

File No. 151017

Committee Item No. _____

Board Item No. 31

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: November 17, 2015

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

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

Completed by: John Carroll
Completed by: _____

Date: November 12, 2015
Date: _____

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

2
3 **Motion reversing the Planning Commission's certification of the Final Environmental**
4 **Impact Report prepared for the project located at 75 Howard Street.**

5
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.

12
13 n:\land\as2015\0400241\01059741.docx
14
15
16
17
18
19
20
21
22
23
24
25

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:

Reversing Final Environmental Impact Report Certification - 75 Howard 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 project located at 75 Howard Street.

Signature of Sponsoring Supervisor: *[Handwritten Signature]*

For Clerk's Use Only:

151017