Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project.

WHEREAS, The project site is on the northwest corner of Third and Mission Streets, near the southern edge of San Francisco’s Financial District neighborhood, and consists of three lots: the entirety of Assessor’s Block No. 3706, Lots Nos. 093 and 275, and portions of Assessor’s Block No. 3706, Lot No. 277. Together, these lots cover an area of approximately 63,468 square feet or approximately 1.45 acres. The eastern portion of the project site is occupied by the 10-story, 154-foot-tall Aronson Building (a 144-foot-tall building with a 10-foot-tall mechanical penthouse). The historically important Aronson Building has a retail use on the ground floor and office uses on the floors above. The western portion of the project site is vacant at the surface, and this location has been chosen as the future permanent home of The Mexican Museum. Below grade, the western portion of the project site contains a two-level, double-height, approximately 18,000-gsf vacant structure that was constructed when the Jessie Square Garage was originally built. The project site includes the four-level Jessie Square Garage, which is underneath Jessie Square. The garage has 442 parking spaces and is open to the public. The project site does not include the at-grade Jessie Square plaza, which is adjacent to and west of the project site; and

WHEREAS, The proposed Project consists of the construction of a new 47-story, 550-foot-tall tower (a 520-foot-tall building with a 30-foot-tall elevator/mechanical penthouse), with two floors below grade. The new tower would be adjacent to and physically connected to the...
Aronson Building, which would be restored and rehabilitated as part of the Project. The Project would include a mix of residential, museum, restaurant/retail, and possibly office uses. The new tower would contain up to 215 residential units in 43 floors of residential space, including mechanical areas, and 4 floors of museum space. The Aronson Building's existing retail and office uses on the ground through tenth floors and basement-level storage and utility space would be reconfigured under the proposed project. Under the Project, the Aronson Building would contain retail/restaurant space on the ground floor and museum space on the second and third floors. In addition, two flex space options are proposed for the fourth through tenth floors of the Aronson Building. The residential flex option would convert these seven floors from office use to up to 28 residential units, and the office flex option would continue their use as office space. The Mexican Museum would occupy the ground through fourth floors of the proposed tower and the second and third floors and possibly some of the ground floor of the Aronson Building; and

WHEREAS, The existing Jessie Square Garage would provide parking for the Project. As part of the proposed project, the Commission on Community Investment and Infrastructure and its Oversight Board, in addition to the San Francisco Municipal Transportation Agency (SFMTA) and the SFMTA Board of Directors, which have jurisdiction over City-owned parking garages, would convey the Jessie Square Garage and its entrance ramp to the project sponsor. The garage would be converted from a publicly-owned garage to a privately-owned garage. The total number of parking spaces in the Jessie Square Garage would increase from 442 to 470 with the Project. In addition to the proposed project, seven vehicular access variants were analyzed for the proposed project in the EIR. The vehicular access variants differ from the Project in how vehicles enter and exit the project site and the Jessie Square Garage; and
WHEREAS, The Planning Department determined that an environmental impact report was required for the Project and prepared a Notice of Preparation ("NOP") of an Environmental Impact Report on April 13, 2011. The NOP was circulated for 30 days for public comment and review; and

WHEREAS, On June 27, 2012, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case No. 2008.1084E); and

WHEREAS, The Planning Commission held a duly advertised public hearing on the DEIR, on August 2, 2012, at which time opportunity for public comment was provided on the DEIR, and written comments were received through August 13, 2012; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Comments and Responses Document on March 7, 2013; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project 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 Comments and Responses document, all as required by law; and

WHEREAS, On March 21, 2013, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18829 found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied 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. 18829 the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Comments and Responses document contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated
with the Project and certified the completion of the FEIR in compliance with CEQA and the
State CEQA Guidelines; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated April 2, 2013, from
Thomas N. Lippe of Lippe Gaffney Wagner LLP, on behalf of 765 Market Street Residential
Owners Association, by letter to the Clerk of the Board of Supervisors dated March 29, 2013
but received by the Clerk of the Board of Supervisors on April 9, 2013, from Susan Brandt –
Hawley of Brandt-Hawley Law Group, on behalf of Tenants and Owners Development
Corporation and Yerba Buena Neighborhood Consortium LLC (TODCO and YBNC), and by
letter to the Clerk of the Board of Supervisors dated April 10, 2013 from Thomas N. Lippe of
Lippe Gaffney Wagner LLP, on behalf of Friends of Yerba Buena, Paul Sedway, Ron Wornick,
Matthew Schoenberg, Joe Fang, and Margaret Collins, (collectively “Appellants”) filed an
appeal of the FEIR to the Board of Supervisors; and

WHEREAS, On May 7, 2013, this Board held a duly noticed public hearing to consider
the appeal of the FEIR certification filed by Appellant; and

WHEREAS, This Board has reviewed and considered the FEIR, the appeal letters, the
responses to concerns documents 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 this Board and the public. These files are available for public
review by appointment at the Planning Department offices at 1650 Mission Street, and are
part of the record before this Board by reference in this Motion; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning
Commission in its Motion No. 18829 to certify the FEIR and finds the FEIR to be complete,
adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.
File Number:  130309  Date Passed:  May 07, 2013

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project.

May 07, 2013 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130309

I hereby certify that the foregoing Motion was APPROVED on 5/7/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board