

File No. 200812

Committee Item No. _____

Board Item No. 29

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: August 18, 2020

Cmte Board

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OTHER

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Prepared by: Lisa Lew

Date: August 14, 2020

Prepared by: _____

Date: _____

1 [Preparation of Findings to Reverse the Community Plan Evaluation - 2300 Harrison Street]

2

3 **Motion directing the Clerk of the Board to prepare findings reversing a Community Plan**
4 **Evaluation determination by the Planning Department that a proposed project at 2300**
5 **Harrison Street is exempt from further environmental review under a Community Plan**
6 **Evaluation.**

7

8 WHEREAS, On April 30, 2019, the Planning Department issued a Community Plan
9 Evaluation and an Initial Study (“environmental determination”), pursuant to CEQA, the CEQA
10 Guidelines, 14 Cal. Code of Reg., Sections 15000 et seq., and Chapter 31 of the San
11 Francisco Administrative Code, finding that the proposed project at 2300 Harrison Street
12 (“Project”) is consistent with the development density established by zoning, community plan,
13 and general plan policies in the Eastern Neighborhoods Rezoning and Area Plans (the “Area
14 Plan”) for the project site, for which a Programmatic Environmental Impact Report (the “PEIR”) was certified; at that time, the project site was not located within the city’s Air Pollutant
15 Exposure Zone (APEZ); and

16

17 WHEREAS, The approximately 38,676-square-foot project site is located on the west
18 side of Harrison Street, on the southwest corner of the intersection of Harrison and 19th
19 Streets in the Mission neighborhood; the project site is bounded by 19th Street to the north,
20 Harrison Street to the east, Mistral Street to the south, and Treat Avenue to the west; the site
21 is currently occupied by a 42-foot-tall, three-story, 68,538-square-foot office building,
22 constructed in 1913, and a 14,000-square-foot surface parking lot with 61 parking spaces; the
23 existing office building has a 1,300 square foot roof deck; there are currently five additional
24 on-site parking spaces along the Harrison Street exterior of the existing office building, for a
25 total of 66 off-street vehicle parking spaces; the existing office building provides a bicycle

1 room with 48 Class 1 bicycle spaces, and two showers and a locker room with existing bicycle
2 racks for 27 bicycles; there are nine Class 2 bicycle parking spaces in the existing parking lot;
3 adjacent to the project site, there are an additional 14 Class 2: bicycle parking spaces on the
4 east side of Treat Avenue; and

5 WHEREAS, The proposed Project includes a horizontal and vertical addition to the
6 existing building that would replace the surface parking lot with new construction of a 75-foot-
7 tall (up to 85-foot-tall for the elevator penthouse), six-story-over-basement, 77,365-square-foot
8 mixed-use building; the new building would be connected to the existing building at the
9 second and third levels to expand the existing office use on those floors; the proposed
10 addition would consist of 12,331 square feet of below-grade parking; a new bike room with
11 lockers and two showers for office employees at the site; 1,117 square feet of arts activity or
12 retail uses; 2,483 square feet of retail and 5,183 square feet of parking at the ground floor;
13 27,017 square feet of office use on floors 2 and 3; and 29,234 square feet of residential use
14 on floors 4, 5, and 6; and

15 WHEREAS, The Project would include 24 dwelling units consisting of 14 one-bedroom
16 and 10 two-bedroom units; and

17 WHEREAS, The Project would use the state density bonus law (California Government
18 Code, Sections 65915-65918), which allows waivers, concessions, and modifications from
19 local development standards for projects; under the state Density Bonus law, the Project
20 would seek modifications and concessions for active ground floor uses, narrow street height
21 limit, ground floor height, and rear yard setback; the Project also seeks a waiver for one
22 additional floor above the existing height limit; and

23 WHEREAS, On December 12, 2019, the Planning Commission adopted the
24 environmental determination and approved the large project authorization (“LPA”) for the
25

1 Project (Planning Commission Motion 20595), which constituted the approval action under
2 Chapter 31 of the Administrative Code; and

3 WHEREAS, By letter to the Clerk of the Board, dated January 13, 2020, Carlos
4 Bocanegra (“Appellant”), appealed the environmental determination; and

5 WHEREAS, The Planning Department’s Environmental Review Officer, by
6 memorandum to the Clerk of the Board dated January 17, 2020, determined that the appeal
7 had been timely filed; and

8 WHEREAS, On February 7, 2020, the Department of Public Health updated the City’s
9 APEZ, and as a result, the project site is now within the APEZ, which was not the case in
10 2019 when the CPE determination was issued; based on this information, the Planning
11 Department determined that the Eastern Neighborhoods Program EIR construction air quality
12 mitigation measure is applicable to the project, rescinded the CPE, and revised the
13 construction air quality analysis to include the construction air quality mitigation measure; the
14 CPE was reissued on February 19, 2020, initiating a new appeal period; and

15 WHEREAS, The appellant refiled their appeal on March 20, 2020, and the
16 Environmental Review Officer, by memorandum to the Clerk of the Board dated July 27, 2020,
17 determined that the refiled appeal had been timely filed; and

18 WHEREAS, On August 18, 2020, this Board held a duly noticed public hearing to
19 consider the appeal of the environmental determination filed by Appellant and, following the
20 public hearing, affirmed the environmental determination; and

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

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 environmental determination is in the Clerk of the Board of Supervisors File No. 200809
5 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

6 MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the
7 findings specifying the basis for its decision on the appeal of the environmental determination
8 issued by the Planning Department for the Project.

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Introduction Form

By a Member of the Board of Supervisors or 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 inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached 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 the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only