

1 [Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall
2 Lot 351 Project]

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4 **Motion reversing the certification by the Planning Commission of the Final**
5 **Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.**

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7 WHEREAS, The proposed project approved by the Planning Commission at 8
8 Washington Street, located on Assessor's Block 168/Lot 58, Block 171/69, Block 201/Lot 12
9 and Seawall Lot 351 (which includes Lot 13), would demolish the Golden Gateway Tennis and
10 Swim Club and an existing surface parking lot on Seawall Lot 351, and construct a new health
11 club and two residential buildings, ranging from four to twelve stories in height, containing 145
12 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-
13 street parking spaces within the RC-4 zoning district and 84-E height and bulk district (the
14 "Project"); and

15 WHEREAS, The Planning Department for the City and County of San Francisco (the
16 "Department") determined that an Environmental Impact Report ("EIR") was required under
17 the California Environmental Quality Act ("CEQA") for the Project and provided public notice
18 of that determination by publication in a newspaper of general circulation on December 8,
19 2007; and

20 WHEREAS, On June 15, 2011, the Department published the Draft Environmental
21 Impact Report ("DEIR") for the Project (Planning Department Case No. 2007.0030E), filed a
22 Notice of Completion with the State Secretary of Resources via the State Clearinghouse, and
23 provided public notice in a newspaper of general circulation of the availability of the DEIR for
24 public review and comment and of the date and time of the Planning Commission public
25 hearing on the DEIR; this notice was mailed or otherwise delivered to the Department's list of

1 persons requesting such notice, to adjacent property owners, government agencies and
2 through the State Clearinghouse, and the date and time of the public hearing were posted
3 near the Project site; and

4 WHEREAS, The Planning Commission held a duly noticed public hearing on the DEIR
5 on July 21, 2011, at which time opportunity for public comment was provided on the DEIR,
6 and written comments were received through August 15, 2011; and

7 WHEREAS, The Department prepared responses to comments received at the public
8 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text
9 of the DEIR and published a Draft Summary of Comments and Responses on December 22,
10 2011; and

11 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was
12 prepared by the Department, consisting of the DEIR, any consultations and comments
13 received during the review process, any additional information that became available and the
14 Draft Summary of Comments and Responses, all as required by law; and

15 WHEREAS, On March 22, 2012, the Planning Commission reviewed and considered
16 the FEIR and, by Motion No. 18560, found that the contents of said report and the procedures
17 through which the FEIR was prepared, publicized and reviewed complied with the provisions
18 of CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative
19 Code; and

20 WHEREAS, By Motion No. 18560, the Commission found the FEIR to be adequate,
21 accurate and objective, reflected the independent judgment and analysis of the Department
22 and the Commission and that the Summary of Comments and Responses contained no
23 significant revisions to the DEIR, adopted findings relating to significant impacts associated
24 with the Project and certified the completion of the FEIR in compliance with CEQA and the
25 State CEQA Guidelines; and

1 WHEREAS, On March 22, 2012, by Motion No. 18561, the Planning Commission
2 adopted findings under CEQA ("CEQA Approval Findings") and took various actions to
3 approve the Project; and

4 WHEREAS, By letter to the Clerk of the Board of Supervisors dated March 26, 2012,
5 Zane O. Gresham, on behalf of Equity Office Properties, filed an appeal of the FEIR to the
6 Board of Supervisors, which the Clerk of the Board of Supervisors received on or around
7 March 26, 2012; and

8 WHEREAS, By letter to the Clerk of the Board of Supervisors dated April 4, 2012, Sue
9 C. Hestor, on behalf of Friends of Golden Gateway, filed an appeal of the FEIR to the Board
10 of Supervisors, which the Clerk of the Board of Supervisors received on or around April 4,
11 2012; and

12 WHEREAS, On May 1, 2012, this Board held a duly noticed public hearing to consider
13 the appeal of the FEIR certification filed by Appellant; and

14 WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the
15 responses to concerns document that the Planning Department prepared, the other written
16 records before the Board of Supervisors, and heard testimony and received public comment
17 regarding the adequacy of the FEIR; and

18 WHEREAS, the FEIR files and all correspondence and other documents have been
19 made available for review by this Board and the public. These files are available for public
20 review by appointment at the Planning Department offices at 1650 Mission Street, and are
21 part of the record before this Board by reference in this motion; now, therefore, be it

22 MOVED, That this Board of Supervisors hereby reverses the decision of the Planning
23 Commission in its Motion No. 18560 to certify the FEIR.