



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: June 14, 2018

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer *LJG*

RE: Appeal Timeliness Determination – Central South of Market (SoMa) Plan, Planning Department Case No. 2011.1356E

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Four appeals of the certification of the Final Environmental Impact Report (FEIR) for the Central South of Market (SoMa) Plan were filed with the Office of the Clerk of the Board of Supervisors by the following parties:

- Mr. Richard Drury of Lozeau Drury LLP on behalf of the Central SoMa Neighbors (CSN) and SFBlu (appeal filed on June 8, 2018);
- Ms. Angelica Cabande on behalf of the South of Market Community Action Network (SOMCAN) (appeal filed on June 11, 2018);
- Mr. John Elberling on behalf of the Yerba Buena Neighborhood Consortium (appeal filed on June 11, 2018); and
- Phillip Babich of Reed Smith LLP on behalf of One Vassar LLC (appeal filed on June 11, 2018).

The above parties are hereby collectively referred to as the “Appellants.” As explained below, the Planning Department finds these four appeals to be timely filed.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open)	Date of Appeal Filing	Timely?
May 10, 2018	Saturday, June 9, 2018	Monday, June 11, 2018	CSN and SFBlu filed appeal on June 8, 2018	Yes
			SOMCAN filed appeal on June 11, 2018	Yes
			Yerba Buena Neighborhood Consortium filed appeal on June 11, 2018	Yes
			One Vassar LLC filed appeal on June 11, 2018	Yes

Timeline: On December 14, 2016, the Planning Department published the Draft Environmental Impact Report (DEIR) for the Central SoMa Plan with a public review and comment period from December 14, 2016 through February 13, 2017. On January 26,

2017, the Planning Commission held a duly advertised public hearing on the DEIR. The Responses to Comments document was issued on March 28, 2018. On May 10, 2018, the Planning Commission held a duly noticed hearing to consider certification of the Central SoMa Plan FEIR. The Planning Commission certified the Central SoMa Plan FEIR on May 10, 2018.

Appeal Deadline: Sections 31.16(a) and (c) of the San Francisco Administrative Code state that any person or entity that has submitted comments to the Planning Commission or the Environmental Review Officer on a DEIR, either in writing during the public review period, or orally or in writing at a public hearing on the EIR, may appeal the Planning Commission's certification of the FEIR up to 30 days after the certification of the FEIR. The 30th day after the certification of the FEIR was June 9, 2018. The next date when the Office of the Clerk of the Board was open was Monday, June 11, 2018 (Appeal Deadline).

Appellant Standing: All four Appellants submitted written comments on the DEIR and therefore, the Appellants have standing to appeal the certification of the FEIR.

Appeal Filing and Timeliness: CSN and SFBlu filed an appeal on June 8, 2011 and SOMCAN, One Vassar LLC, and the Yerba Buena Neighborhood Consortium each filed an appeal on June 11, 2018. All four appeals were filed prior to the Appeal Deadline and therefore, the appeals are considered timely.