

File No. 160685

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

Board Item No. 51

## COMMITTEE/BOARD OF SUPERVISORS

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

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

Board of Supervisors Meeting

Date: July 26, 2016

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#### OTHER

|                          |                          |       |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: Brent Jalipa  
Prepared by: \_\_\_\_\_

Date: July 22, 2016  
Date: \_\_\_\_\_

1 [Reversing Final Environmental Impact Report Certification - 901-16th Street and 1200-17th  
2 Street Project]

3 **Motion reversing the Planning Commission’s certification of the Final Environmental**  
4 **Impact Report prepared for the proposed project located at 901-16th Street and**  
5 **1200-17th Street.**

6  
7 WHEREAS, The proposed project is located on a 3.5-acre site consisting of four  
8 parcels bounded by 16th Street to the north, Mississippi Street to the east, 17th Street to the  
9 south, and residential and industrial buildings to the west; and

10 WHEREAS, The project site currently contains four existing buildings: two metal shed  
11 industrial warehouse buildings (102,500 square feet), a vacant brick office building (1,240  
12 square feet), and a modular office structure (5,750 square feet), and an open surface parking  
13 lot that is also used for access by the University of California, San Francisco to its on-site  
14 storage; and

15 WHEREAS, The proposed project would merge four lots into two lots, demolish two  
16 metal shed warehouses and the modular office structure, preserve the brick office building,  
17 and construct two new mixed use buildings on site; and

18 WHEREAS, The “16th Street Building” at 901-16th Street would consist of a new six-  
19 story, approximately 402,943 gross square foot residential mixed-use building with 260  
20 dwelling units and 20,318 gross square feet of retail on the northern lot; and

21 WHEREAS, The “17th Street Building” at 1200 17th Street would consist of a new four-  
22 story, approximately 213,509 gross square foot residential mixed use building with 135  
23 dwelling units and 4,650 gross square feet of retail on the southern lot; and

24 WHEREAS, The historic brick office building would be rehabilitated for retail or  
25 restaurant use; and

1           WHEREAS, Combined, the two new buildings would contain a total of 395 dwelling  
2 units and approximately 24,698 gross square feet of retail space, with a total of 388 vehicular  
3 parking spaces, 455 off-street bicycle parking spaces, and approximately 14,669 square feet  
4 of public open space, 33,149 square feet of common open space shared by project  
5 occupants, and 3,114 square feet of open space private to units; and

6           WHEREAS, CEQA State Guidelines, Section 15183 provides an exemption from  
7 environmental review for projects that are consistent with the development density established  
8 by existing zoning, community plan, or general plan policies for which an EIR was certified,  
9 except as might be necessary to examine whether there are project-specific effects which are  
10 peculiar to the proposed project or its site; and

11           WHEREAS, The project site is located within the Showplace Square/Potrero Subarea  
12 of the Eastern Neighborhoods Rezoning and Area Plan (Eastern Neighborhoods Plan), for  
13 which a comprehensive program-level EIR was prepared and certified (Eastern  
14 Neighborhoods PEIR); and

15           WHEREAS, The proposed project was initially evaluated under a Community Plan  
16 Exemption (CPE) Checklist (published on February 11, 2015 and included as Appendix A to  
17 the draft EIR); and

18           WHEREAS, The CPE Checklist determined that the proposed project would not result  
19 in new, project-specific environmental impacts, or impacts of greater severity than were  
20 already analyzed and disclosed in the Eastern Neighborhoods PEIR for the following issue  
21 topics: land use and land use planning; aesthetics; population and housing; paleontological  
22 and archeological resources; noise; air quality; greenhouse gas emissions; wind and shadow;  
23 recreation; utilities and service systems; public services; biological resources; geology and  
24 soils; hydrology and water quality; hazards and hazardous materials; mineral and energy  
5 resources; and agriculture and forest resources; and

