

2017-059



SAN FRANCISCO PLANNING DEPARTMENT

ENDORSED
FILED
SAN FRANCISCO County Clerk

Notice of Determination

NOV 16, 2017

550 Mission St.
Suite 400
San Francisco,
CA 94103-2479

by: **FALLON LIM**
Deputy County Clerk

Reception:
15.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

NOV 16 2017
POSTED
TO

Approval Date: November 15, 2017
Case No.: 2014-001272ENV
State Clearinghouse No: 2015052024
Project Title: Pier 70 Mixed-Use District Project
Zoning: M-2 (Heavy Industrial) and P (Public) Use Districts
40-X and 65-X Height and Bulk Districts
Block/Lot: 4052/001, 4052/002, 4110/001, 4100/008A, 4111/003, 4111/004, 4120/002
Lot Size: 35 acres
Lead Agency: San Francisco Planning Department
Project Sponsor: Kelly Pretzer, Forest City Enterprises, (415) 593-4227
kellypretzer@forestcity.net
David Beaupre, Port of San Francisco, (415) 274-0539
david.beaupre@sfport.com
Staff Contact: Rick Cooper – (415) 575-9027
rick.cooper@sfgov.org

To: County Clerk, City and County of San Francisco State of California
City Hall Room 168 Office of Planning and Research
1 Dr. Carlton B. Goodlett Place PO Box 3044
San Francisco, CA 94102 Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:
 \$64 filing fee AND \$3,078.25 EIR Fee

PROJECT DESCRIPTION:

The Pier 70 Mixed-Use District Project would rezone the entire 35-acre project site (including the 28-acre site and the Illinois Parcels) and establish land use controls for the project site through adoption of the proposed Pier 70 Special Use District (SUD), and incorporation of design standards and guidelines in a proposed Pier 70 Design for Development document. The proposed project would involve the demolition of seven buildings/structures and the rehabilitation of three buildings. The proposed project would accommodate, depending on the uses proposed, between a maximum of 1,645 to 3,025 residential units, a maximum of 1,102,250 to 2,262,350 gross square feet (gsf) of commercial-office use, and a maximum of 479,980 to 486,950 gsf of retail-restaurant-arts/light industrial use. New buildings would range in height from 50 to 90 feet, consistent with Proposition F. The proposed project would also include transportation

and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements, and nine acres of public open space.

DETERMINATION:

The Board of Supervisors (Board) adopted a Motion affirming the Planning Commission's decision to certify the EIR for the Pier 70 Mixed-Use District Project on October 24, 2017 following the withdrawal of an appeal of the CEQA determination. A Notice of Determination for the EIR was filed with the San Francisco County Clerk and the Office of Planning and Research and was posted on October 27, 2017.

The Board finally approved the Project through a series of approvals on October 31, 2017 and November 14, 2017, which followed a number of actions and approvals by the San Francisco Port Commission and other San Francisco Boards, Commission and Departments. The approval actions for the Project are listed below:

Final approval actions by the City and County of San Francisco Board of Supervisors for the Pier 70 Mixed-Use District Project (referenced by file number "File No."):

1. **File No. 170930:** Amending the General Plan.
2. **File No. 170864:** Amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District.
3. **File No. 170863:** Approving a Development Agreement between the City and County of San Francisco and FC Pier 70, LLC and waiving certain provisions of the Administrative Code, Planning Code, and Subdivision Code.
4. **File No. 170987:** Approving the Compromise Title Settlement and Land Exchange Agreement for Pier 70 between the City and the California State Lands Commission in furtherance of the Pier 70 Mixed Use Project.
5. **File No. 170986:** Approving a Disposition and Development Agreement between the Port and FC Pier 70, LLC.
6. **File No. 170988:** Approving the Memorandum of Understanding regarding Interagency Cooperation.

Final and Related Approval Actions of City and County of San Francisco Port Commission (referenced by Resolution number "R No.")

1. **R No. 17-43:** Approving a Disposition and Development Agreement with FC Pier 70, LLC, and the attached forms of Master Lease, Vertical Disposition and Development Agreement, and Parcel Lease.
2. **R No. 17-45:** Consenting to zoning amendments to establish the Pier 70 Special Use District and related amendments to the City's General Plan and approving the Pier 70 Design for Development.
3. **R No. 17-47:** Consenting to a Development Agreement.
4. **R No. 17-44:** Approving a Compromise Title Settlement and Land Exchange Agreement for Pier 70.

5. **R No. 17-46:** Approving amendments to the Waterfront Land Use Plan and its Design and Access Element.
6. **R. No. 17-48:** Approving a Memorandum of Understanding regarding Interagency Cooperation.

