



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** July 24, 2017  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Lisa Gibson, Environmental Review Officer *LG*  
**RE:** Appeal Timeliness Determination – 3516 and 3526 Folsom Street, Planning Department Case No. 2013.1383E

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An appeal of the Final Mitigated Negative Declaration (Final MND) for the proposed project at 3516 and 3526 Folsom Street (Planning Department Case No. 2013.1383E) was filed with the Office of the Clerk of the Board of Supervisors on July 17, 2017 by Zacks, Freedman, and Patterson, on behalf of Bernal Heights South Slope Organization, Bernal Safe & Livable, Neighbors Against the Upper Folsom Street Extension, Gail Newman, and Ann Lockett (the Appellant). As explained below, the Planning Department finds the appeal to be timely filed.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board's Office Is Open)	Date of Appeal Filing	Timely?
June 15, 2017	Saturday, July 15, 2017	Monday, July 17, 2017	July 17, 2017	Yes

**Approval Action:** On June 15, 2017, the Planning Commission held a Discretionary Review hearing on the proposed project. The Commission declined Discretionary Review, thereby approving the proposed project (Date of Approval Action).

**Appeal Deadline:** Section 31.16(a) and (d) of the San Francisco Administrative Code states that any person or entity that has filed an appeal of the Preliminary MND with the Planning Commission may appeal the adoption of the Final MND to the Board of Supervisors during the time period beginning with the Planning Commission approval of the Final MND and ending 30 days after the Date of the Approval Action. The 30<sup>th</sup> day after the Date of the Approval Action was Saturday, July 15, 2017. The next date when the Office of the Clerk of the Board was open was Monday, July 17, 2017 (Appeal Deadline).

**Appeal Filing and Timeliness:** The Appellant filed the appeal of the Final MND on July 17, 2017, prior to the end of the Appeal Deadline. Therefore, the appeal is considered timely.

**Appellant Standing:** The Appellant appealed the Preliminary MND to the Planning Commission, which held an appeal hearing on June 15, 2017. Therefore, the Appellant has standing to appeal the Final MND.