

1 [Affirming the Community Plan Evaluation - 429 Beale Street and 430 Main Street]

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3 **Motion affirming the determination by the Planning Department that a proposed project**
4 **at 429 Beale Street and 430 Main Street is exempt from further environmental review**
5 **under a Community Plan Evaluation.**

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7 WHEREAS, On March 19, 2018, the Planning Department issued a Community Plan
8 Evaluation (“environmental determination”), pursuant to CEQA, the CEQA Guidelines, 14 Cal.
9 Code of Reg. sections 15000 et seq., and Chapter 31 of the San Francisco Administrative
10 Code, finding that the proposed project at 429 Beale Street and 430 Main Street (“Project”) is
11 consistent with the development density established by zoning, community plan, and general
12 plan policies in the Rincon Hill Area Plan (the “Area Plan”) for the project site, for which a
13 Programmatic EIR (the “PEIR”) was certified; and

14 WHEREAS, The Project consists of merging two existing lots, Assessor’s Parcel Block
15 No. 3767, Lots 305 and 306, into a single 18,906-square-foot lot, demolishing the existing
16 buildings, and constructing a nine-story, 84-foot-tall building containing 144 dwelling units
17 and 73 parking spaces (72 residential spaces and one car-share space); and

18 WHEREAS, The Project would include a 15-foot-tall solarium and a 15-foot-tall
19 mechanical penthouse on the roof, resulting in a maximum building height of 99 feet, with the
20 parking garage on the basement level; and

21 WHEREAS, On May 24, 2018, the Planning Commission adopted the environmental
22 determination and approved the Project under Planning Code Section 309.1 (Downtown
23 Project Authorization); and

24 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
25 June 25, 2018, Dane M. Ince (“Appellant”), appealed the environmental determination; and

1 WHEREAS, The Planning Department’s Environmental Review Officer, by
2 memorandum to the Clerk of the Board dated June 29, 2018, determined that the appeal had
3 been timely filed; and

4 WHEREAS, On July 31, 2018, this Board held a duly noticed public hearing to consider
5 the appeal of the environmental determination filed by Appellant and, following the public
6 hearing, affirmed the environmental determination; and

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

12 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
13 affirmed the determination that the Project does not require further environmental review
14 based on the written record before the Board of Supervisors as well as all of the testimony at
15 the public hearing in support of and opposed to the appeal; and

16 WHEREAS, The written record and oral testimony in support of and opposed to the
17 appeal and deliberation of the oral and written testimony at the public hearing before the
18 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
19 the environmental determination is in the Clerk of the Board of Supervisors File No. 180697
20 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

21 MOVED, That the Board of Supervisors of the City and County of San Francisco
22 hereby adopts as its own and incorporates by reference in this motion, as though fully set
23 forth, the environmental determination; and, be it

24 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
25 record before it there are no substantial project changes, no substantial changes in project

1 circumstances, and no new information of substantial importance that would change the
2 conclusions set forth in the environmental determination by the Planning Department that the
3 Project does not require further environmental review; and, be it

4 FURTHER MOVED, That after carefully considering the appeal of the environmental
5 determination, including the written information submitted to the Board of Supervisors and the
6 public testimony presented to the Board of Supervisors at the hearing on the environmental
7 determination, this Board concludes that the Project is consistent with the development
8 density established by the zoning, community plan, and general plan policies in the Rincon
9 Hill Area Plan project area, for which the PEIR was certified; would not result in new
10 significant environmental effects, or effects of greater severity than were already analyzed and
11 disclosed in the PEIR; and therefore does not require further environmental review in
12 accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.