

File No. 200893

Committee Item No. _____

Board Item No. 58

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 29, 2020

Cmte Board

- Motion
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OTHER

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Prepared by: Lisa Lew

Date: September 25, 2020

Prepared by: _____

Date: _____

1 [Conditionally Reversing the Community Plan Evaluation - 1088 Howard Street]

2

3 **Motion conditionally reversing the determination by the Planning Department that the**
4 **proposed project at 1088 Howard Street is exempt from further environmental review**
5 **under a Community Plan Evaluation, subject to the adoption of written findings of the**
6 **Board in support of this determination.**

7

8 WHEREAS, On December 18, 2019, the Planning Department issued a Community
9 Plan Evaluation and an Initial Study (“environmental determination”), pursuant to CEQA, the
10 CEQA 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 1088 Howard 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”)
15 was certified; and

16 WHEREAS, The approximately 4,506-square-foot, rectangular-shaped project site at
17 1088 Howard Street is in the South of Market neighborhood, within the East SoMa Plan area
18 in the Eastern Neighborhoods; the project site consists of two adjacent Lots (030 and 031)
19 that are approximately 25 feet wide and 90 feet deep; the site is on the block bounded by
20 Howard Street to the south, 7th Street to the west, Natoma Street to the north, and Russ
21 Street to the east; Lot 030 is currently a paved lot used for private parking and storage, and
22 Lot 031 is developed with a one-story plus mezzanine, 21-foot tall commercial building
23 constructed in 1925; the existing 2,481 square foot commercial building on the site is currently
24 in operation as a cannabidiol (CBD) laboratory; the existing building is a historic resource as a
25

1 contributor to the Western SoMa Light Industrial and Residential Historic District, a National
2 Register-eligible historic district; and

3 WHEREAS, The proposed Project proposes to merge two adjacent lots, demolish the
4 existing single-story with mezzanine level industrial building on-site (the façade of the existing
5 building would be preserved), and construct a seven-story (71-foot-tall, exclusive of the 10-
6 foot-tall elevator penthouse) mixed-use residential and commercial building; with
7 implementation of the proposed project, the building would contain 24 two-bedroom units and
8 approximately 15,605 gross square feet of residential space, 2,560 gross square feet of
9 commercial space, 885 gross square feet of private open space, and 1,680 gross square feet
10 of shared open space on the rooftop deck; in addition, the proposed project includes 24 class
11 I bicycle parking spaces on the ground floor, and two class II bicycle parking spaces on the
12 project's Howard Street frontage; no vehicle parking spaces are proposed; other project
13 features include rooftop solar panels and three new street trees along the project frontage; as
14 part of the project, the existing curb cut in front of the project site on Howard Street would be
15 removed, and the curb would be rebuilt to match the existing curb line; a variance with respect
16 to Planning Code, Section 140 would be required related to dwelling unit exposure for eight
17 units at the rear of the property; and

18 WHEREAS, On January 15, 2020, discretionary review by the Planning Commission
19 was requested by Julian Castaneda; and

20 WHEREAS, On June 4, 2020, the Planning Commission took discretionary review and
21 approved the Project with the condition that the proposed building wall be set back one foot
22 from the western interior property line to allow adjacent property line windows to function and
23 adopted the environmental determination for the Project (Discretionary Review Action DRA-
24 699), which constituted the approval action under Chapter 31 of the Administrative Code; and

1 WHEREAS, By letter to the Clerk of the Board, dated July 6, 2020, Tanaka Gaines,
2 Ron Dagcaoili, and Julian Castaneda of the 195 7th Street Homeowners Association
3 (“Appellants”) filed an appeal of the environmental determination; and

4 WHEREAS, The Planning Department’s Environmental Review Officer, by
5 memorandum to the Clerk of the Board dated August 3, 2020, determined that the appeal had
6 been timely filed; and

7 WHEREAS, On September 29, 2020, this Board held a duly noticed public hearing to
8 consider the appeal of the environmental determination filed by Appellants and, following the
9 public hearing, affirmed the environmental determination; and

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

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

20 WHEREAS, The written record and oral testimony in support of and opposed to the
21 appeal and deliberation of the oral and written testimony at the public hearing before the
22 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
23 the environmental determination is in the Clerk of the Board of Supervisors File No. 200891
24 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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Introduction Form

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

Sponsor(s):

Subject:

The text is listed below or attached:

Motion conditionally reversing the determination by the Planning Department that the proposed project at 1088 Howard Street is exempt from further environmental review under a Community Plan Evaluation, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only: