

File No. 200811

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

Board Item No. 28

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

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

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

Board of Supervisors Meeting

Date: August 18, 2020

#### 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 checked="" 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

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Prepared by: Lisa Lew

Date: August 14, 2020

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

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

1 [Conditionally Reversing the Community Plan Evaluation - 2300 Harrison Street]

2  
3 **Motion conditionally reversing the determination by the Planning Department that a**  
4 **proposed project at 2300 Harrison Street is exempt from further environmental review**  
5 **under a Community Plan Evaluation, subject to the adoption of written findings of the**  
6 **Board in support of this determination.**

7  
8 WHEREAS, On April 30, 2019, the Planning Department issued a Community Plan  
9 Evaluation and an Initial Study ("environmental determination"), pursuant to CEQA, the CEQA  
10 Guidelines, 14 Cal. Code of Reg. Sections 15000 et seq., and Chapter 31 of the San  
11 Francisco Administrative Code, finding that the proposed project at 2300 Harrison Street  
12 ("Project") is consistent with the development density established by zoning, community plan,  
13 and general plan policies in the Eastern Neighborhoods Rezoning and Area Plans (the "Area  
14 Plan") for the project site, for which a Programmatic Environmental Impact Report (the "PEIR")  
15 was certified; at that time, the project site was not located within the city's Air Pollutant  
16 Exposure Zone (APEZ); and

17 WHEREAS, The approximately 38,676-square-foot project site is located on the west  
18 side of Harrison Street, on the southwest corner of the intersection of Harrison and 19th  
19 Streets in the Mission neighborhood; the project site is bounded by 19th Street to the north,  
20 Harrison Street to the east, Mistral Street to the south, and Treat Avenue to the west; the site  
21 is currently occupied by a 42-foot-tall, three-story, 68,538-square-foot office building,  
22 constructed in 1913, and a 14,000-square-foot surface parking lot with 61 parking spaces; the  
23 existing office building has a 1,300 square foot roof deck; there are currently five additional  
24 on-site parking spaces along the Harrison Street exterior of the existing office building, for a  
25 total of 66 off-street vehicle parking spaces; the existing office building provides a bicycle

1 room with 48 Class 1 bicycle spaces, and two showers and a locker room with existing bicycle  
2 racks for 27 bicycles; there are nine Class 2 bicycle parking spaces in the existing parking lot;  
3 adjacent to the project site, there are an additional 14 Class 2: bicycle parking spaces on the  
4 east side of Treat Avenue; and

5 WHEREAS, The proposed Project includes a horizontal and vertical addition to the  
6 existing building that would replace the surface parking lot with new construction of a 75-foot-  
7 tall (up to 85-foot-tall for the elevator penthouse), six-story-over-basement, 77,365-square-foot  
8 mixed-use building; the new building would be connected to the existing building at the  
9 second and third levels to expand the existing office use on those floors; the proposed  
10 addition would consist of 12,331 square feet of below-grade parking; a new bike room with  
11 lockers and two showers for office employees at the site; 1,117 square feet of arts activity or  
12 retail uses; 2,483 square feet of retail and 5,183 square feet of parking at the ground floor;  
13 27,017 square feet of office use on floors 2 and 3; and 29,234 square feet of residential use  
14 on floors 4, 5, and 6; and

15 WHEREAS, The Project would include 24 dwelling units consisting of 14 one-bedroom  
16 and 10 two-bedroom units; and

17 WHEREAS, The Project would use the state density bonus law (California Government  
18 Code, Sections 65915-65918), which allows waivers, concessions, and modifications from  
19 local development standards for projects; under the state Density Bonus law, the Project  
20 would seek modifications and concessions for active ground floor uses, narrow street height  
21 limit, ground floor height, and rear yard setback; the Project also seeks a waiver for one  
22 additional floor above the existing height limit; and

23 WHEREAS, On December 12, 2019, the Planning Commission adopted the  
24 environmental determination and approved the large project authorization ("LPA") for the  
25

1 Project (Planning Commission Motion 20595), which constituted the approval action under  
2 Chapter 31 of the Administrative Code; and

3 WHEREAS, By letter to the Clerk of the Board, dated January 13, 2020, Carlos  
4 Bocanegra ("Appellant"), appealed the environmental determination; and

5 WHEREAS, The Planning Department's Environmental Review Officer, by  
6 memorandum to the Clerk of the Board dated January 17, 2020, determined that the appeal  
7 had been timely filed; and

8 WHEREAS, On February 7, 2020, the Department of Public Health updated the City's  
9 APEZ, and as a result, the project site is now within the APEZ, which was not the case in  
10 2019 when the CPE determination was issued; based on this information, the Planning  
11 Department determined that the Eastern Neighborhoods Program EIR construction air quality  
12 mitigation measure is applicable to the project, rescinded the CPE, and revised the  
13 construction air quality analysis to include the construction air quality mitigation measure; the  
14 CPE was reissued on February 19, 2020, initiating a new appeal period; and

15 WHEREAS, The appellant refiled their appeal on March 20, 2020, and the  
16 Environmental Review Officer, by memorandum to the Clerk of the Board dated July 27, 2020,  
17 determined that the refiled appeal had been timely filed; and

18 WHEREAS, On August 18, 2020, this Board held a duly noticed public hearing to  
19 consider the appeal of the environmental determination filed by Appellant and, following the  
20 public hearing, affirmed the environmental determination; and

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

1           WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
2           conditionally reversed the determination that the Project did not require further environmental  
3           review subject to the adoption of written findings of the Board in support of such determination  
4           based on the written record before the Board of Supervisors as well as all of the testimony at  
5           the public hearing in support of and opposed to the appeal; and

6           WHEREAS, The written record and oral testimony in support of and opposed to the  
7           appeal and deliberation of the oral and written testimony at the public hearing before the  
8           Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
9           the environmental determination is in the Clerk of the Board of Supervisors File No. 200809  
10          and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

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

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# Introduction Form

By a Member of the Board of Supervisors or 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  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 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 the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only