File No. 120268

Committee Item No. _____
Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

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Completed by: Joy Lamug Date March 26, 2012
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

[Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]

~~Motion reversing the certification by the Planning Commission of the Final~~ Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

WHEREAS, The proposed project approved by the Planning Commission at 8 Washington Street, located on Assessor's Block 168/Lot 58, Block 171/69, Block 201/Lot 12 and Seawall Lot 351 (which includes Lot 13), would demolish the Golden Gateway Tennis and Swim Club and an existing surface parking lot on Seawall Lot 351, and construct a new health club and two residential buildings, ranging from four to twelve stories in height, containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces within the RC-4 zoning district and 84-E height and bulk district (the "Project"); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that an Environmental Impact Report ("EIR") was required under the California Environmental Quality Act ("CEQA") for the Project and provided public notice of that determination by publication in a newspaper of general circulation on December 8, 2007; and

WHEREAS, On June 15, 2011, the Department published the Draft Environmental Impact Report ("DEIR") for the Project (Planning Department Case No. 2007.0030E), filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse, and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed or otherwise delivered to the Department's list of

persons requesting such notice, to adjacent property owners, government agencies and through the State Clearinghouse, and the date and time of the public hearing were posted near the Project site; and

WHEREAS, The Planning Commission held a duly noticed public hearing on the DEIR on July 21, 2011, at which time opportunity for public comment was provided on the DEIR, and written comments were received through August 15, 2011; 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 Draft Summary of Comments and Responses on December 22, 2011; 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 Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On March 22, 2012, the Planning Commission reviewed and considered the FEIR and, by Motion No. 18560, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 18560, 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 Summary of Comments and Responses 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, On March 22, 2012, by Motion No. 18561, the Planning Commission adopted findings under CEQA ("CEQA Approval Findings") and took various actions to approve the Project; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated March 26, 2012, Zane O. Gresham, on behalf of Equity Office Properties, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around March 26, 2012; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated April 4, 2012, Sue C. Hestor, on behalf of Friends of Golden Gateway, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around April 4, 2012; and

WHEREAS, On May 1, 2012, 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 letter, 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 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 reverses the decision of the Planning Commission in its Motion No. 18560 to certify the FEIR.