

File No. 150173

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

Board Item No. 20

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

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

Date \_\_\_\_\_

Board of Supervisors Meeting

Date March 24, 2015

#### 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 and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <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"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER** (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: John Carroll Date March 19, 2015

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

1 [Reversing the Community Plan Exemption Determination - 340 Bryant Street]

2  
3 **Motion reversing the determination by the Planning Department that a proposed**  
4 **project at 340 Bryant Street is exempt from further environmental review under a**  
5 **Community Plan Exemption.**

6  
7 WHEREAS, On December 22, 2014, the Planning Department issued a Community  
8 Plan Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final  
9 Environmental Impact Report (FEIR), finding that the proposed project located at 340 Bryant  
10 Street ("Project"): is consistent with the development density established by the zoning,  
11 community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area  
12 Plan project area, for which the FEIR was certified; would not result in new significant  
13 environmental effects, or effects of greater severity than were already analyzed and disclosed  
14 in the FEIR; and is therefore exempt from further environmental review under the California  
15 Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, the CEQA  
16 Guidelines, and San Francisco Administrative Code Chapter 31, in accordance with CEQA  
17 Section 21083.3 and CEQA Guidelines Section 15183; and

18 WHEREAS, The proposed project involves converting the upper three floors of the  
19 four-floor existing industrial building to office use. A total of 46,804 square feet of industrial  
20 space would be converted, and the total office space created would be 45,545 square feet.  
21 Approximately 14,500 square feet of the approximately 16,500 square feet ground floor would  
22 remain as PDR uses. The remaining 1,991 square feet on the ground floor would be used for  
23 common circulation areas and mechanical equipment, and the existing 732 square feet retail  
24 space on the ground floor would be removed. Construction work would include interior  
25 demolition and renovation, exterior façade improvements, and the addition of a circulation

1 penthouse and roof deck, and no expansion of the building envelope or square footage would  
2 occur, other than some additional roof-level features; and

3 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
4 February 9, 2015, Sue Hestor, on behalf of San Franciscans for Reasonable Growth  
5 (Appellant) appealed the exemption determination. The Appellant provided a copy of the  
6 Planning Commission's Motion No. 19311, adopted on January 8, 2015, approving an office  
7 allocation under Planning Code Section 321, with the Planning Department's Certificate of  
8 Determination Exemption from Environmental Review attached, finding that the proposed  
9 project was within the scope of the FEIR and exempt from further environmental review under  
10 CEQA Section 21083.3 and CEQA Guidelines Section 15183; and

11 WHEREAS, The Planning Department's Environmental Review Officer, by  
12 memorandum to the Clerk of the Board dated February 11, 2015, determined that the appeal  
13 had been timely filed; and

14 WHEREAS, On March 31, 2015, this Board held a duly noticed public hearing to  
15 consider the appeal of the exemption determination filed by Appellant and, following the public  
16 hearing, reversed the exemption determination; and

17 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
18 reviewed and considered the exemption determination, the appeal letter, the responses to the  
19 appeal documents that the Planning Department prepared, the other written records before  
20 the Board of Supervisors and all of the public testimony made in support of and opposed to  
21 the exemption determination appeal. Following the conclusion of the public hearing, the Board  
22 of Supervisors reversed the exemption determination for the project based on the written  
23 record before the Board of Supervisors as well as all of the testimony at the public hearing in  
24 support of and opposed to the appeal. The written record and oral testimony in support of and  
25 opposed to the appeal and deliberation of the oral and written testimony at the public hearing

1 before the Board of Supervisors by all parties and the public in support of and opposed to the  
2 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.  
3 15017.1 and is incorporated in this motion as though set forth in its entirety; now, therefore, be  
4 it

5           MOVED, That this Board of Supervisors reverses the determination by the Planning  
6 Department that the project is exempt from environmental review.

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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 [ ]

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 the Community Plan Exemption Determination - 340 Bryant Street

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

Motion reversing the determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review under a Community Plan Exemption.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

