

From: [Brian O'Neill](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: 45 Bernard CEQA Appeal (Case No. 2020-005176APL)
Date: Tuesday, November 1, 2022 7:08:33 AM
Attachments: [UCNA CEQA Withdrawal Letter.pdf](#)

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Hello,

Please accept the attached letter from Upper Chinatown Neighborhood Association as a withdrawal of their CEQA Exemption Appeal regarding the 45 Bernard Project (Case No. 2020-005176APL). Can you please distribute this letter to the Supervisors, Project Sponsor, and all other interested parties.

Thank you,
Brian

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Zacks, Freedman & Patterson proudly announces the opening of two additional offices, one in the East Bay and one in Monterey Bay. Please see our [website](#) for further details.

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UPPER CHINATOWN NEIGHBORHOOD ASSOCIATION

President Shamann Walton and Supervisors
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94103

Re: 45-49 Bernard Street
Exemption Determination Appeal (Case No. 2020-005176APL)

Dear President Walton and Supervisors:

The Upper Chinatown Neighborhood Association (UCNA) has been working to protect the heritage and culture of Upper Chinatown since 2013. The recent trend of evictions followed by residential expansions erodes the stability of our fragile community and destroys our vital open space. The project at 45 Bernard Street, where 11 Asian immigrants were evicted to pave the way for a project that reduces affordable housing, is representative of the eviction crisis destroying our community.

We are deeply humbled by the community members who stood up to protect the cultural fabric of Upper Chinatown. Over a thousand individuals signed a petition in support of UCNA's Discretionary Review Request. The Community Improvement Service, Community Youth Center, Community Tenants Association, Lao Iu Mien Culture Association, and Tenderloin Chinese Rights Association all submitted letters of support and rallied their members to fight against evictions and expansions. UCNA is also grateful to the Planning Commissioners who listened to the concerns of the community and applied strong conditions to protect the rights of the current and former tenants of 45 Bernard. After those conditions were finalized in the Discretionary Action Memo adopted on October 6, we are comforted knowing that the tenants will be adequately protected.

There are many unanswered questions regarding the design of the project, and we have grave concerns regarding significant life and safety code-compliance issues. UCNA will continue to monitor the final design of the project to ensure the project complies with all applicable laws. However, we do not wish to overturn the Planning Commission's approval of conditions that protect the tenants. To that end, UCNA has decided to withdraw our appeal of the CEQA exemption determination for the project.

UCNA will continue to fight for the preservation of the unique character of the Upper Chinatown community, as well as the bonds of culture that have been built over many generations. We look forward to working with the City and all of our neighbors to make that goal a reality.

Sincerely,



Upper Chinatown Neighborhood Association
By: Hanmin Liu
Its: Co-Team Leader

LEADERSHIP TEAM

Kelvin Lee
Johnny Leung
Sandy Leung
Hanmin Liu
Jennifer Mei
Brad Paul
Stephen White