1           WHEREAS, The CPE Checklist incorporated seven Mitigation Measures from the  
2 Eastern Neighborhoods PEIR to avoid impacts previously identified in the PEIR with regard to  
3 archeological resources, air quality, noise, and hazardous materials; and

4           WHEREAS, The CPE Checklist further determined that a focused EIR would be  
5 prepared to address potential project-specific impacts to transportation and circulation and  
6 historic architectural resources that were not identified by the Eastern Neighborhoods PEIR;  
7 and

8           WHEREAS, The San Francisco Planning Department, as lead agency, published and  
9 circulated (with the CPE Checklist) a Notice of Preparation ("NOP") on February 11, 2015,  
10 that solicited comments regarding the scope of the EIR for the proposed project; and

11           WHEREAS, The Planning Department held a public scoping meeting on March 4,  
12 2015, at the Potrero Hill Neighborhood House, 953 De Haro Street, San Francisco to receive  
13 comments on the scope and content of the EIR; and

14           WHEREAS, On August 12, 2015, the Planning Department published a draft EIR for  
15 the proposed project; and

16           WHEREAS, On October 1, 2015, the Planning Commission held a duly noticed public  
17 hearing on the draft EIR, and then prepared a Responses to Comments (RTC) document,  
18 published on April 28, 2016, to address environmental issues raised by written and oral  
19 comments received during the public comment period and at the public hearing for the draft  
20 EIR; and

21           WHEREAS, The Planning Department prepared a Final Environmental Impact Report  
22 ("FEIR") for the Project, consisting of the CPE Checklist, the DEIR, any consultations and  
23 comments received during the review process, any additional information that became  
24 available and the Comments and Responses document, all as required by law; and  
25

1 WHEREAS, On May 12, 2016, the Planning Commission reviewed and considered the  
2 FEIR and CPE and, by Motion No. 19643, found that the contents of said report and the  
3 procedures through which the FEIR and CPE were prepared, publicized and reviewed  
4 complied with the provisions of the California Environmental Quality Act ("CEQA"), the State  
5 CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

6 WHEREAS, By Motion No. 19643 the Commission found the FEIR and the CPE to be  
7 adequate, accurate and objective, reflected the independent judgment and analysis of the  
8 Department and the Commission and that the Comments and Responses document  
9 contained no significant revisions to the DEIR, adopted findings relating to significant impacts  
10 associated with the Project and certified the completion of the FEIR in compliance with CEQA  
11 and the State CEQA Guidelines, and Chapter 31; and

12 WHEREAS, By letter to the Clerk of the Board of Supervisors dated June 10, 2016,  
13 from Rachel Mansfield-Howlett, on behalf of Save the Hill and Grow Potrero Responsibly  
14 ("Appellant") filed an appeal of the CPE and FEIR to the Board of Supervisors; and

15 WHEREAS, On July 26, 2016, this Board held a duly noticed public hearing to consider  
16 the appeal of the CPE and FEIR certification filed by Appellant; and

17 WHEREAS, This Board has reviewed and considered the CPE and FEIR, the appeal  
18 letters, the responses to concerns documents that the Planning Department prepared, the  
19 other written records before the Board of Supervisors, and heard testimony and received  
20 public comment regarding the adequacy of the CPE and FEIR; and

21 WHEREAS, The CPE and FEIR files and all correspondence and other documents  
22 have been made available for review by this Board and the public; and

23 WHEREAS, These files are available for public review by appointment at the Planning  
24 Department offices at 1650 Mission Street, and are part of the record before this Board by  
25 reference in this Motion; now, therefore, be it

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MOVED, That this Board of Supervisors reverses CPE and the certification of the FEIR  
by the Planning Commission.

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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 [ ]

Use 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:**

Reversing Final Environmental Impact Report Certification - 901-16th Street and 1200-17th Street Project

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

Motion reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed project located at 901-16th Street and 1200-17th Street.

Signature of Sponsoring Supervisor: for Alisia Somera

For Clerk's Use Only:

