

1 [Affirming the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

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3 **Motion affirming the approval of a Final Mitigated Negative Declaration under the**  
4 **California Environmental Quality Act by the Planning Commission for a project located**  
5 **at 1050 Valencia Street.**

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7 WHEREAS, The Planning Commission has approved a final mitigated negative  
8 declaration (FMND) for a project located at 1050 Valencia Street under the California  
9 Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative  
10 Code Chapter 31. The proposed project involves demolition of an existing one-story  
11 commercial building and construction of a five-story mixed-use building within the Valencia St  
12 NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District  
13 ("proposed project"). By letters to the Clerk of the Board received on September 12, 2013,  
14 Stephen Williams, on behalf of the Liberty Hill Neighborhood Association (Appellant),  
15 appealed the Planning Commission's approval of the FMND. Appellants provided a copy of  
16 Planning Commission Motion No. 18185, dated September 30, 2010, upholding the  
17 Preliminary Mitigated Negative Declaration on appeal to that body. On September 6, 2012, at  
18 its regularly scheduled hearing, the Planning Commission took discretionary review and  
19 approved the proposed project with conditions (Planning Commission DRA-0291); and

20 WHEREAS, On October 8, 2013, this Board held a duly noticed public hearing to  
21 consider the appeal of the FMND filed by Appellant and, following the public hearing, affirmed  
22 the Planning Commission's approval of the FMND; and

23 WHEREAS, In reviewing the appeal of the FMND, this Board reviewed and considered  
24 the FMND, the appeal letters, the responses to concerns document that the Planning  
25 Department prepared, the other written records before the Board of Supervisors and all of the

1 public testimony made in support of and opposed to the FMND appeal. Following the  
2 conclusion of the public hearing, the Board of Supervisors affirmed the Planning  
3 Commission's approval of the FMND for the project based on the written record before the  
4 Board of Supervisors as well as all of the testimony at the public hearing in support of and  
5 opposed to the appeal. The written record and oral testimony in support of and opposed to the  
6 appeal and deliberation of the oral and written testimony at the public hearing before the  
7 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
8 the FMND is in the Clerk of the Board of Supervisors File No. 130896 and is incorporated in  
9 this motion as though set forth in its entirety; now therefore be it

10           MOVED, That the Board of Supervisors of the City and County of San Francisco  
11 hereby adopts as its own and incorporates by reference in this motion, as though fully set  
12 forth, the FMND; and be it

13           FURTHER MOVED, That the Board of Supervisors finds that based on the whole  
14 record before it there are no substantial project changes, no substantial changes in project  
15 circumstances, and no new information of substantial importance that would change the  
16 conclusions set forth in the FMND; and be it

17           FURTHER MOVED, That after carefully considering the appeal of the FMND, including  
18 the written information submitted to the Board of Supervisors and the public testimony  
19 presented to the Board of Supervisors at the hearing on the FMND, this Board concludes that  
20 the project qualifies for a FMND and that no fair argument supported by substantial evidence  
21 in the record has been presented that the project as proposed would result in any significant  
22 impact on the environment.

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