

File No. 210925

Committee Item No. _____

Board Item No. 45

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: October 5, 2021

Cmte Board

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OTHER

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Prepared by: Lisa Lew

Date: October 1, 2021

Prepared by: _____

Date: _____

1 [Conditionally Reversing the Approval of a Final Mitigated Negative Declaration - Proposed
2 530 Sansome Street Project]

3 **Motion conditionally reversing the approval by the Planning Commission of a Final**
4 **Mitigated Negative Declaration under the California Environmental Quality Act for the**
5 **proposed 530 Sansome Street project, subject to the adoption of written findings of the**
6 **Board in support of this determination.**

7

8 WHEREAS, The Planning Commission approved a final mitigated negative declaration
9 (“FMND”) under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines,
10 and San Francisco Administrative Code, Chapter 31 for a proposed Project located at 530
11 Sansome Street (“Project”); and

12 WHEREAS, The proposed Project would demolish the existing buildings and construct
13 a 218-foot-tall (236 feet total, including rooftop mechanical equipment) building and a four-
14 story replacement fire station, with three below-grade levels under both buildings; and

15 WHEREAS, The 530 Sansome Street project sponsor has identified two different
16 potential programs of use (one primarily hotel and the other primarily residential) either of
17 which would be within the future tower and would have the same building envelope; and

18 WHEREAS, Under the proposed Project, a 19-story tower would provide approximately
19 6,470 square feet of retail/restaurant space on the first and second floors; approximately
20 40,490 square feet of office space on the first, second, and sixth through eighth floors;
21 approximately 35,230 square feet of fitness center space on the first through fifth floors; and
22 approximately 146,065 square feet of hotel space that would accommodate 200 guest rooms;
23 at the fourth floor, the 19-story building would cantilever over the third floor of the replacement
24 fire station; the 19-story building would include outdoor terrace space on the east and west
25 ends of the 19th floor; on the eastern portion of the project site the four story, approximately

1 44-foot-tall (53 feet total, including rooftop mechanical equipment) replacement fire station
2 would include approximately 20,240 square feet of space; the three below-grade levels would
3 provide 48 vehicle parking spaces, one loading space, two vehicle service spaces, 22 class 1
4 bicycle parking spaces, lockers and showers, and utility rooms for the fire station, hotel, and
5 retail/restaurant uses; and

6 WHEREAS, The proposed Project would convert the western portion of Merchant
7 Street in front of the project site into a shared street/living alley with approximately 4,810
8 square feet of privately owned public open space (“POPOS”), and an additional 26 class 2
9 bicycle parking spaces would be located on streets adjacent to the project site, subject to San
10 Francisco Municipal Transportation Agency (“SFMTA”) and San Francisco Public Works
11 approval; and

12 WHEREAS, The sponsors also propose a residential variant to the proposed Project,
13 which would construct 256 residential units instead of the hotel, office, fitness center, and
14 retail/restaurant uses in the approximately 218-foot-tall building; under the residential variant,
15 6,384 square feet of common open space would be located on the 21st floor of the building in
16 the form of a solarium; the three additional stories for the residential variant is due to the
17 reduced floor-to-floor heights, and the total height and massing of the tower would be the
18 same as under the proposed Project; at the fourth floor, the 21-story building would cantilever
19 over the third floor of the replacement fire station; the four-story replacement fire station
20 building would remain the same for the residential variant; the three below-grade levels for the
21 residential variant would provide 82 vehicle parking spaces, one loading space, two vehicle
22 service spaces, 143 class 1 bicycle parking spaces, and utility rooms for the fire station; an
23 additional 19 class 2 bicycle parking spaces would be located on streets adjacent to the
24 project site, subject to SFMTA and San Francisco Public Works approval; and

25

1 WHEREAS, Consistent with the proposed Project, the residential variant would convert
2 Merchant Street into a shared street/living alley; and

3 WHEREAS, The project site is a 17,733-square-foot site located at the southeast
4 corner of Sansome and Washington streets, located within the Financial District neighborhood
5 in a C3O (Downtown Office) use district and a 200-S height and bulk district; the site is
6 currently developed with three buildings: a vacant three-story office building at 425
7 Washington Street, a vacant two-story commercial building at 439–445 Washington Street,
8 and the two-story-with-mezzanine San Francisco Fire Station 13 building at 530 Sansome
9 Street; and

10 WHEREAS, The Planning Department published a Preliminary Mitigated Negative
11 Declaration (“PMND”) for the proposed Project on April 28, 2021; and

12 WHEREAS, On May 18, 2021, Ryan Patterson, on behalf of 447 Partners, LLC
13 (“Appellant”), filed an appeal of the Planning Department’s decision to issue the PMND; and

14 WHEREAS, On July 29, 2021, the Planning Commission held a public hearing on the
15 merits of the appeal and adopted Motion No. 20953 affirming the Environmental Review
16 Officer's decision to issue the PMND pursuant to CEQA, the CEQA Guidelines, and Chapter
17 31 of the San Francisco Administrative Code, finding that the Project could not have a
18 significant impact on the environment, and issued the FMND; and

19 WHEREAS, The approval action for the proposed Project occurred on July 29, 2021;
20 and

21 WHEREAS, Appellant filed an appeal of the FMND on August 30, 2021; and

22 WHEREAS, The Planning Department's Environmental Review Officer, by
23 memorandum to the Clerk of the Board dated September 2, 2021, determined that the appeal
24 had been timely filed; and

25

1 WHEREAS, On October 5, 2021, this Board held a duly noticed public hearing to
2 consider the appeal of the FMND filed by Appellant; and

3 WHEREAS, In reviewing the appeal of the FMND, the Board of Supervisors reviewed
4 and considered the environmental determination, the appeal letter, the responses to the
5 appeal documents that the Planning Department and the project sponsor prepared, the other
6 written records before the Board of Supervisors and all of the public testimony made in
7 support of and opposed to the appeal; and

8 WHEREAS, The written record and oral testimony in support of and opposed to the
9 appeal and deliberation of the oral and written testimony at the public hearing before the
10 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
11 the FMND is in the Clerk of the Board of Supervisors File No. 210923 and is incorporated in
12 this Motion as though set forth in its entirety; now, therefore, be it

13 MOVED, That this Board of Supervisors conditionally reverses the Planning
14 Department's preparation of the FMND, subject to the adoption of written findings of the Board
15 in support of this determination.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date _____

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Subject:

The text is listed below or attached:

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only: