrial) Zoning District
P (Public) Zoning District
40-X and 65-X Height and Bulk Districts
Block/Lot: 4052/001, 4110/001 and 008A, 4111/004, 4120/002,
Proposed Zoning: Pier 70 Mixed-Use Zoning District
65-X and 90-X Height and Bulk Districts
Project Sponsor: Port of San Francisco and Forest City Development California Inc.
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RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS TO THE PLANNING CODE WITH MODIFICATIONS TO ESTABLISH THE PIER 70 SPECIAL USE DISTRICT AND TO AMEND ZONING USE DISTRICT MAP NO. ZN08 TO REZONE ASSESSOR'S BLOCK 4052 LOT 001 (PARTIAL), BLOCK 4111 LOT 004 (PARTIAL), BLOCK 4110 LOTS 001 AND 008A FROM M-2 (HEAVY MANUFACTURING) TO PIER 70 MIXED-USE DISTRICT, AND BLOCK 4120 LOT 002 FROM P (PUBLIC) TO PIER 70 MIXED USE DISTRICT, AND HEIGHT & BULK DISTRICT MAP NO. HT08 TO INCREASE THE HEIGHT LIMIT FOR BLOCK 4052 LOT 001 (PARTIAL), BLOCK 4111 LOT 004 (PARTIAL), AND BLOCK 4120 LOT 002 FROM 40-X TO 90-X, AND VARIOUS FINDINGS, INCLUDING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on July 25, 2017, Mayor Edwin Lee and Supervisor Malia Cohen introduced ordinances for Planning Code Text Amendments to establish the Pier 70 Special Use District (herein "Pier 70 SUD") and amend Zoning Use District Map No. ZN08 and Height and Bulk District Map No. HT08 for the Pier 70 Mixed-Use Project ("Project").

WHEREAS, pursuant to Planning Code Section 302(b), on July 25, 2017, the San Francisco Board of Supervisors initiated the aforementioned Planning Code Text Amendments.

WHEREAS, these Planning Code Text Amendments would enable the Project. The Project includes new market-rate and affordable residential uses, commercial use, retail-arts-light industrial uses, parking, shoreline improvements, infrastructure development and street improvements, and public open space. Depending on the uses proposed, the Project would include between 1,645 to 3,025 residential units, a maximum of 1,102,250 to 2,262,350 gross square feet (gsf) of commercial-office use, and a maximum of 494,100 to 518,700 gsf of retail-light industrial-arts use. The Project also includes construction of transportation and circulation improvements, new and upgraded utilities and

infrastructure, geotechnical and shoreline improvements, between 3,215 to 3,345 off-street parking spaces in proposed buildings and district parking structures, and nine acres of publicly-owned open space.

WHEREAS, the Project would construct new buildings that would range in height from 50 to 90 feet, as is consistent with Proposition F which was passed by the voters of San Francisco in November 2014.

WHEREAS, these Planning Code Text Amendments would establish the Pier 70 SUD, which would outline the land use controls for the Project site, alongside the Pier 70 SUD Design for Development ("D4D").

WHEREAS, these Planning Code Text Amendments would amend Zoning Use District Map No. ZN08 to rezone Assessor's Block 4052 Lot 001 (partial), Block 4111 Lot 004 (partial), Block 4110 Lots 001 and 008A from M-2 (Heavy Manufacturing) to Pier 70 Mixed-Use District, and Block 4120 Lot 002 from P (Public) to Pier 70 Mixed Use District.

WHEREAS, these Planning Code Text Amendments would amend Height & Bulk District Map No. HT08 to increase the height limit for Block 4052 Lot 001 (partial), Block 4111 Lot 004 (partial), and Block 4120 Lot 002 from 40-X to 90-X.

WHEREAS, this Resolution approving these Planning Code Text Amendments is a companion to other legislative approvals relating to the Project, including recommendation of approval of General Plan Amendments, approval of the Pier 70 SUD Design for Development, and recommendation for approval of the Development Agreement.

