



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** July 24, 2017

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Lisa Gibson, Environmental Review Officer *YG*

**RE:** Appeal Timeliness and Standing Determination – 1500-1540 Market (One Oak Project), Planning Department Case No. 2009.0159E

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An appeal of the Certification of the Final Environmental Impact Report (Final EIR) for the 1500 - 1540 Market Street (One Oak Street Project) Environmental Impact Report, Planning Department Case No. 2009.0159E, was filed with the Office of the Clerk of the Board of Supervisors on July 17, 2017 by Sue Hestor, on behalf of Jason Henderson (Appellant).

Date of FEIR Certification	30 Days after FEIR Certification	Appeal Deadline (Must Be Day Clerk of Board's Office Is Open)	Date of Appeal Filing	Timely?
June 15, 2017	Saturday, July 15, 2017	Monday, July 17, 2017	July 17, 2017	Yes

**Timeline:** On November 16, 2016, the Planning Department published the Draft Environmental Impact Report (Draft EIR) for the 1500 - 1540 Market Street (One Oak Street Project) with a public review and comment period from November 16, 2016 through January 5, 2017. On January 5, 2017, the Planning Commission held a duly advertised public hearing on the Draft EIR. The Responses to Comments document was issued on June 1, 2017. On June 15, 2017, the Planning Commission held a duly noticed hearing to consider certification of the 1500 - 1540 Market Street (One Oak Street Project) Final EIR. The Planning Commission certified the 1500 - 1540 Market Street (One Oak Street Project) Final EIR on June 15, 2017.

**Appeal Deadline:** Section 31.16(a) and (c) of the San Francisco Administrative Code states that any person or entity that has submitted comments to the Planning Commission or the Environmental Review Officer on a Draft EIR, either in writing during the public review period, or orally or in writing at a public hearing on the Draft EIR, may appeal the Planning Commission's certification of the Final EIR up to 30 days after the certification of the Final EIR. The 30<sup>th</sup> day after the certification of the Final EIR was Saturday, July 15, 2017. The next date the Office of the Clerk of the Board was open was Monday, January 17, 2017 (Appeal Deadline).

**Appeal Filing and Timeliness:** The Appellant filed the appeal of the Final EIR on July 17, 2017, prior to the Appeal Deadline and therefore the appeal is considered timely.

**Appellant Standing:** The Appellant submitted written comments on the Draft EIR and submitted comments at the public hearing on the Draft EIR. The Appellant therefore has standing to appeal the certification of the Final EIR.