

File No. 160776

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

Board Item No. 29.

### COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_  
Board of Supervisors Meeting

Date: \_\_\_\_\_  
Date: SEPTEMBER 13, 2016

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#### OTHER

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: Brent Jalipa  
Prepared by: \_\_\_\_\_

Date: SEPTEMBER 9, 2016  
Date: \_\_\_\_\_

1 [Preparation of Findings to Reverse the Community Plan Exemption Determination -  
2 Proposed Project at 2000-2070 Bryant 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**  
5 **at 2000-2070 Bryant Street is exempt from further environmental review.**

6  
7 WHEREAS, On May 11, 2016, the Planning Department issued a Community Plan  
8 Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental  
9 Impact Report (FEIR), finding that the proposed project located at 2000-2070 Bryant Street  
10 ("Project"): is consistent with the development density established by the zoning, community  
11 plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project  
12 area, for which the FEIR was certified; would not result in new significant environmental  
13 effects, or effects of greater severity than were already analyzed and disclosed in the FEIR;  
14 and is therefore exempt from further environmental review under the California Environmental  
15 Quality Act (CEQA), Public Resources Code Section 21000 et seq., the CEQA Guidelines,  
16 and San Francisco Administrative Code Chapter 31, in accordance with CEQA Section  
17 21083.3 and CEQA Guidelines Section 15183; and

18 WHEREAS, The proposed project involves the removal of three residential units for  
19 new construction of a six-story, 68-foot tall, mixed-use building of approximately 203,656  
20 square feet with 199 dwelling units, ground floor retail/trade shop spaces, 12,000 square feet  
21 of ground floor Production, Distribution, and Repair space, one car-share parking space, 84  
22 off-street parking spaces, 128 Class 1 bicycle parking spaces, and 18 Class 2 bicycle parking  
23 spaces; and  
24  
25

1           WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 5,  
2 2016, Rachel Mansfield-Howlett, on behalf of resident Peter Papadopoulos (Appellant)  
3 appealed the exemption determination; and

4           WHEREAS, The Appellant provided a copy of the Planning Commission's Motion  
5 No. 19658, adopted on June 2, 2016, approving a large project authorization under Planning  
6 Code Section 329, with the Planning Department's Certificate of Determination Exemption  
7 from Environmental Review attached, finding that the proposed project was within the scope  
8 of the FEIR and exempt from further environmental review under CEQA Section 21083.3 and  
9 CEQA Guidelines Section 15183; and

10           WHEREAS, The Planning Department's Environmental Review Officer, by  
11 memorandum to the Clerk of the Board dated July 8, 2016; determined that the appeal had  
12 been timely filed; and

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

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

21           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
22 reversed the exemption determination for the project based on the written record before the  
23 Board of Supervisors as well as all of the testimony at the public hearing in support of and  
24 opposed to the appeal;

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. 160773 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.

9  
10           n:\landuse\mbyrne\bos ceqa appeals\2000-2070 bryant cpe dir.docx

Print Form

# 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 For a Proposed Project at 2000-2070 Bryant 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 2000-2070 Bryant Street is exempt from further environmental review.

Signature of Sponsoring Supervisor: Peggy Neven for

For Clerk's Use Only:

160776

