

File No. 201250

Committee Item No. _____

Board Item No. 34

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: December 8, 2020

Cmte Board

- Motion
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- Contract/Agreement
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Prepared by: Jocelyn Wong

Date: December 4, 2020

Prepared by: _____

Date: _____

1 [Conditionally Reversing the Community Plan Evaluation - 350-352 San Jose Avenue]

2

3 **Motion conditionally reversing the determination by the Planning Department that a**
4 **proposed project at 350-352 San Jose Avenue is exempt from further environmental**
5 **review under a Community Plan Evaluation, subject to the adoption of written findings**
6 **of the Board in support of this determination.**

7

8 WHEREAS, On September 23, 2020, the Planning Department issued a Community
9 Plan Evaluation and an Initial Study (“environmental determination”), pursuant to California
10 Environmental Quality Act (“CEQA”), the CEQA Guidelines, 14 Cal. Code of Reg. sections
11 15000 et seq., and Chapter 31 of the San Francisco Administrative Code, finding that the
12 proposed project at 350-352 San Jose Avenue (“Project”) is consistent with the development
13 density established by zoning, community plan, and general plan policies in the Eastern
14 Neighborhoods Rezoning and Area Plans (the “Area Plan”) for the project site, for which a
15 Programmatic Environmental Impact Report (the “PEIR”) was certified; and

16 WHEREAS, The approximately 7,150-square-foot project site is located on the west
17 side of San Jose Avenue, on the block bounded by 25th Street to the north, Valencia Street to
18 the east, Guerrero Street to the west, and 26th Street to the south, in the Mission
19 neighborhood; the existing on-site building is an approximately 3,560-square-foot,
20 approximately 34-foot-tall, two-story-over-basement residential building constructed circa
21 1875; the existing building contains four dwelling units and is set back 40 feet from the front
22 property line; and

23 WHEREAS, The Project would move the existing on-site building 23 feet eastward on
24 the lot (toward the San Jose Avenue frontage), reducing the front set back from approximately
25 40 feet to approximately 17 feet; the Project would also include horizontal and vertical

1 additions to the building that would increase the residential square footage by approximately
2 8,670 square feet to a new total of approximately 12,235 square feet; one vertical floor would
3 be added to the building, with a resulting height of 40 feet, with an additional 3 feet to the top
4 of the rooftop mechanical feature; the proposed vertical addition is within the existing 40-X
5 height limit allowed on the site; eight dwelling units would be added to the building - at the
6 basement, first, second, and third floors, for a total of 12 dwelling units and an accessory
7 dwelling unit (“ADU”); the ADU unit would be added on the basement level; the final unit mix
8 would be six one-bedroom units, six two-bedroom units, and one two-bedroom ADU; the
9 existing curb cut would be removed and a new 10-foot curb cut would be installed in the same
10 location; the Project would not include any off-street vehicle parking; space for 10 Class 1
11 bicycle spaces would be provided in the rear yard; and

12 WHEREAS, On December 10, 2019, a request for Discretionary Review (“DR”) was
13 filed. Subsequent DRs were filed and the project sponsor entered into negotiations with the
14 DR filers; these negotiations led to changes in the Project, which are reflected in a September
15 17, 2020, plan set; and

16 WHEREAS, The Planning Commission considered the Project on September 24, 2020,
17 and took discretionary review for the Project by Planning Commission Discretionary Review
18 Action DRA-722, which constituted the approval action under Chapter 31 of the Administrative
19 Code; and

20 WHEREAS, On October 26, 2020, Stephen M. Williams, on behalf of Elisabeth Kranier,
21 filed an appeal of the Environmental determination; and

22 WHEREAS, The Planning Department’s Environmental Review Officer, by
23 memorandum to the Clerk of the Board dated November 2, 2020, determined that the appeal
24 had been timely filed; and

25

1 WHEREAS, On December 8, 2020, this Board held a duly noticed public hearing to
2 consider the appeal of the environmental determination filed by Appellants and, following the
3 public hearing, affirmed the Environmental determination; and

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

9 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
10 conditionally reversed the determination that the Project did not require further environmental
11 review subject to the adoption of written findings of the Board in support of such determination
12 based on the written record before the Board of Supervisors as well as all of the testimony at
13 the public hearing in support of and opposed to the appeal; and

14 WHEREAS, The written record and oral testimony in support of and opposed to the
15 appeal and deliberation of the oral and written testimony at the public hearing before the
16 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
17 the environmental determination is in the Clerk of the Board of Supervisors File No. 201248
18 and is incorporated in this motion as though set forth in its entirety; now therefore be it

19 MOVED, That this Board of Supervisors conditionally reverses the determination by the
20 Planning Department that the Project is exempt from environmental review, subject to the
21 adoption of written findings of the Board in support of this determination.

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Introduction Form

By a Member of the Board of Supervisors or 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 inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic 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 the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only