Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

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

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

WHEREAS, The Planning Department ("Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on November 27, 2007; and
WHEREAS, On March 25, 2009, the Department published the Draft Environmental Impact Report ("DEIR"); and

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

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

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

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

WHEREAS, By Motion No. 18046, the Commission found the FEIR reflected the independent judgment and analysis of the Department and Commission, was adequate, accurate and objective, and that the Comments and Responses document contained no significant revisions to the DEIR and certified the FEIR, finding that the Project described in the FEIR will have a project-specific unavoidable significant effect on the environment on historical resources in that it would demolish a potentially significant historic building at 545 Sansome Street, and
WHEREAS, By Motion No. 18047, the Commission adopted CEQA findings related to
the Project approvals, including a statement of overriding considerations, and adopted a
Mitigation Monitoring and Reporting Program for the Project, and

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

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

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

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

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

MOVED, This Board hereby reverses the decision of the Planning Commission in its Motion No. 18046 to certify the FEIR.
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

April 20, 2010 Board of Supervisors - APPROVED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi

Excused: 1 - Maxwell

I hereby certify that the foregoing Motion was APPROVED on 4/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board