

File No. 100787

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

Board Item No. 39

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 06/29/10

**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 Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <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"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER**

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<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date 06/24/10

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Affirming the Certification of the 900 Folsom Street Project Final Environmental Impact  
2 Report]

3 **Motion affirming the certification by the Planning Commission the Final Environmental**  
4 **Impact Report for the 900 Folsom Street Project.**

5  
6 WHEREAS, the Project Sponsor proposes to construct a 9-story, 85-foot tall building  
7 with ground and basement level parking, with up to 269 dwelling units, approximately 4,146  
8 square feet of ground floor commercial space along 5th Street, and up to 221 off-street  
9 parking spaces (including stackers) (the "Project"). The eight units on the ground floor fronting  
10 Folsom Street would be designed as "Flexible-Occupancy" units that may contain certain  
11 commercial uses on the ground floor, as limited in the conditions of approval, while the  
12 remainder of the units would be residential. Open space would be provided on private  
13 balconies, an inner courtyard, rooftop decks, and a new publicly accessible mid-block  
14 pedestrian pathway connecting Folsom and Clementina Streets that will be more than 30 feet  
15 wide and would serve as a park; and

16 WHEREAS, the Project Sponsor applied for environmental review for the Project and  
17 for approvals under Planning Code Section 329 for a Large Project and for exceptions to rear  
18 yard requirements, to sidewalk obstruction requirements, to ground floor parking setback, to  
19 required off-street parking spaces, for vertical non-habitable architectural elements, and to  
20 horizontal mass reduction requirements (City Planning File 2007.0689EKX); and

21 WHEREAS, The Planning Department ("Department") determined that an  
22 Environmental Impact Report ("EIR") was required and provided public notice of that  
23 determination by publication in a newspaper of general circulation on June 11, 2008; and

24 WHEREAS, On July 29, 2009, the Department published the Draft Environmental  
25 Impact Report ("DEIR"); and

1           WHEREAS, The Planning Commission held a duly advertised public hearing on the  
2 DEIR on September 10, 2009, at which time public comment was received on the DEIR and  
3 written comments were received through September 15, 2009; and

4           WHEREAS, The Department prepared responses to comments received at the public  
5 hearing and in writing during the 45-day public review period for the DEIR, prepared revisions  
6 to the text of the DEIR and published a Draft Comments and Responses document on May 6,  
7 2010; and

8           WHEREAS, A Final Environmental Impact Report (FEIR) was prepared by the  
9 Department, consisting of the DEIR, any consultations and comments received during the  
10 review process, any additional information that became available, and the Draft Comments  
11 and Responses document, all as required by law; and

12           WHEREAS, On May 20, 2010, the Commission reviewed and considered the FEIR  
13 and, by Motion No. 18086, found that the contents of said report and the procedures through  
14 which the FEIR was prepared, publicized, and reviewed comply with the provisions of the  
15 California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Chapter 31 of  
16 the San Francisco Administrative Code; and

17           WHEREAS, By Motion No. 18086, the Commission found the FEIR reflected the  
18 independent judgment and analysis of the Department and Commission, was adequate,  
19 accurate and objective, and that the Comments and Responses document contained no  
20 significant revisions to the DEIR and certified the FEIR, finding that the Project described in  
21 the FEIR will not have any project-specific or cumulative significant and unavoidable effects  
22 on the environment; and

23           WHEREAS, By Motion No. 18086, the Commission approved the Project, adopting  
24 CEQA findings related to the Project approvals and adopting a Mitigation Monitoring and  
25 Reporting Program for the Project;

1           WHEREAS, On June 9, 2010, Angelica Cabande, on behalf of South of Market  
2 Community Action Network (SOMCAN), and Roy Recio, on behalf of Manilatown Heritage  
3 Foundation, filed appeals of the FEIR with the Clerk of the Board of Supervisors; and,

4           WHEREAS, The Board of Supervisors held a public hearing on the Project to review  
5 the decision by the Planning Commission to certify the FEIR; and

6           WHEREAS, The Board has reviewed and considered the FEIR, the appeal letter(s), the  
7 responses to concerns document that the Planning Department prepared, the other written  
8 records before the Board of Supervisors, and heard testimony and received public comment  
9 regarding the adequacy of the FEIR; and

10           WHEREAS, The FEIR files and all correspondence and other documents have been  
11 made available for review by the Board of Supervisors, the Commission, and the public, which  
12 files are available for public review by appointment at the Department offices at 1650 Mission  
13 Street, and are part of the record before the Board of Supervisors; now therefore be it,

14           MOVED, That the Board of Supervisors finds that based on the whole record before it  
15 there are no substantial Project changes, no substantial changes in Project circumstances,  
16 and no new information of substantial importance that would change the conclusions set forth  
17 in the FEIR; and be it

18           FURTHER MOVED, That after carefully considering the appeal of the FEIR, including  
19 the written information submitted to the Board of Supervisors and the public testimony  
20 presented to the Board of Supervisors, this Board hereby affirms the decision of the Planning  
21 Commission in its Motion No. 18086 to certify the FEIR and finds the FEIR to be complete,  
22 adequate and objective and reflecting the independent judgment of the City and in compliance  
23 with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31.