Motion affirming the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption.

WHEREAS, On July 12, 2016, the Planning Department issued a Community Plan Exemption under the Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report (FEIR), finding that the proposed project located at 1515 South Van Ness Avenue ("Project"): is consistent with the development density established by the zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project area, for which the FEIR was certified; would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR; and is therefore exempt from further environmental review under the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000 et seq., the CEQA Guidelines, and Administrative Code, Chapter 31, in accordance with CEQA, Section 21083.3 and CEQA Guidelines, Section 15183; and

WHEREAS, The proposed project involves the demolition of an existing, vacant building used for production, distribution, repair (PDR) and a surface parking lot and construction of a five- to six-story, approximately 180,300-square-foot mixed-use building, consisting of 157 residential dwelling units and approximately 1,080 square feet of retail uses, as well as six ground floor trade shop spaces of approximately 4,200 square feet total; and

WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on September 12, 2016, J. Scott Weaver, on behalf of Calle 24 Latino Cultural District Community Council (Appellant) appealed the exemption determination; and
WHEREAS, The Appellant provided a copy of the Planning Commission's Motion No. 19727, adopted on August 11, 2016, approving a conditional use authorization under Planning Code, Section 303 and a Planned Unit Development, finding that the proposed project was within the scope of the FEIR and exempt from further environmental review under CEQA, Section 21083.3 and CEQA Guidelines, Section 15183; and

WHEREAS, The Planning Department's Environmental Review Officer, by memorandum to the Clerk of the Board dated September 15, 2016, determined that the appeal had been timely filed; and

WHEREAS, On April 18, 2017, this Board held a duly noticed public hearing to consider the appeal of the exemption determination filed by Appellant and, following the public hearing, affirmed the exemption determination; and

WHEREAS, In reviewing the appeal of the exemption determination, this Board reviewed and considered the exemption 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 exemption determination appeal; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the project 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 exemption determination is in the Clerk of the Board of Supervisors File No. 161001 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it
MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the exemption determination; and, be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the proposed project is exempt from environmental review; and, be it

FURTHER MOVED, That after carefully considering the appeal of the exemption determination, including the written information submitted to the Board of Supervisors and the public testimony presented to the Board of Supervisors at the hearing on the exemption determination, this Board concludes that the project is consistent with the development density established by the zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan project area, for which the FEIR was certified; would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR; and is therefore exempt from further environmental review in accordance with CEQA, Section 21083.3 and CEQA Guidelines, Section 15183.
Motion affirming the determination by the Planning Department that a proposed project at 1515 South Van Ness Avenue is exempt from further environmental review under a Community Plan Exemption.

October 25, 2016 Board of Supervisors - CONTINUED
   Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

November 15, 2016 Board of Supervisors - TABLED
   Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin and Tang
   Excused: 2 - Wiener and Yee

April 18, 2017 Board of Supervisors - APPROVED
   Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 161002

I hereby certify that the foregoing Motion was APPROVED on 4/18/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board