

File No. 231288

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

Board Item No. 29

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

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

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: January 23, 2024

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

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Prepared by: Lisa Lew

Date: January 19, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Preparation of Findings to Reverse the General Plan Evaluation - 2395 Sacramento Street]

2

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the proposed project at 2395 Sacramento Street is**  
5 **exempt from further environmental review under a General Plan Evaluation.**

6

7 WHEREAS, On October 23, 2023, the Planning Department issued a General Plan  
8 Evaluation ("GPE") for the proposed project located at 2395 Sacramento Street ("Project")  
9 under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San  
10 Francisco Administrative Code, Chapter 31; and

11 WHEREAS, The 15,105-square-foot (sf) project site is located within the Pacific  
12 Heights neighborhood of San Francisco, near the Japantown and Upper Fillmore  
13 neighborhood commercial areas; it is bounded by Sacramento Street to the north, Buchanan  
14 Street to the east, California Street to the south, and Webster Street to the west; and

15 WHEREAS, The project site is comprised of two lots (Assessor's Parcel Block No.  
16 0637, Lot Nos. 015 and 016); Lot 015 is a vacant 3,497-sf lot; Lot 016 is 11,608 square feet in  
17 size and occupied by an existing three-story former library building with a basement and attic,  
18 a gated paved surface area, and a children's playground structure and open area; the existing  
19 building on the project site is designated as San Francisco Landmark No.115, Health  
20 Sciences Library, which was constructed in 1912; it is currently used as an events venue; and

21 WHEREAS, The Project proposes to merge the two existing lots, adaptively reuse the  
22 Health Sciences for residential use, and construct two horizontal additions to the existing  
23 building: a six-story, approximately 68-foot-tall addition along Webster Street and an  
24 approximately 78-foot-tall addition along Sacramento Street, resulting in a 66,311-gsf building  
25 with 24 dwelling units; and

1           WHEREAS, Both additions would include garage space, for a total of 26 vehicle  
2 parking spaces and 38 class 1 bicycle spaces, accessed from Webster Street; the Project  
3 would include two on-street passenger loading spaces along Webster Street, a new sidewalk  
4 bulb-out/extension at the corner of Webster and Sacramento streets, new street trees, and  
5 four class 2 bicycle parking spaces; and

6           WHEREAS, The proposed building would be supported on a mat foundation, requiring  
7 excavation to a maximum of approximately 27 feet below the ground surface and the removal  
8 of approximately 5,830 cubic yards of soil; construction is anticipated to begin in summer  
9 2027 and take approximately 21 months; and

10           WHEREAS, The Project would utilize the Individually Requested State Density Bonus  
11 Program to qualify for a 26% density bonus (five units); the Project requires waivers from local  
12 height limit of 40 feet; reduction of the rear yard requirement; and reduction regarding the  
13 dwelling unit exposure requirement; and

14           WHEREAS, CEQA mandates that projects that are consistent with the development  
15 density established by existing zoning, community plan or general plan policies for which an  
16 EIR was certified, shall not require additional environmental review unless there are project-  
17 specific effects that are peculiar to the project or its site (Public Resources Code, Section  
18 21083.3, and CEQA Guidelines, Section 15183); and

19           WHEREAS, The Planning Department determined that the Project is consistent with  
20 the development density established by zoning, community plan, and general plan policies in  
21 the San Francisco Housing Element 2022 Update for the project site, for which a  
22 programmatic EIR (“PEIR”) was certified, and that there are no project-specific impacts that  
23 are peculiar to the project site; based on that determination, on October 23, 2023, the  
24 Planning Department it issued a GPE for the project, concluding that the Project is exempt  
25

1 from further environmental review, above and beyond the review encompassed in the PEIR,  
2 the GPE, and its Initial Study; and

3 WHEREAS, The Planning Commission considered the Project on November 9, 2023; it  
4 adopted the GPE, including the project-specific Mitigation Monitoring and Reporting Program,  
5 and approved the Conditional Use Authorization for the Project; the Planning Commission  
6 also made findings related to the requested waivers from development standards, including  
7 rear yard (Planning Code, Section 134); dwelling unit exposure (Planning Code, Section 140);  
8 and height (Planning Code, Section 260), pursuant to State Density Bonus Law; and

9 WHEREAS, On December 11, 2023, Richard Toshiyuki Drury of Lozeau Drury LLP, on  
10 behalf of Jonathan Clark (“Appellant”), filed an appeal of the GPE determination; and

11 WHEREAS, By memorandum to the Clerk of the Board dated December 14, 2023, the  
12 Planning Department’s Environmental Review Officer determined that the appeal was timely  
13 filed; and

14 WHEREAS, On January 23, 2024, this Board held a duly noticed public hearing to  
15 consider the GPE appeal filed by Appellant; and

16 WHEREAS, In reviewing the GPE appeal, this Board reviewed and considered the  
17 GPE, the appeal letter, the responses to the appeal documents that the Planning Department  
18 and the Project Sponsor prepared, the other written records before the Board of Supervisors  
19 and all of the public testimony made in support of and opposed to the GPE appeal; and

20 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
21 conditionally reversed the GPE subject to the adoption of written findings of the Board in  
22 support of such determination based on the written record before the Board of Supervisors as  
23 well as all of the testimony at the public hearing in support of and opposed to the appeal; and

24 WHEREAS, The written record and oral testimony in support of and opposed to the  
25 appeal and the oral and written testimony at the public hearing before the Board of

1 Supervisors by all parties and the public in support of and opposed to the GPE appeal,  
2 including the deliberations by the members of the Board, is in the Clerk of the Board of  
3 Supervisors File No. 231285, and is incorporated in this motion as though set forth in its  
4 entirety; now, therefore, be it

5           MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the  
6 findings specifying the basis for its decision on the GPE appeal.

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## Introduction Form

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor  inquiries..."
- 5. City Attorney Request
- 6. Call File No.  from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission       Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: