

1 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - Pier  
2 70 Mixed-Use District Project]

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3 **Motion directing the Clerk of the Board to prepare findings related to reversing the**  
4 **Planning Commission’s certification of the Final Environmental Impact Report for the**  
5 **proposed Pier 70 Mixed-Use District Project.**

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

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

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

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

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

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

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

8           WHEREAS, Depending on the uses proposed, the Project would include between  
9 1,645 to 3,025 residential units, a maximum of 1,102,250 to 2,262,350 gross square feet (gsf)  
10 of commercial-office use, and a maximum of 494,100 to 518,700 gsf of retail-light industrial-  
11 arts use; and new buildings would range in height from 50 to 90 feet, consistent with  
12 Proposition F, which was passed by San Francisco voters in November 2014; and

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

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

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

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

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

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

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

14           WHEREAS, The Planning Department’s Environmental Review Officer, by  
15 memorandum to the Clerk of the Board dated September 27, 2017, determined that the  
16 appeal had been timely filed; and

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

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

1           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
2 conditionally reversed the Final EIR certification, subject to the adoption of written findings of  
3 the Board in support of such determination, based on the written record before the Board of  
4 Supervisors as well as all of the testimony at the public hearing in support of and opposed to  
5 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 Final EIR certification is in the Clerk of the Board of Supervisors File No. 171047 and is  
10 incorporated in this motion as though set forth in its entirety; now therefore be it

11           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
12 findings specifying the basis for its decision on the appeal of the Planning Commission's  
13 certification of the Final EIR for the project.

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