

1 [Adopting findings related to the categorical exemption issued for 899 North Point Street.]

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3 **Motion adopting findings related to the appeal of the determination by the Planning**
4 **Department that the 899 North Point Street project is categorically exempt from**
5 **environmental review under the California Environmental Quality Act.**
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7 The Environmental Review Office of the San Francisco Planning Department issued a
8 certificate of determination of exemption/exclusion from environmental review for the
9 demolition of a vacant gas station and construction of a 5-unit residential building at 899 North
10 Point Street (“Project”) on March 12, 2003 (the “determination”). A copy of said document is
11 on file with the Clerk of the Board of Supervisors in File No. 031969, and is incorporated by
12 reference herein.

13 By letter to the Clerk of the Board of Supervisors dated December 4, 2003, Roland
14 Salvato and Malana Moberg on behalf of the Aquatic Park Neighborhood Association and the
15 Russian Hill Improvement Association filed an appeal of the determination to the Board of
16 Supervisors, which the Clerk of the Board of Supervisors received on or around December 4,
17 2003.

18 On February 10, 2004, this Board held a duly noticed public hearing to consider the
19 appeal of the determination. Following the conclusion of the public hearing, the Board
20 reversed the Planning Department’s decision to use an exemption/exclusion for the Project
21 based on the written record before the Board in File No. 031971 which is hereby declared to
22 be a part of this motion as if set forth fully herein, as well as all of the testimony at the public
23 hearing in support of and opposed to the appeal.
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1 MOVED, That the Board of Supervisors finds that the site was used as a gasoline
2 service station from the 1920's until the 1990's and therefore the site may contain hazardous
3 substances related to the gasoline service station use.

4 FURTHER MOVED, That the Board of Supervisors finds that the site was placed on a
5 state hazardous waste site list as a result of an unauthorized release of petroleum from an
6 underground storage tank on the site.

7 FURTHER MOVED, That the Board of Supervisors finds that based on testimony
8 presented to the Board that the site may contain waste oil and other products that were
9 disposed of in the soil on the site during its use as a gasoline service station and that the site
10 may require extensive cleanup.

11 FURTHER MOVED, That the Board of Supervisors finds that previous investigations
12 done on the site were limited in scope and may not have tested deep enough below the site or
13 conducted sufficiently extensive testing to identify all of the contamination that may be present
14 at the site.

15 FURTHER MOVED, That the Board of Supervisors finds that information about the
16 cleanup of the site is insufficient for the Board to conclude that the site has been adequately
17 investigated and cleaned up.

18 FURTHER MOVED, That the Board of Supervisors finds that in light of the findings set
19 forth above and the whole record, additional environmental review of the conditions of the soil
20 at the site is required to determine whether development of the site as proposed will have a
21 significant effect on the environment under the California Environmental Quality Act.

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