

File No. 151018

Committee Item No. _____

Board Item No. 32

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: November 17, 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 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"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: John Carroll
Completed by: _____

Date: November 12, 2015
Date: _____

1 [Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 75
2 Howard Street Project]

3 **Motion directing the Clerk of the Board to prepare findings related to reversing the**
4 **Planning Commission's certification of the Final Environmental Impact Report for the**
5 **project located at 75 Howard Street.**

6
7 WHEREAS, The Planning Department published a draft Environmental Impact Report
8 ("EIR") for the project located at 75 Howard Street on July 31, 2013; and

9 WHEREAS, The Planning Commission certified the Final EIR on September 3, 2015;
10 and

11 WHEREAS, The project consists of an approximately 20-story over basement, 220-
12 foot-tall, 333,864-gross square foot high-rise tower containing up to 133 residential units and
13 approximately 5,824 gross square feet of retail use with 102 off-street parking spaces in a
14 two-level underground garage accessed from Howard Street; and

15 WHEREAS, By letter dated October 5, 2015, David Osgood filed an appeal of the
16 certification of the Final EIR on behalf of Rincon Point Neighbors Association; and

17 WHEREAS, On November 17, 2015, this Board held a duly noticed public hearing to
18 consider the appeal of the certification of the Final EIR filed by Appellant, and following the
19 public hearing reversed the certification of the Final EIR; and

20 WHEREAS, In reviewing the appeal of the Final EIR, this Board reviewed and
21 considered the final EIR, the appeal letter, the responses that the Planning Department
22 prepared, the other written records before the Board of Supervisors and all of the public
23 testimony made in support of and opposed to the appeal of the certification of the Final EIR;
24 and
25

1 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
2 reversed the certification of the Final EIR for the project located at 75 Howard Street, based
3 on the written record before the Board of Supervisors as well as all of the testimony at the
4 public hearing in support of and opposed to the appeal; and

5 WHEREAS, The written record and oral testimony in support of and opposed to the
6 appeal and deliberation of the oral and written testimony at the public hearing before the
7 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
8 the certification of the Final EIR is in the Clerk of the Board of Supervisors File No. 151015
9 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

10 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
11 findings specifying the basis for the Board of Supervisors' decision reversing the Planning
12 Commission's certification of the Final EIR for the project located at 75 Howard Street.

13 n:\land\as2015\0400241\01059742.docx

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:

Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 75 Howard Street Project

The text is listed below or attached:

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the project located at 75 Howard Street.

Signature of Sponsoring Supervisor: *f Alliofomeria*

For Clerk's Use Only:

151018