

1 [Conditionally Reversing the Community Plan Evaluation - 655 Fourth Street]

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3 **Motion conditionally reversing the determination by the Planning Department that a**
4 **proposed project at 655 Fourth Street is exempt from further environmental review**
5 **under a Community Plan Evaluation, subject to the adoption of written findings of the**
6 **Board in support of this determination.**

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8 WHEREAS, On June 11, 2019, the Planning Department issued a Community Plan
9 Evaluation and an Initial Study (“environmental determination”), pursuant to the California
10 Environmental Quality Act (CEQA), the CEQA Guidelines, 14 Cal. Code of Reg.,
11 Sections 15000 et seq., and Chapter 31 of the San Francisco Administrative Code, finding
12 that the proposed project at 655 Fourth Street, 280-290 Townsend Street, and 292-296
13 Townsend Street (“Project”) is consistent with the development density established by zoning,
14 community plan, and general plan policies in the Central South of Market (SoMa) Area Plan
15 (the “Area Plan”) for the project site, for which a Programmatic Environmental Impact Report
16 (the “PEIR”) was certified; and

17 WHEREAS, The project site is composed of seven lots (Assessor’s Parcel Block
18 No. 3787, Lot Nos. 26, 28, 50, and 161-164); currently contains three buildings, an
19 approximately 4,000-square-foot surface parking lot, and a 2,300-square-foot loading area.
20 The project site is completely developed, has minimal landscaping, and has served largely
21 commercial land uses; and

22 WHEREAS, Lot No. 26, in the northwest portion of the site, fronts onto Fourth Street
23 and consists of one building built in 1947; the one-story portion of the building on the southern
24 end of the lot is currently occupied by The Creamery—a café and restaurant; and

25

1 WHEREAS, A restaurant, gym, and several commercial office tenants occupy the rest
2 of the building on the remainder of Lot No. 26; the building is 12 to 33 feet high and is not set
3 back from the property line at the street front; and

4 WHEREAS, Lot No. 161 is a privately-owned driveway accessed via a 31-foot-wide
5 curb cut along Townsend Street, which diagonally splits the project site between Lot No. 26
6 and Lot No. 28. This driveway is approximately 275 feet long by 30 feet wide and is lined with
7 approximately 30 trees; and there is one larger tree on the project site located on Lot No. 161;
8 and

9 WHEREAS, Excluding the loading zone, there are 14 off-street parking spaces along
10 Lot No. 161 on the southern portion of the project site; there are also 11 off-street parking
11 spaces within Lot No. 50, a surface parking lot. Lot No. 50 is accessed via a 12-foot-wide curb
12 cut along Townsend Street; and

13 WHEREAS, One building, built in 1948, occupies Lot No. 28 in the southeastern
14 portion of the site. The two-story portion fronting Townsend Street is occupied by HD
15 Buttercup, a retail business; and the one-story portion behind HD Buttercup is occupied by
16 Bulthaupt, a remodeling business, and is accessed from the surface parking lot that is Lot
17 No. 50 and the loading area that is part of Lot No. 161; and

18 WHEREAS, Lot Nos. 162-164 consist of one three-story building, built in 1996; the first
19 floor is a commercial unit and the upper two floors are two separate residential units; off-street
20 parking for Lot Nos. 162, 163, and 164 is accessed via the 31-foot-wide curb cut on
21 Townsend Street, and each lot has an easement for one parking space within Lot No. 161 and
22 an easement for ingress and egress through Lot No. 161 to access the reserved parking
23 spaces; and

24 WHEREAS, The northwest property line of the project site faces the vehicular access
25 driveway for 601 Fourth Street; and

1 WHEREAS, The Project would demolish the three existing buildings, associated
2 surface parking lots, and vegetation on the project site, including street trees and other
3 plantings; and

