

File No. 231287

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 23, 2024

Cmte Board

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OTHER

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Prepared by: Lisa Lew

Date: January 19, 2024

Prepared by: _____

Date: _____

1 [Conditionally Reversing the General Plan Evaluation - 2395 Sacramento Street]

2

3 **Motion conditionally reversing the determination by the Planning Department that the**
4 **proposed project at 2395 Sacramento Street is exempt from further environmental**
5 **review, under a General Plan Evaluation, subject to the adoption of written findings of**
6 **the Board in support of this determination.**

7

8 WHEREAS, On October 23, 2023, the Planning Department issued a General Plan
9 Evaluation (“GPE”) for the proposed project located at 2395 Sacramento Street (“Project”)
10 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San
11 Francisco Administrative Code, Chapter 31; and

12 WHEREAS, The 15,105-square-foot (sf) project site is located within the Pacific
13 Heights neighborhood of San Francisco, near the Japantown and Upper Fillmore
14 neighborhood commercial areas; it is bounded by Sacramento Street to the north, Buchanan
15 Street to the east, California Street to the south, and Webster Street to the west; and

16 WHEREAS, The project site is comprised of two lots (Assesor’s Parcel Block No. 0637,
17 Lot Nos. 015 and 016); Lot No. 015 is a vacant 3,497-sf lot; Lot No. 016 is 11,608 square feet
18 in size and occupied by an existing three-story former library building with a basement and
19 attic, a gated paved surface area, and a children’s playground structure and open area; the
20 existing building on the project site is designated as San Francisco Landmark No.115, Health
21 Sciences Library, which was constructed in 1912; it is currently used as an events venue; and

22 WHEREAS, The Project proposes to merge the two existing lots, adaptively reuse the
23 Health Sciences for residential use, and construct two horizontal additions to the existing
24 building: a six-story, approximately 68-foot-tall addition along Webster Street and an
25

1 approximately 78-foot-tall addition along Sacramento Street, resulting in a 66,311-gsf building
2 with 24 dwelling units; and

3 WHEREAS, Both additions would include garage space, for a total of 26 vehicle
4 parking spaces and 38 class 1 bicycle spaces, accessed from Webster Street; the Project
5 would include two on-street passenger loading spaces along Webster Street, a new sidewalk
6 bulb-out/extension at the corner of Webster and Sacramento streets, new street trees, and
7 four class 2 bicycle parking spaces; and

8 WHEREAS, The proposed building would be supported on a mat foundation, requiring
9 excavation to a maximum of approximately 27 feet below the ground surface and the removal
10 of approximately 5,830 cubic yards of soil; construction is anticipated to begin in summer
11 2027 and take approximately 21 months; and

12 WHEREAS, The Project would utilize the Individually Requested State Density Bonus
13 Program to qualify for a 26% density bonus (five units). The Project requires waivers from
14 local height limit of 40 feet; reduction of the rear yard requirement; and reduction regarding
15 the dwelling unit exposure requirement; and

16 WHEREAS, CEQA mandates that projects that are consistent with the development
17 density established by existing zoning, community plan or general plan policies for which an
18 EIR was certified, shall not require additional environmental review unless there are project-
19 specific effects that are peculiar to the project or its site (Public Resources Code, Section
20 21083.3, and CEQA Guidelines, Section 15183); and

21 WHEREAS, The Planning Department determined that the Project is consistent with
22 the development density established by zoning, community plan, and general plan policies in
23 the San Francisco Housing Element 2022 Update for the project site, for which a
24 programmatic EIR (“PEIR”) was certified, and that there are no project-specific impacts that
25 are peculiar to the project site; based on that determination, on October 23, 2023, the

1 Planning Department it issued a GPE for the project, concluding that the Project is exempt
2 from further environmental review, above and beyond the review encompassed in the PEIR,
3 the GPE, and its Initial Study; and

4 WHEREAS, The Planning Commission considered the Project on November 9, 2023; it
5 adopted the GPE, including the project-specific Mitigation Monitoring and Reporting Program,
6 and approved the Conditional Use Authorization for the Project; the Planning Commission
7 also made findings related to the requested waivers from development standards, including
8 rear yard (Planning Code, Section 134); dwelling unit exposure (Planning Code, Section 140);
9 and height (Planning Code, Section 260), pursuant to State Density Bonus Law; and

10 WHEREAS, On December 11, 2023, Richard Toshiyuki Drury of Lozeau Drury LLP, on
11 behalf of Jonathan Clark (“Appellant”), filed an appeal of the GPE determination; and

12 WHEREAS, By memorandum to the Clerk of the Board dated December 14, 2023, the
13 Planning Department’s Environmental Review Officer determined that the appeal was timely
14 filed; and

15 WHEREAS, On January 23, 2024, this Board held a duly noticed public hearing to
16 consider the GPE appeal filed by Appellant; and

17 WHEREAS, In reviewing the GPE appeal, this Board reviewed and considered the
18 GPE, the appeal letter, the responses to the appeal documents that the Planning Department
19 and the Project Sponsor prepared, the other written records before the Board of Supervisors
20 and all of the public testimony made in support of and opposed to the GPE appeal; and

21 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
22 conditionally reversed the GPE for the Project subject to the adoption of written findings of the
23 Board in support of such determination based on the written record before the Board of
24 Supervisors as well as all of the testimony at the public hearing in support of and opposed to
25 the appeal; and

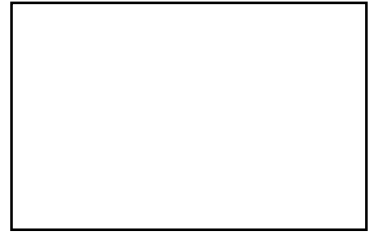
1 WHEREAS, The written record and oral testimony in support of and opposed to the
2 appeal and the oral and written testimony at the public hearing before the Board of
3 Supervisors by all parties and the public in support of and opposed to the GPE appeal,
4 including the deliberations by the members of the Board, is in the Clerk of the Board of
5 Supervisors File No. 231285, and is incorporated in this motion as though set forth in its
6 entirety; now, therefore, be it

7 MOVED, That the Board of Supervisors conditionally reverses the determination by the
8 Planning Department that the project qualifies for a GPE and is exempt from environmental
9 review beyond the review encompassed in the PEIR, the GPE and its Initial Study, subject to
10 the 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 the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor inquiries..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: