

1 [Conditionally Reversing the Final Environmental Impact Report Certification - Pier 70 Mixed-
2 Use District Project]

3 **Motion conditionally reversing the Planning Commission’s certification of the Final**
4 **Environmental Impact Report prepared for the proposed Pier 70 Mixed-Use District**
5 **Project, subject to the adoption of written findings of the Board of Supervisors in**
6 **support of this determination.**

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8 WHEREAS, The proposed Pier 70 Mixed-Use District Project ("Project") is located on a
9 project site of approximately 35 acres, bounded by Illinois Street to the west, 20th Street to
10 the north, San Francisco Bay to the east, and 22nd Street to the south; and

11 WHEREAS, The Project is a mixed-use development consisting of the "28-Acre Site"
12 (an approximately 28-acre area under Port of San Francisco ownership located between 20th,
13 Michigan, and 22nd streets, and San Francisco Bay) and the "Illinois Parcels" (an
14 approximately 7-acre site that consists of an approximately 3.4-acre Port-owned parcel, called
15 the "20th/Illinois Parcel," and the approximately 3.6-acre "Hoedown Yard," at Illinois and 22nd
16 streets, which is owned by PG&E); and

17 WHEREAS, The Project would rezone the entire 35-acre project site and establish land
18 use controls through adoption of a Pier 70 Special Use District (SUD), and incorporation of
19 design standards and guidelines in a proposed Pier 70 Design for Development; and

20 WHEREAS, The Project would include the rehabilitation and adaptive reuse of three of
21 the 12 on-site contributing buildings of the National Register of Historic Places-listed Union
22 Iron Works Historic District and retention of the majority of Irish Hill, a contributing feature of
23 the district; and

1 WHEREAS, The Project would demolish eight remaining on-site contributing resources
2 and partially demolish the single, non-contributing structure, Slipways 5 through 8, which are
3 currently covered by fill and asphalt; and

4 WHEREAS, As envisioned, the Project would include market-rate and affordable
5 residential uses, commercial uses, light industrial and arts uses, parking, shoreline
6 improvements, infrastructure development and street improvements, and public open space;
7 and

8 WHEREAS, The Project involves a flexible land use program under which certain
9 parcels on the project site could be designated for either commercial-office or residential uses,
10 depending on future market demand; and

11 WHEREAS, Depending on the uses proposed, the Project would include between
12 1,645 to 3,025 residential units, a maximum of 1,102,250 to 2,262,350 gross square feet (gsf)
13 of commercial-office use, and a maximum of 494,100 to 518,700 gsf of retail-light industrial-
14 arts use; and new buildings would range in height from 50 to 90 feet, consistent with
15 Proposition F, which was passed by San Francisco voters in November 2014; and

16 WHEREAS, Under the Project, development of the 28-Acre Site would include up to
17 approximately 3,422,265 gsf of construction in new buildings and improvements to existing
18 structures (excluding square footage allocated to accessory and structured parking); and
19 development of the Illinois Parcels would include up to approximately 801,400 gsf of
20 construction in new buildings (excluding square footage allocated to accessory parking); and

21 WHEREAS, The Planning Department determined that an Environmental Impact
22 Report (hereinafter "EIR") was required for the proposed Project and provided public notice of
23 that determination by publication in a newspaper of general circulation on May 6, 2015; and

1 WHEREAS, The Planning Department published a Draft EIR for the proposed Project
2 on December 21, 2016, and circulated it to local, state, and federal agencies and to interested
3 organizations and individuals for a public review period that ended on February 21, 2017; and

4 WHEREAS, The Planning Commission held a public hearing on the Draft EIR on
5 February 9, 2017; and

6 WHEREAS, The Planning Department prepared a Responses to Comments document
7 (RTC), responding to all comments received orally at the public hearings and in writing, and
8 published the RTC on August 9, 2017; and

9 WHEREAS, On August 24, 2017, the Planning Commission, by Motion No. 19976,
10 certified a Final Environmental Impact Report (Final EIR) for the proposed Project under the
11 California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,
12 the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and San
13 Francisco Administrative Code Chapter 31, finding that the Final EIR reflects the independent
14 judgment and analysis of the City and County of San Francisco, that it is adequate, accurate
15 and objective, and contains no significant revisions to the Draft EIR; and

16 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
17 September 25, 2017, J.R. Eppler, on behalf of the Potrero Boosters Neighborhood
18 Association ("Appellant"), appealed the Final EIR certification; and

19 WHEREAS, The Planning Department's Environmental Review Officer, by
20 memorandum to the Clerk of the Board dated September 27, 2017, determined that the
21 appeal had been timely filed; and

22 WHEREAS, On October 24, 2017, this Board held a duly noticed public hearing to
23 consider the appeal of the Final EIR certification filed by Appellant and, following the public
24 hearing, conditionally reversed the Final EIR certification, subject to the adoption of written
25 findings in support of such determination; and

1 WHEREAS, In reviewing the appeal of the Final EIR certification, this Board reviewed
2 and considered the Final EIR, including the Draft EIR and the RTC, the appeal letter, the
3 responses to the appeal documents that the Planning Department prepared, the other written
4 records before the Board of Supervisors and all of the public testimony made in support of
5 and opposed to the appeal; and

6 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
7 conditionally reversed the Planning Commission’s certification of the Final EIR, subject to the
8 adoption of written findings of the Board in support of such determination, based on the
9 written record before the Board of Supervisors as well as all of the testimony at the public
10 hearing in support of and opposed to the appeal; and

11 WHEREAS, The written record and oral testimony in support of and opposed to the
12 appeal and deliberation of the oral and written testimony at the public hearing before the
13 Board of Supervisors by all parties and the public in support of and opposed to the appeal is
14 in the Clerk of the Board of Supervisors File No. 171047 and is incorporated in this motion as
15 though set forth in its entirety; now therefore be it

16 MOVED, That this Board of Supervisors conditionally reverses the certification of the
17 Final EIR by the Planning Commission, subject to the adoption of written findings of the Board
18 in support of this determination.

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