Final and Related Approval Actions of City and County of San Francisco Planning Commission
(referenced by Motion Number "M No." or Resolution Number "R No.")

1. **M No. 19976:** Certifying the Final Environmental Impact Report.
2. **M No. 19977:** Adopting Findings and Statement of Overriding Considerations under the California Environmental Quality Act.
3. **R No. 19978:** Adopting a Recommendation of Approval of the General Plan Amendments.
4. **R No. 19979:** Adopting a Recommendation of Approval of a Zoning Map Amendment.
5. **M No. 19980:** Approving the Pier 70 Special Use District Design for Development.
6. **R No. 19981:** Adopt a Recommendation of Approval of a Development Agreement.

Final and Related Approval Actions of Other City and County of Commission Boards, Commissions, and Departments:

1. San Francisco Municipal Transportation Agency **Resolution Number 170905-112** consenting to the Pier 70 Development Agreement, including the Transportation Plan, and consenting to the Interagency Cooperation Agreement.
 2. San Francisco Public Utilities Commission **Resolution Number 17-0209** consenting to the Development Agreement; consenting to the Pier 70 Interagency Cooperation Agreement; and authorizing the General Manager to negotiate and execute a Memorandum of Understanding with the Port regarding the relocation of the SFPUC's 20th Street Pump Station.
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1. An Environmental Impact Report has been prepared and certified pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 in Case File No. 2014-001272ENV.
 2. A determination has been made that the project in its approved form will have a significant effect on the environment and findings were made pursuant to Section 15091 and a statement of overriding considerations was adopted.
 3. Mitigation measures were made a condition of project approval and a Mitigation Monitoring and Reporting Plan was adopted.

John Rahaim
Planning Director


By Lisa Gibson

Environmental Review Officer

cc: Kelly Pretzer, Forest City Enterprises
David Beaupre, Port of San Francisco



State of California - Department of Fish and Wildlife
2017 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a

Print **Finalize&Email**

RECEIPT NUMBER:
 38 — 10272017 — 53
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY: **SAN FRANCISCO PLANNING DEPARTMENT** LEAD AGENCY EMAIL: _____ DATE: **10/27/2017**

COUNTY/STATE AGENCY OF FILING: **San Francisco** DOCUMENT NUMBER: **632142**

PROJECT TITLE: **PIER 70 MIXED-USE DISTRICT PROJECT**

PROJECT APPLICANT NAME: **MELINDA HUE** PROJECT APPLICANT EMAIL: **MELINDA.HUE@SFGOV.ORG** PHONE NUMBER: **(415) 575-9041**

PROJECT APPLICANT ADDRESS: **1650 MISSION ST., SUITE 400** CITY: **SAN FRANCISCO** STATE: **CA** ZIP CODE: **94103**

PROJECT APPLICANT (Check appropriate box)
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:


<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,078.25	\$	<u>3,078.25</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,216.25	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,046.50	\$	<u>0.00</u>

Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>64.00</u>
<input type="checkbox"/> Other		\$	<u> </u>

PAYMENT METHOD:

Cash Credit Check Other **TOTAL RECEIVED \$ 3,142.25**

SIGNATURE: **X**  AGENCY OF FILING PRINTED NAME AND TITLE: **MARIEDYNE L. ARGENTE, DEPUTY COUNTY CLERK**



State of California - Department of Fish and Wildlife
2017 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a

Print **Start Over** **Finalize&Email**

RECEIPT NUMBER:
 38 — 11162017 — 59
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY: **SAN FRANCISCO PLANNING DEPARTMENT** LEAD AGENCY EMAIL: DATE: **11/16/2017**

COUNTY/STATE AGENCY OF FILING: **San Francisco** DOCUMENT NUMBER: **634118**

PROJECT TITLE: **PIER 70 MIXED-USE DISTRICT PROJECT**

PROJECT APPLICANT NAME: **RICK COOPER** PROJECT APPLICANT EMAIL: **RICK.COOPER@SFGOV.ORG** PHONE NUMBER: **(415) 575-9027**

PROJECT APPLICANT ADDRESS: **1650 MISSION ST, STE 400** CITY: **SAN FRANCISCO** STATE: **CA** ZIP CODE: **94103**

PROJECT APPLICANT (Check appropriate box)
 Local Public Agency School District Other Special District State Agency Private Entity


CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,078.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,216.25	\$	0.00
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<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	64.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:
 Cash Credit Check Other **TOTAL RECEIVED \$ 64.00**

SIGNATURE: **X**  AGENCY OF FILING PRINTED NAME AND TITLE: **FALLON LIM, DEPUTY COUNTY CLERK**