

BOARD of SUPERVISORS



City Hall
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December 1, 2014

Ryan J. Patterson, Esq.
On behalf of Jack Oswald and Anneke Seley
Zacks and Freedman, P.C.
235 Montgomery Street, Suite 400
San Francisco, CA 94104

Subject: Appeal of California Environmental Quality Act (CEQA) Categorical Exemption Determination from Environmental Review - 312 Green Street

Dear Mr. Patterson:

The Office of the Clerk of the Board is in receipt of a memo dated December 1, 2014, (copy attached), from the Planning Department regarding the timely filing of your appeal of the determination of exemption from environmental review for 312 Green Street.

The Planning Department has determined that the appeal was filed in a timely manner.

The appeal filing period closed on Monday, November 24, 2014. Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, December 16, 2014, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by:

11 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Deputy, Rick Caldeira at (415) 554-7711 or Legislative Clerks, Joy Lamug at (415) 554-7712 or John Carroll at (415) 554-4445.

Very truly yours,



Angela Calvillo
Clerk of the Board

- c: Bruno and Suzanne Kanter, Project Sponsor
- Jon Givner, Deputy City Attorney
- Kate Stacy, Deputy City Attorney
- Marlena Byrne, Deputy City Attorney
- John Rahaim, Planning Director
- Scott Sanchez, Zoning Administrator, Planning Department
- Aaron Starr, Planning Department
- AnMarie Rodgers, Planning Department
- Tina Tam, Planning Department
- Shelley Caltagirone, Planning Department
- Jonas Ionin, Planning Commission Secretary



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 1, 2014
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer
RE: Appeal timeliness determination – 312 Green Street, Planning Department Case No. 2012.0635E

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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An appeal of the categorical exemption for the proposed project at 312 Green Street (Planning Department Case No. 2012.0635E) was filed with the Office of the Clerk of the Board on November 24, 2014 by Ryan J. Patterson, Zacks & Freedman, P.C. on behalf of the Jack Oswald and Anneke Seley.

Timeline: The Categorical Exemption was issued on January 15, 2013. The exemption identified the Approval Action for the project as approval of the Discretionary Review by the Planning Commission, in accordance with Chapter 31 of the San Francisco Administrative Code, which occurred on October 23, 2014 (Date of the Approval Action).

Timeliness Determination: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action.

The appeal of the exemption determination was filed on November 24, 2014, which is the last business day within 30 days after the Date of the Approval Action and is within the time frame specified above. Therefore the appeal is considered timely.

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.