4 WHEREAS, The project would merge the seven existing lots and construct two new
5 buildings containing approximately 1,004,000 square feet of residential area, 24,500 square
6 feet of hotel area (38 hotel rooms), 21,900 square feet of office area, and approximately
7 18,500 square feet of ground-floor retail use; and

8 WHEREAS, The residential portion of the proposed project would include
9 approximately 960 dwelling units in a mix of 242 studios, 330 one-bedroom units, 351 two-
10 bedroom units, and 37 three-bedroom condominiums; and

11 WHEREAS, Each building would have two towers: one of which would rise to a height
12 of 425 feet aboveground (including rooftop appurtenances 25 feet above the highest occupied
13 floor), and the second which would rise to a height of 370 feet aboveground (including 10 feet
14 for rooftop appurtenances); and

15 WHEREAS, The proposed project would also include a 94,500-square-foot below-
16 grade, four-level garage containing building amenities, a vehicle drop-off area, a loading dock,
17 back of the house retail operations, refuse handling area, 276 car parking spaces, and other
18 back-of-house features such as mechanical equipment required for operation and
19 maintenance of the building; a 35-foot-wide curb cut on Townsend Street would provide two
20 vehicle lanes and one two-way truck lane to access the vehicular ramp to the basement level;
21 and

22 WHEREAS, The project proposes 540 class 1 bicycle parking stalls to be located in the
23 basement and 81 class 2 bicycle parking stalls at grade. The project would include a number
24 of wind reduction features: a porous façade on one of the towers; canopies installed on all
25 four towers; a wind screen installed on the south side of Townsend Street near the

1 intersection of Townsend and Lusk streets; and onsite landscaping consisting of shrubs and
2 deciduous trees; and

3 WHEREAS, The proposed project would require excavation to a maximum depth of
4 approximately 55 feet below the ground surface for construction of the below-grade parking
5 garage and building foundations, which would require the removal and disposal of
6 approximately 142,000 cubic yards of soil; the proposed project would use concrete-framed
7 buildings supported on a 12-foot-thick, steel-reinforced concrete mat foundation. No pile
8 driving would be used for the project; and

9 WHEREAS, On, June 20, 2019, the Planning Commission adopted the environmental
10 determination and approved the large project authorization for the project (Planning
11 Commission Motion M-20470), which constituted the approval action under Chapter 31 of the
12 Administrative Code; and

13 WHEREAS, By letter to the Clerk of the Board, dated July 22, 2019, Michael Cruz and
14 Kevin Rudich on behalf of the 401 Fourth Street Coalition (“Appellant”), appealed the
15 environmental determination; and

16 WHEREAS, The Planning Department’s Environmental Review Officer, by
17 memorandum to the Clerk of the Board dated July 25, 2019, determined that the appeal had
18 been timely filed; and

19 WHEREAS, On September 3, 2019, this Board held a duly noticed public hearing to
20 consider the appeal of the environmental determination filed by Appellant; and

21 WHEREAS, In reviewing the appeal of the environmental determination, this Board
22 reviewed and considered the environmental determination, the appeal letter, the responses to
23 the appeal documents that the Planning Department prepared, the other written records
24 before the Board of Supervisors and all of the public testimony made in support of and
25 opposed to the appeal; and

1 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
2 conditionally reversed the determination that the Project did not require further environmental
3 review subject to the adoption of written findings of the Board in support of such determination
4 based on the written record before the Board of Supervisors as well as all of the testimony at
5 the public hearing in support of and opposed to the appeal; and

6 WHEREAS, The written record and oral testimony in support of and opposed to the
7 appeal and deliberation of the oral and written testimony at the public hearing before the
8 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
9 the environmental determination is in the Clerk of the Board of Supervisors File No. 190826
10 and is incorporated in this Motion as though set forth in its entirety; now, therefore, be it

11 MOVED, That this Board of Supervisors conditionally reverses the determination by the
12 Planning Department that the Project is exempt from environmental review, subject to the
13 adoption of written findings of the Board in support of this determination.