



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

April 21, 2009

Steve Vettel
235 Montgomery Street
San Francisco, CA 94104

RE: 2660 Harrison Street
Block: 3639; Lot: 004A
Case No. 2004.0672ECV
Zoning District: UMU (New); C-M (Old)

Dear Mr. Vettel:

On December 12, 2008, you submitted a request for determination regarding the status of a development proposal at 2660 Harrison Street in light of Planning Code Section 175.6 as adopted by the Board of Supervisors on December 9, 2008.

As referenced in your request, on November 3, 2005, the Board of Supervisors remanded the Final Mitigated Negative Declaration ("FMND") for the subject project. The Board also directed the Planning Department to reevaluate the proposal in light of the specific findings made in Motion No. M06-20 and all topics analyzed in the context of the Eastern Neighborhoods Area Plan. Responding to the precedent set by the Board's decision, the Planning Department issued a memo on March 31, 2006, that directed affected projects with "potential significant environmental impacts to be evaluated in an Environmental Impact Report (EIR), or another CEQA document that could rely upon the conclusions of a certified EIR that analyzed these topics." Accordingly, the Project Sponsors of 2660 Harrison Street had the option to pursue an EIR, independent of the EIR for the Eastern Neighborhoods Rezoning and Area Plan project, or wait until the final adoption of the Area Plan to apply for a Community Plan Exemption.

To this date, the Project Sponsor has not identified a preferred path. The Negative Declaration, which the Board reversed and returned to the Department in 2005, and the associated entitlement applications that were voided by the invalidation of the underlying CEQA approval remain with the Planning Department.

Accordingly, it is my determination that the environmental, conditional use and variance applications are still active for this proposal and the project may proceed as a pipeline project pursuant to Planning Code Section 175.6. The Planning Department is prepared to resume the entitlement process for the subject proposal and, based on your December 2008 letter, expects the Project Sponsor to diligently pursue completion of the application.

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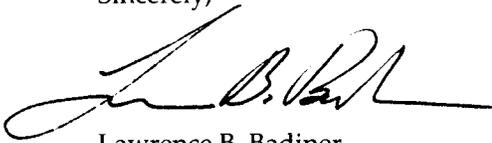
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Please be advised that Department policy is forthcoming regarding the closure of pipeline projects due to inactivity or abandonment. The policy as currently proposed will require all pipeline projects to complete the entitlement process prior to January 19, 2011 - two years from the implementation date of the Eastern Neighborhoods Area Plan. We expect this to be the subject of discussion at the Planning Commission in the near future.

If you have any question regarding this matter, please contact Brittany Bendix at (415) 575-9089.

If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning administrator, an appeal may be filed with the Board of Permit Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Permit Appeals located at 1650 Mission Street, 3rd Floor, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Lawrence B. Badiner
Zoning Administrator

cc: Brittany Bendix

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