

1 [Reversing Final Environmental Impact Report Certification - 75 Howard Street Project]

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3 **Motion reversing the Planning Commission’s certification of the Final Environmental**  
4 **Impact Report prepared for the project located at 75 Howard Street.**

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6 WHEREAS, The Planning Department published a draft Environmental Impact Report  
7 (“EIR”) for the project located at 75 Howard Street on July 31, 2013; and

8 WHEREAS, The Planning Commission certified the Final EIR on September 3, 2015;  
9 and

10 WHEREAS, The project consists of an approximately 20-story over basement, 220-  
11 foot-tall, 333,864-gross square foot high-rise tower containing up to 133 residential units and  
12 approximately 5,824 gross square feet of retail use with 102 off-street parking spaces in a  
13 two-level underground garage accessed from Howard Street; and

14 WHEREAS, By letter dated October 5, 2015, David Osgood filed an appeal of the  
15 certification of the Final EIR on behalf of Rincon Point Neighbors Association; and

16 WHEREAS, On November 17, 2015, this Board held a duly noticed public hearing to  
17 consider the appeal of the certification of the Final EIR filed by Appellant, and following the  
18 public hearing reversed the certification of the Final EIR; and

19 WHEREAS, In reviewing the appeal of the Final EIR, this Board reviewed and  
20 considered the final EIR, the appeal letter, the responses that the Planning Department  
21 prepared, the other written records before the Board of Supervisors and all of the public  
22 testimony made in support of and opposed to the appeal of the certification of the Final EIR;  
23 and

24 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
25 reversed the certification of the Final EIR for the project located at 75 Howard Street based on

1 the written record before the Board of Supervisors as well as all of the testimony at the public  
2 hearing in support of and opposed to the appeal; and

3 WHEREAS, The written record and oral testimony in support of and opposed to the  
4 appeal and deliberation of the oral and written testimony at the public hearing before the  
5 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
6 the certification of the Final EIR is in the Clerk of the Board of Supervisors File No. 151015  
7 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

8 MOVED, That after carefully considering the appeal of the certification of the Final EIR,  
9 including the written information submitted to the Board of Supervisors and the public  
10 testimony presented to the Board of Supervisors at the hearing on the certification of the Final  
11 EIR, this Board reverses the Planning Commission's certification of the Final EIR.

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