

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

February 13, 2015

Sue C. Hestor
Attorney at Law
On behalf of San Franciscans for Reasonable Growth
870 Market Street, Suite 1128
San Francisco, CA 94102

**Subject: Appeal of California Environmental Quality Act (CEQA) Exemption
Determination from Environmental Review - 340 Bryant Street**

Dear Ms. Hestor:

The Office of the Clerk of the Board is in receipt of a memo dated February 11, 2015, (copy attached), from the Planning Department regarding the timely filing of your appeal of the exemption determination from environmental review for 340 Bryant Street.

The Planning Department has determined that the appeal was filed in a timely manner.

The appeal filing period closed on Monday, February 9, 2015. Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, March 24, 2015, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by 12:00 noon:

- 20 days prior to the hearing:** names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and
- 11 days prior to the hearing:** any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.



If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

Sincerely,

A handwritten signature in black ink, appearing to read "AC" followed by a stylized flourish.

Angela Calvillo
Clerk of the Board

c:
John Kevlin, Project Sponsor
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Aaron Starr, Planning Department
AnMarie Rodgers, Planning Department
Tina Chang, Planning Department
Jonas Ionin, Planning Commission



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: February 11, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer
RE: Appeal Timeliness Determination – 340 Bryant Street

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

An appeal of the California Environmental Quality Act (CEQA) exemption determination (Community Plan Exemption, or CPE) for the proposed project at 340 Bryant Street was filed with the Office of the Clerk of the Board on February 9, 2015, by Sue Hestor of San Franciscans for Reasonable Growth.

Timeline: The CPE was issued on December 22, 2014. Adoption of a CPE occurs at the time of the first project approval. The Approval Action for the project is a Planning Code Section 321 (Office Allocation) approval issued by the Planning Commission. This Approval Action occurred on January 8, 2015. Therefore, the Date of the Approval Action, as defined in Section 31.04(h) of the San Francisco Administrative Code, is January 8, 2015.

Timeliness Determination: Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal the exemption determination by the Planning Department to the Board of Supervisors during the time period within 30 days after the Date of the Approval Action. If the 30th day after the Date of the Approval Action falls on a Saturday, Sunday, or holiday, an appeal may be filed before 5:00pm on the next business day.

The appellant filed an appeal of the CPE to the Board of Supervisors on February 9, 2015, 32 days after the Date of Approval Action. Because the 30th day following the Approval Action was Saturday, February 7, 2015, an appeal could be filed until 5:00pm on Monday, February 9, 2015. Therefore, the appeal was timely filed during the specified window of time, after the first project approval and before 30 days beyond the Date of the Approval Action (or before 5:00pm on the next business day, if the 30th day after the Date of the Approval Action falls on a Saturday, Sunday, or holiday).

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.