



FINAL MITIGATED NEGATIVE DECLARATION APPEAL TIMELINESS DETERMINATION

Date: September 2, 2021
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – (628) 652-7571

RE: Appeal Timeliness Determination – 530 Sansome Street Final Mitigated Negative Declaration; Planning Department Case No. 2019-017481ENV, 2019-017481APL

On August 30, 2021, Ryan Patterson (Appellant) filed an appeal with the Office of the Clerk of the Board of Supervisors of the Final Mitigated Negative Declaration (FMND) for the proposed project at 530 Sansome Street. As explained below, the appeal is timely.

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?
Thursday, July 29, 2021	Saturday, August 28, 2021	Monday, August 30, 2021	Monday, August 30, 2021	Yes

Approval Action: On April 28, 2021, the Planning Department issued a preliminary mitigated negative declaration (PMND) for the proposed project at 530 Sansome Street. An appeal was filed by Ryan Patterson on behalf of 447 Partners, LLC on May 18, 2021. On July 29, 2021, the Planning Commission affirmed the PMND on appeal. On July 29, 2021, the Planning Department issued the Final MND (FMND). The Approval Action for the project was Conditional Use Authorization by the Planning Commission, which occurred on July 29, 2021 (Date of the Approval Action).

Appeal Deadline: San Francisco Administrative Code Chapter 31, Section 31.16(d) states that any person or entity that has filed an appeal of the PMND with the Planning Commission during the public comment period provided in Chapter 31 may appeal the Planning Commission’s approval of the FMND. The code further provides that the appellant shall submit a letter of appeal to the Clerk of the Board within 30 days after the Date of Approval Action for the project taken in reliance of the FMND. The Approval Action occurred on Thursday, July 29, 2021, and the 30th day after the Date of the Approval Action is Saturday, August 28, 2021.

The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, August 30, 2021 (Appeal Deadline).

Appellant Standing: The appellant appealed the PMND to the Planning Commission, which held an appeal hearing on July 29, 2021. Therefore, the appellant has standing to appeal the FMND.

Appeal Filing and Timeliness: The Appellant filed the appeal of the FMND on Monday, August 30, 2021, prior to the end of the Appeal Deadline on Monday, August 30, 2021. Therefore, the appeal is timely.