

File No. 161148

Committee Item No. \_\_\_\_\_

Board Item No. 38.

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: December 13, 2016

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER (Click the text below for a direct link to the document)

- |                          |                          |       |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: December 9, 2016

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at  
2 2675 Folsom Street]

3 **Motion conditionally reversing the determination by the Planning Department that a**  
4 **proposed project at 2675 Folsom Street does not require further environmental review**  
5 **under a Community Plan Exemption, subject to the adoption of written findings of the**  
6 **Board in support of this determination.**

7  
8 WHEREAS, On September 20, 2016, the Planning Department issued a Community  
9 Plan Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final  
10 Environmental Impact Report (FEIR), finding that the proposed project located at 2675  
11 Folsom Street ("Project"): is consistent with the development density established by the  
12 zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning  
13 and Area Plan project area, for which the FEIR was certified; would not result in new  
14 significant environmental effects, or effects of greater severity than were already analyzed and  
15 disclosed in the FEIR; and therefore does not require further environmental review under the  
16 California Environmental Quality Act (CEQA), Public Resources Code, Section 21000 et seq.,  
17 the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, in accordance  
18 with CEQA Section 21083.3 and CEQA Guidelines, Section 15183; and

19 The proposed project involves the demolition three existing two-story warehouse and  
20 storage structures totaling 21,599 square feet, as well as surface parking and storage areas,  
21 and the construction of a four-story-over-basement, 40-foot-tall residential building, which  
22 would include 117 residential units and approximately 5,200 square feet of Production,  
23 Distribution and Repair (PDR) space; and  
24  
25

1           WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
2 October 21, 2016, J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community  
3 Council (Appellant) appealed the exemption determination; and

4           WHEREAS, The Appellant provided a copy of Planning Commission Motion No. 19744,  
5 adopted on September 22, 2016, approving a Large Project Authorization under Planning  
6 Code, Section 329 and finding that the proposed project was within the scope of the FEIR and  
7 did not require further environmental review under CEQA Section 21083.3 and CEQA  
8 Guidelines Section 15183; and

9           WHEREAS, By Motion No. 19745, adopted on September 22, 2016, the Planning  
10 Commission also approved a conditional use authorization under Planning Code, Section 303;  
11 and

12           WHEREAS, The Planning Department's Environmental Review Officer, by  
13 memorandum to the Clerk of the Board dated October 25, 2016, determined that the appeal  
14 had been timely filed; and

15           WHEREAS, On December 13, 2016, this Board held a duly noticed public hearing to  
16 consider the appeal of the exemption determination filed by Appellant and, following the public  
17 hearing, conditionally reversing the exemption determination subject to the adoption of written  
18 findings in support of such determination; and

19           WHEREAS, In reviewing the appeal of the exemption determination, this Board  
20 reviewed and considered the exemption determination, the appeal letter, the responses to the  
21 appeal documents that the Planning Department prepared, the other written records before  
22 the Board of Supervisors and all of the public testimony made in support of and opposed to  
23 the exemption determination appeal; and

24           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
25 conditionally reversed the determination that the project did not require further environmental

1 review subject to the adoption of written findings of the Board in support of such determination  
2 based on the written record before the Board of Supervisors as well as all of the testimony at  
3 the public hearing in support of and opposed to the appeal; and

4 WHEREAS, The written record and oral testimony in support of and opposed to the  
5 appeal and deliberation of the oral and written testimony at the public hearing before the  
6 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
7 the exemption determination is in the Clerk of the Board of Supervisors File No. 161146 and is  
8 incorporated in this motion as though set forth in its entirety; now, therefore, be it

9 MOVED, That this Board of Supervisors conditionally reverses the determination by the  
10 Planning Department that the project is exempt from environmental review, subject to the  
11 adoption of written findings of the Board in support of this determination.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

n:\landuse\mbyrne\bos ceqa appeals\2675 folsom cpe rev.docx

# 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):**

Clerk of the Board

**Subject:**

Conditionally Reversing the Community Plan Exemption Determination - Proposed Project at 2675 Folsom Street

**The text is listed below or attached:**

Motion conditionally reversing the determination by the Planning Department that a proposed project at 2675 Folsom Street does not require further environmental review under a Community Plan Exemption, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor: \_\_\_\_\_

*Alisa Jomera*

For Clerk's Use Only:

161148