

1 [Preparation of Findings to Reverse Certification of the 555 Washington Street Project Final  
Environmental Impact Report.]

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3 **Motion directing the Clerk of the Board to prepare findings reversing the certification**  
4 **by the Planning Commission of the Final Environmental Impact Report for the 555**  
5 **Washington Street Project.**

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

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

23 WHEREAS, The Planning Department ("Department") determined that an  
24 Environmental Impact Report ("EIR") was required and provided public notice of that

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1 determination by publication in a newspaper of general circulation on November 27, 2007;  
2 and

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

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

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

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

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

21 WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the  
22 independent judgment and analysis of the Department and Commission, was adequate,  
23 accurate and objective, and that the Comments and Responses document contained no  
24 significant revisions to the DEIR and certified the FEIR, finding that the Project described in  
25 the FEIR will have a project-specific unavoidable significant effect on the environment on

1 historical resources in that it would demolish a potentially significant historic building at 545  
2 Sansome Street, and

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

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

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

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

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

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1           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
2 reversed the Commission's decision to certify the FEIR for the Project based on the written  
3 record before the Board of Supervisors as well as all of the testimony at the public hearing in  
4 support of and opposed to the appeal; and

5           WHEREAS, The FEIR files and all correspondence and other documents have been  
6 made available for review by the Board of Supervisors, the Commission, and the public, which  
7 files are available for public review by appointment at the Department offices at 1650 Mission  
8 Street, and are part of the record before the Board of Supervisors; now therefore be it,

9           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
10 findings specifying the basis for its decision on the appeal of the certification of the FEIR by  
11 the Commission for the Project, including the following issues that must be more completely  
12 and adequately analyzed in the EIR:

- 13           • The revised project proposed by project sponsor should be fully analyzed, with  
14 an opportunity for the public to comment on it;
- 15           • The project description should be more finite and stable;
- 16           • The statement of project objectives as related to the alternatives analysis;
- 17           • Housing impacts, including an analysis of consistency with the Housing  
18 Element;
- 19           • Analysis of land use impacts if the Project's floor area ratio does not rely on  
20 inclusion of Redwood Park and Mark Twain Alley in the floor area calculations;
- 21           • Shadow impacts – include the quantitative Proposition K analysis in the  
22 assessment of shadows on Redwood Park;
- 23           • Visual impacts, including impacts on the TransAmerica Pyramid and the historic  
24 districts in the area, including Jackson Square Historic District, and impacts  
25 caused by the Project's inconsistency with other heights in the area;

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- Wind impacts;
- Transportation impacts created by the high levels of parking in the Project; and
- Cumulative analysis of wind, shadow and aesthetic impacts.