

1 [Reversing the Certification of the Final Environmental Impact Report - 800 Presidio Avenue  
2 Mixed-Use Project]

3 **Motion reversing the Planning Commission’s certification of the Final Environmental**  
4 **Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center)**  
5 **Mixed-Use Project.**

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7 WHEREAS, Equity Community Builders, LLC (the "Project Sponsor") is proposing to  
8 demolish the existing 12,600 square-foot Booker T. Washington Community Center at 800  
9 Presidio Avenue and construct a 55-foot tall, 68,206 square-foot building containing a 20,726  
10 square-foot community center and gymnasium and 50 affordable housing units for  
11 emancipated foster youth and households earning up to 60 percent of area median income  
12 and 21 off-street parking spaces (the "Project"); and

13 WHEREAS, the Project Sponsor submitted an initial proposal for the Project to the  
14 Planning Department for the City and County of San Francisco (the "Department") on October  
15 12, 2006 (City Planning File No. 2006.0868E); and

16 WHEREAS, the Department determined that an Environmental Impact Report ("EIR")  
17 was required and provided public notice of that determination by publication in a newspaper of  
18 general circulation on March 8, 2008; and

19 WHEREAS, On June 23, 2010, the Department published the Draft Environmental  
20 Impact Report ("DEIR") for the Project; and

21 WHEREAS, On August 5, 2010, the Planning Commission held a duly noticed public  
22 hearing on the DEIR, at which time opportunity for public comment was received on the DEIR,  
23 and written comments were received through August 10, 2010; and

24 WHEREAS, The Department prepared responses to comments received at the public  
25 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text

1 of the DEIR and published a Draft Summary of Comments and Responses on April 14, 2011,  
2 and

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

7 WHEREAS, On April 28, 2011, the Planning Commission reviewed and considered the  
8 FEIR and, by Motion No. 18340, found that the contents of said report and the procedures  
9 through which the FEIR was prepared, publicized and reviewed complied with the provisions  
10 of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and  
11 Chapter 31 of the San Francisco Administrative Code; and

12 WHEREAS, By Motion No. 18340, the Planning Commission found the FEIR to be  
13 adequate, accurate and objective, reflected the independent judgment and analysis of the  
14 Department and the Planning Commission and that the Summary of Comments and  
15 Responses contained no significant revisions to the DEIR, adopted findings relating to  
16 significant impacts associated with the Project and certified the completion of the FEIR in  
17 compliance with CEQA and the State CEQA Guidelines; and

18 WHEREAS, On April 28, 2011, by Motions No. 18341 and No. 18342, the Planning  
19 Commission adopting CEQA Findings in support of the approval of the Project, including a  
20 mitigation monitoring and reporting program and findings of significant and unavoidable  
21 impacts; approved a planned unit development through a conditional use permit for the  
22 Project; and recommended to the Board of Supervisors amendments to the Planning Code to  
23 establish the Presidio-Sutter Affordable Housing Special Use District to allow reclassification  
24 of the Project site's 40-foot height limit and an increase in residential density; and

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1           WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 17, 2011, Mr.  
2 Stephen M. Williams, on behalf of the Neighbors for Fair Planning ("Appellant"), filed an  
3 appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors  
4 received on or around May 18, 2011; and

5           WHEREAS, On June 14, 2011, this Board held a duly noticed public hearing to  
6 consider the appeal of the FEIR certification filed by Appellant; and

7           WHEREAS, This Board has reviewed and considered the FEIR, the appeal letter, the  
8 responses to concerns document that the Department prepared, the other written records  
9 before the Board of Supervisors, and heard testimony and received public comment regarding  
10 the adequacy of the FEIR; and

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

15           MOVED, That this Board of Supervisors reverses the certification of the FEIR by the  
16 Planning Commission.

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