

File No. 161149

Committee Item No. \_\_\_\_\_

Board Item No. 33

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: November 29, 2016

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER** (Click the text below for a direct link to the document)

- |                          |                          |       |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: John Carroll

Date: November 22, 2016

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Preparation of Findings to Reverse the Community Plan Exemption Determination -  
2 Proposed Project at 2675 Folsom Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing a Community Plan**  
4 **Exemption determination by the Planning Department that a proposed project at 2675**  
5 **Folsom Street does not require further environmental review.**

6  
7 WHEREAS, On September 20, 2016, the Planning Department issued a Community  
8 Plan Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final  
9 Environmental Impact Report (FEIR), finding that the proposed project located at 2675  
10 Folsom Street ("Project"): is consistent with the development density established by the  
11 zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning  
12 and Area Plan project area, for which the FEIR was certified; would not result in new  
13 significant environmental effects, or effects of greater severity than were already analyzed and  
14 disclosed in the FEIR; and therefore does not require further environmental review under the  
15 California Environmental Quality Act (CEQA), Public Resources Code, Section 21000 et seq.,  
16 the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, in accordance  
17 with CEQA Section 21083.3 and CEQA Guidelines, Section 15183; and

18 WHEREAS, The proposed project involves the demolition three existing two-story  
19 warehouse and storage structures totaling 21,599 square feet, as well as surface parking and  
20 storage areas, and the construction of a four-story-over-basement, 40-foot-tall residential  
21 building, which would include 117 residential units and approximately 5,200 square feet of  
22 Production, Distribution and Repair (PDR) space; and

23 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
24 October 21, 2016, J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community  
25 Council (Appellant) appealed the exemption determination; and

1           WHEREAS, The Appellant provided a copy of Planning Commission Motion No. 19744,  
2 adopted on September 22, 2016, approving a Large Project Authorization under Planning  
3 Code, Section 329 and finding that the proposed project was within the scope of the FEIR and  
4 did not require further environmental review under CEQA Section 21083.3 and CEQA  
5 Guidelines, Section 15183; and

6           WHEREAS, By Motion No. 19745, adopted on September 22, 2016, the Planning  
7 Commission also approved a conditional use authorization under Planning Code, Section 303;  
8 and

9           WHEREAS, The Planning Department's Environmental Review Officer, by  
10 memorandum to the Clerk of the Board dated October 25, 2016, determined that the appeal  
11 had been timely filed; and

12           WHEREAS, On November 29, 2016, this Board held a duly noticed public hearing to  
13 consider the appeal of the exemption determination filed by Appellant and, following the public  
14 hearing, reversed the exemption determination; and

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

20           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
21 conditionally reversed the determination that the project did not require further environmental  
22 review subject to the adoption of written findings of the Board in support of such determination  
23 based on the written record before the Board of Supervisors as well as all of the testimony at  
24 the public hearing in support of and opposed to the appeal; and

1           WHEREAS, The written record and oral testimony in support of and opposed to the  
2 appeal and deliberation of the oral and written testimony at the public hearing before the  
3 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
4 the exemption determination is in the Clerk of the Board of Supervisors File No. 161146 and is  
5 incorporated in this motion as though set forth in its entirety; now, therefore, be it

6           MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the  
7 findings specifying the basis for its decision on the appeal of the exemption determination  
8 issued by the Planning Department for the project.

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# Introduction Form

By a Member of the Board of Supervisors or the 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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) 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 a Imperative Form.**

**Sponsor(s):**

Clerk of the Board

**Subject:**

Preparation of Findings to Reverse the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street

**The text is listed below or attached:**

Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review.

Signature of Sponsoring Supervisor: *Alia Jomera*

For Clerk's Use Only:

161199