

1 [Reversing the Community Plan Exemption Determination - Proposed Project at 2000-2070
2 Bryant Street]

3

4 **Motion reversing the determination by the Planning Department that a proposed**
5 **project at 2000-2070 Bryant Street is exempt from further environmental review under a**
6 **Community Plan Exemption.**

7

8 WHEREAS, On May 11, 2016, the Planning Department issued a Community Plan
9 Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental
10 Impact Report (FEIR), finding that the proposed project located at 2000-2070 Bryant Street
11 (“Project”): is consistent with the development density established by the zoning, community
12 plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project
13 area, for which the FEIR was certified; would not result in new significant environmental
14 effects, or effects of greater severity than were already analyzed and disclosed in the FEIR;
15 and is therefore exempt from further environmental review under the California Environmental
16 Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines,
17 and San Francisco Administrative Code Chapter 31, in accordance with CEQA Section
18 21083.3 and CEQA Guidelines Section 15183; and

19 WHEREAS, The proposed project involves the removal of three residential units for
20 new construction of a six-story, 68-foot tall, mixed-use building of approximately 203,656
21 square feet with 199 dwelling units, ground floor retail/trade shop spaces, 12,000 square feet
22 of ground floor Production, Distribution, and Repair space, one car-share parking space, 84
23 off-street parking spaces, 128 Class 1 bicycle parking spaces, and 18 Class 2 bicycle parking
24 spaces; and

25

1 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 5,
2 2016, Rachel Mansfield-Howlett, on behalf of resident Peter Papadopoulos (Appellant)
3 appealed the exemption determination; and

4 WHEREAS, The Appellant provided a copy of the Planning Commission's Motion
5 No. 19658, adopted on June 2, 2016, approving a large project authorization under Planning
6 Code Section 329, with the Planning Department's Certificate of Determination Exemption
7 from Environmental Review attached, finding that the proposed project was within the scope
8 of the FEIR and exempt from further environmental review under CEQA Section 21083.3 and
9 CEQA Guidelines Section 15183; and

10 WHEREAS, The Planning Department's Environmental Review Officer, by
11 memorandum to the Clerk of the Board dated July 8, 2016, determined that the appeal had
12 been timely filed; and

13 WHEREAS, On September 13, 2016, this Board held a duly noticed public hearing to
14 consider the appeal of the exemption determination filed by Appellant and, following the public
15 hearing, reversed the exemption determination; and

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

21 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors
22 reversed the exemption determination for the project based on the written record before the
23 Board of Supervisors as well as all of the testimony at the public hearing in support of and
24 opposed to the appeal; and

25

1 WHEREAS, The written record and oral testimony in support of and opposed to the
2 appeal and deliberation of the oral and written testimony at the public hearing before the
3 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
4 the exemption determination is in the Clerk of the Board of Supervisors File No. 160773 and is
5 incorporated in this motion as though set forth in its entirety; now therefore be it

6 MOVED, That this Board of Supervisors reverses the determination by the Planning
7 Department that the project is exempt from environmental review.

8
9 n:\landuse\mbyrne\bos ceqa appeals\2000-2070 bryant cpe rev.docx

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25