File No. <u>170815</u>

Committee Item No.Board Item No.23

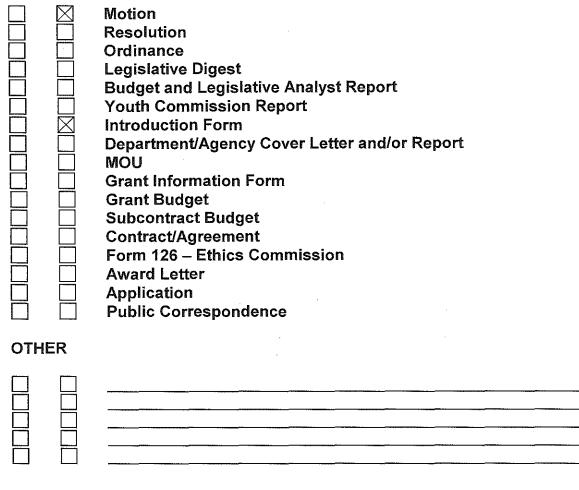
## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_ Board of Supervisors Meeting Date: \_\_\_\_\_

Date: September 5, 2017

## Cmte Board



Prepared by:	Brent Jalipa	Date:	<u>August 31, 2017</u>
Prepared by:		Date:	

## FILE NO. 170815

## MOTION NO.

[Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 1500-1540 Market Street (One Oak Street)]

Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Commission's certification of the Final Environmental Impact Report for the proposed project at 1500-1540 Market Street (One Oak Street).

WHEREAS, The proposed project at 1500-1540 Market Street (also referred to as the "One Oak Street Project" or "Project") proposes to demolish all existing structures on the project site at 1500-1540 Market Street and construct a new 304-unit, 40-story residential tower with ground-floor commercial space, one off-street loading space, a subsurface parking garage containing 136 spaces for residents and two service vehicle spaces, bicycle parking accommodating 304 Class 1 and 62 Class 2 spaces, a public plaza and shared public way within the Oak Street right-of-way, several wind canopies within the proposed plaza, and one wind canopy within the sidewalk at the northeast corner of Market Street and Polk Street to reduce pedestrian-level winds; and

WHEREAS, The Planning Department determined that an Environmental Impact Report (hereinafter "EIR") was required for the proposed Project and provided public notice of that determination by publication in a newspaper of general circulation on June 17, 2015.; and

WHEREAS, The Planning Department published a Draft EIR for the proposed Project on November 16, 2016, and circulated to local, state, and federal agencies and to interested organizations and individuals for a 55-day public review period; and

WHEREAS, The Planning Commission held a public hearing on the Draft EIR on January 5, 2017; and

Clerk of the Board BOARD OF SUPERVISORS WHEREAS, The Planning Department prepared a Responses to Comments document (RTC), responding to all comments received orally at the public hearings and in writing, and published the RTC on June 1, 2017; and

WHEREAS, On June 15, 2017, the Planning Commission, by Motion No. 19938, certified a Final Environmental Impact Report (Final EIR) for the proposed Project under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and San Francisco Administrative Code Chapter 31, finding that the Final EIR reflects the independent judgment and analysis of the City and County of San Francisco, that it is adequate, accurate and objective, and contains no significant revisions to the Draft EIR; and

WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July 17, 2017, Jason Henderson appealed the Final EIR certification ( "Appellant") (authorizing Sue Hestor to submit the appeal on his behalf); and

WHEREAS, The Planning Department's Environmental Review Officer, by memorandum to the Clerk of the Board dated July 24, 2017, determined that the appeal had been timely filed; and

WHEREAS, On September 5, 2017, this Board held a duly noticed public hearing to consider the appeal of the Final EIR certification filed by Appellant and, following the public hearing, conditionally reversed the Final EIR certification, subject to the adoption of written findings in support of such determination; and

WHEREAS, In reviewing the appeal of the Final EIR certification, this Board reviewed and considered the determination, the appeal letter, the responses to the appeal documents that the Planning Department prepared, the other written records before the Board of Supervisors and all of the public testimony made in support of and opposed to the Infill Determination appeal; and

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WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors conditionally reversed the Final EIR certification, subject to the adoption of written findings of the Board in support of such determination, based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the Final EIR certification is in the Clerk of the Board of Supervisors File No. 170812 and is incorporated in this motion as though set forth in its entirety; now therefore be it

MOVED, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the appeal of the Planning Commission's certification of the Final EIR for the project.

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Clerk of the Board BOARD OF SUPERVISORS

Print Form				
<b>Introduction Form</b>				
By a Member of the Board of Supervisors or Mayor				
I hereby submit the following item for introduction (select only one):	Time stamp or meeting date			
1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendmen	it).			
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	inquiries"			
5. City Attorney Request.				
6. Call File No. from Committee.				
7. Budget Analyst request (attached 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 fol				
	ommission			
Planning Commission Building Inspection Commiss	sion			
Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imper	ative Form.			
Sponsor(s):				
Clerk of the Board				
Subject:				
Preparation of Findings to Reverse the Final Environmental Impact Report Certification - 150 (One Oak Street)	0-1540 Market Street			
The text is listed:				
Motion directing the Clerk of the Board to prepare findings related to reversing the Planning Certification of the Final Environmental Impact Report for the proposed project at 1500-1540 Street).				
Signature of Sponsoring Supervisor:	rera			
For Clerk's Use Only				