

1 [Conditionally Reversing the Community Plan Evaluation - 429 Beale Street and 430 Main
2 Street]

3 **Motion conditionally reversing the determination by the Planning Department that a**
4 **proposed project at 429 Beale Street and 430 Main Street is exempt from further**
5 **environmental review under a Community Plan Evaluation, subject to the adoption of**
6 **written findings of the Board in support of this determination.**

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8 WHEREAS, On March 19, 2018, the Planning Department issued a Community Plan
9 Evaluation (“environmental determination”), pursuant to CEQA, the CEQA Guidelines, 14 Cal.
10 Code of Reg. sections 15000 et seq., and Chapter 31 of the San Francisco Administrative
11 Code, finding that the proposed project at 429 Beale Street and 430 Main Street (“Project”) is
12 consistent with the development density established by zoning, community plan, and general
13 plan policies in the Rincon Hill Area Plan (the “Area Plan”) for the project site, for which a
14 Programmatic EIR (the “PEIR”) was certified; and

15 WHEREAS, The Project consists of merging two existing lots, Assessor’s Parcel Block
16 No. 3767, Lots 305 and 306, into a single 18,906-square-foot lot, demolishing the existing
17 buildings, and constructing a nine-story, 84-foot-tall building containing 144 dwelling units
18 and 73 parking spaces (72 residential spaces and one car-share space); and

19 WHEREAS, The Project would include a 15-foot-tall solarium and a 15-foot-tall
20 mechanical penthouse on the roof, resulting in a maximum building height of 99 feet, with the
21 parking garage on the basement level; and

22 WHEREAS, On May 24, 2018, the Planning Commission adopted the environmental
23 determination and approved the Project under Planning Code, Section 309.1 (Downtown
24 Project Authorization); and

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1 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
2 June 25, 2018, Dane M. Ince ("Appellant"), appealed the environmental determination; and

3 WHEREAS, The Planning Department's Environmental Review Officer, by
4 memorandum to the Clerk of the Board dated June 29, 2018, determined that the appeal had
5 been timely filed; and

6 WHEREAS, On July 31, 2018, this Board held a duly noticed public hearing to consider
7 the appeal of the environmental determination filed by Appellant and, following the public
8 hearing, affirmed the environmental determination; and

9 WHEREAS, In reviewing the appeal of the environmental determination, this Board
10 reviewed and considered the environmental determination, the appeal letter, the responses to
11 the appeal documents that the Planning Department prepared, the other written records
12 before the Board of Supervisors and all of the public testimony made in support of and
13 opposed to the appeal; and

14 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
15 conditionally reversed the determination that the Project did not require further environmental
16 review subject to the adoption of written findings of the Board in support of such determination
17 based on the written record before the Board of Supervisors as well as all of the testimony at
18 the public hearing in support of and opposed to the appeal; and

19 WHEREAS, The written record and oral testimony in support of and opposed to the
20 appeal and deliberation of the oral and written testimony at the public hearing before the
21 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
22 the environmental determination is in the Clerk of the Board of Supervisors File No. 180697
23 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it
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1 MOVED, That this Board of Supervisors conditionally reverses the determination by the
2 Planning Department that the Project is exempt from environmental review, subject to the
3 adoption of written findings of the Board in support of this determination.

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