

File No. 111296

Committee Item No. _____
Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS
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Committee _____

Date _____

Board of Supervisors Meeting

Date January 10, 2012

Cmte Board

- Motion
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- Introduction Form (for hearings)
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OTHER (Use back side if additional space is needed)

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Completed by: Joy Lamug
Completed by: _____

Date January 5, 2012
Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report -
2 SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]

3
4 **Motion directing the Clerk of the Board to prepare findings reversing the certification**
5 **by the Planning Commission of the Final Environmental Impact Report for the**
6 **SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project.**

7
8 WHEREAS, The proposed Project would expand the existing San Francisco Museum
9 of Modern Art located at 151 Third Street (Assessor Block 3722, Lot 78) and relocate Fire
10 Station No. 1 from its existing 676 Howard Street location (Assessor Block 3722, Lot 28) to
11 935 Folsom Street (Assessor Block 3753, Lot 140). The project proposes demolition of the
12 existing 7,620-square-foot, 4-story-over-basement building at 670 Howard Street (Assessor
13 Block 3727, Lot 027), and demolition of the existing 4,400-square-foot, 2-story Fire Station
14 No. 1 at 676 Howard Street, as well as vacation of a 115-by-30-foot land-locked portion of
15 Hunt Street located between 151 Third and 670 and 676 Howard Street to accommodate the
16 museum expansion. SFMOMA would construct an approximately 200-foot-tall, 230,000-
17 square-foot building addition at the rear of the 151 Third Street building and on the 670-676
18 Howard Street parcels and the vacated Hunt Street right-of-way, extending from Minna Street
19 to Howard Street, in order to display the museum's existing and future art collections and to
20 consolidate its support functions on site. Additionally, the existing building at 935 Folsom
21 Street would be demolished, the site subdivided, and a new 15,000-square-foot, 2-story-plus-
22 mezzanine, approximately 34-foot-tall replacement fire station would be constructed on the
23 northern portion of the parcel fronting Folsom Street. At-grade parking would be provided for
24 15-vehicles on this site. On the southern portion of the 935 Folsom Street site, a 4-story,
25

1 approximately 43-foot-tall future residential building would be constructed comprising up to 13
2 residential units and 10 off-street parking spaces in the building's basement level; and

3 WHEREAS, The Planning Department determined that an environmental impact report
4 was required for the Project and prepared a Notice of Preparation ("NOP") of an
5 Environmental Impact Report and an Initial Study on October 27, 2010, analyzing the potential
6 environmental impacts of the proposed project. The NOP/Initial Study was circulated for 30
7 days for public comment and review; and

8 WHEREAS, On July 11, 2011, the Department published the Draft Environmental
9 Impact Report ("DEIR") for the Project (Planning Department Case Nos. 2009.0291E and
10 2010.0275E); and

11 WHEREAS, The Planning Commission held a duly advertised public hearing on the
12 DEIR, on August 11, 2011, at which time opportunity for public comment was provided on the
13 DEIR, and written comments were received through August 25, 2011; and

14 WHEREAS, The Department prepared responses to comments received at the public
15 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text
16 of the DEIR and published a Comments and Responses Document; and

17 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was
18 prepared by the Department, consisting of the DEIR, any consultations and comments
19 received during the review process, any additional information that became available and the
20 Comments and Responses document, all as required by law; and

21 WHEREAS, On November 10, 2011, the Planning Commission reviewed and
22 considered the FEIR and, by Motion No. 18484 found that the contents of said report and the
23 procedures through which the FEIR was prepared, publicized and reviewed complied with the
24 provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines
25 and Chapter 31 of the San Francisco Administrative Code; and

1 WHEREAS, By Motion No. 18484 the Commission found the FEIR to be adequate,
2 accurate and objective, reflected the independent judgment and analysis of the Department
3 and the Commission and that the Comments and Responses document contained no
4 significant revisions to the DEIR, adopted findings relating to significant impacts associated
5 with the Project and certified the completion of the FEIR in compliance with CEQA and the
6 State CEQA Guidelines; and

7 WHEREAS, On November 10, 2010, by Motion No. 18486 the Commission adopted
8 CEQA Approval Findings, including a statement of overriding considerations and a Mitigation
9 Monitoring and Reporting Program, and approved the Project; and

10 WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 30,
11 2011, Christine W. Griffith, on behalf of the KSSF Enterprises Ltd, owner of the W Hotel San
12 Francisco, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the
13 Board of Supervisors received on or around November 30, 2011; and

14 WHEREAS, On January 10, 2011, this Board held a duly noticed public hearing to
15 consider the appeal of the FEIR certification filed by Appellant; and

16 WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the
17 responses to concerns document that the Planning Department prepared, the other written
18 records before the Board of Supervisors, and heard testimony and received public comment
19 regarding the adequacy of the FEIR; and

20 WHEREAS, The FEIR files and all correspondence and other documents have been
21 made available for review by this Board and the public. These files are available for public
22 review by appointment at the Planning Department offices at 1650 Mission Street, and are
23 part of the record before this Board by reference in this motion; now, therefore, be it

24 MOVED, That this Board directs the Clerk of the Board to prepare findings specifying
25 the basis for its reversal of the certification of the FEIR by the Planning Commission.