WHEREAS, on August 24, 2017, the Planning Commission reviewed and considered the Final EIR for the Pier 70 Mixed Project ("FEIR") and found the FEIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and, by Motion No. 19976, certified the FEIR as accurate, complete and in compliance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

WHEREAS, on August 24, 2017, the Commission by Motion No. 19977 approved California Environmental Quality Act (CEQA) Findings, including adoption of a statement of overriding considerations, under Case No. 2014-001272ENV, for approval of the Project, which findings are incorporated by reference as though fully set forth herein.

WHEREAS, the CEQA Findings included adoption of a Mitigation Monitoring and Reporting Program (MMRP) as Attachment B, which MMRP is hereby incorporated by reference as though fully set forth herein and which requirements are made conditions of this approval.

WHEREAS, on August 24, 2017, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed Planning Code Text Amendments.

WHEREAS, a draft ordinance, substantially in the form attached hereto as Exhibit A, approved as to form, would establish the Pier 70 SUD and amend Zoning Use District Map No. ZN08 and Height and Bulk District Map No. HT08 for the Project.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby finds that the Planning Code Text Amendments promote the public welfare, convenience and necessity for the following reasons:

1. The Planning Code Text Amendments would help implement the Pier 70 Mixed-Use Project development, thereby evolving currently under-utilized industrial land for needed housing, commercial space, and parks and open space.
2. The Planning Code Text Amendments would help implement the Pier 70 Mixed-Use Project, which in turn will provide employment opportunities for local residents during construction and post-occupancy, as well as community facilities and parks for new and existing residents.
3. The Planning Code Text Amendments would help implement the Pier 70 Mixed-Use Project by enabling the creation of a mixed-use and sustainable neighborhood, with fully rebuilt infrastructure. The new neighborhood would improve the site's multi-modal connectivity to and integration with the surrounding City fabric, and connect existing neighborhoods to the City's central waterfront.
4. The Planning Code Text Amendments would enable the construction of a new vibrant, safe, and connected neighborhood, including new parks and open spaces. The General Plan Amendments would help ensure a vibrant neighborhood with active streets and open spaces, high quality and well-designed buildings, and thoughtful relationships between buildings and the public realm, including the waterfront.
5. The Planning Code Text Amendments would enable construction of new housing, including new on-site affordable housing, and new arts, retail and manufacturing uses. These new uses would create a new mixed-use neighborhood that would strengthen and complement nearby neighborhoods.
6. The Planning Code Text Amendments would facilitate the preservation and rehabilitation of portions of the Union Iron Works Historic District--an important historic resource listed in the National Register of Historic Places.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code Text Amendments are in general conformity with the General Plan as set forth in Planning Commission Resolution No. 19978.

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code Text Amendments are in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 19978.

AND BE IT FURTHER RESOLVED, that the Commission recommends approval of the proposed legislation with the following modifications:

- *Uses* – The Ordinance should be updated to reflect definitions contained within the Planning Code and to exempt certain uses, such as hospital and automotive retail uses. In addition, the revised ordinance should include refinements to the permitted uses within the ground floor frontages, as defined by Planning Department staff.
- *Bicycle Parking* – The Ordinance should be updated to clarify that the location and design of bicycle parking shall follow the guidelines set forth in the D4D.

- *Off-Street Parking* – The Ordinance should be updated to require review of the off-street parking program upon submittal of a phase application. In addition, the Ordinance should update the criteria for review of the off-street parking program, as defined by Planning Department staff.
- *Design Review and Approval of Vertical Improvements* – The Ordinance should be updated to specify that Port staff review for compliance may occur with either the Vertical DDA (if available) or the Appraisal Notice.
- *Non-Substantial Text Edits* – The Ordinance should be updated to reflect other non-substantial text edits, as defined by Planning Department staff.
- *Maximize Housing As Feasible* – The Commission encourages the Project Sponsor to maximize the construction of new housing, as feasible.
- *Jobs & Housing Balance* – Given the uncertain future state of the jobs and housing balance in San Francisco, the Commission encourages the Board of Supervisors to include a provision in the Pier 70 SUD, to establish a reasonable threshold for office development where anything above said threshold would return to the Planning Commission as a Conditional Use Authorization.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on August 24, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Melgar, Moore and Richards

NAYES: None

ABSENT: Fong

ADOPTED: August 24, 2017