

1 [Affirming adoption of the mitigated negative declaration for 700 Valencia Street.]

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3 **Motion affirming Planning Commission adoption of the final mitigated negative**
4 **declaration for 700 Valencia Street.**

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6 WHEREAS, On December 23, 2006, the Environmental Review Officer of the Planning
7 Department issued a preliminary mitigated negative declaration in accordance with the
8 California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco
9 Administrative Code Chapter 31 for a proposal at 700 Valencia Street to demolish an existing
10 vacant former used auto dealership and construct a five-story, 50-foot-tall mixed use building
11 of approximately 22,662 square feet containing nine dwelling units, nine parking spaces and
12 one commercial unit (the "Project"); and

13 WHEREAS, On August 30, 2007, the Planning Commission approved the mitigated
14 negative declaration for the Project by Motion No. 17482 following a noticed public hearing in
15 accordance with Administrative Code Section 31.11(h). A copy of said document is on file
16 with the Clerk of the Board of Supervisors in File No. 071248 and is incorporated by reference
17 herein; and,

18 WHEREAS, On September 14, 2007, the Clerk of the Board received an appeal of the
19 Planning Commission's approval of the mitigated negative declaration for the Project from Kim
20 Malcheski, on behalf of the Mission Anti-Displacement Coalition ("Appellant"); and

21 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on October
22 23, 2007, to consider the mitigated negative declaration appeal filed by Appellant; and

23 WHEREAS, This Board has reviewed and considered the mitigated negative
24 declaration and heard testimony, the appeal letter, a responses to concerns document

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1 prepared the by Planning Department and received public comment regarding the adequacy
2 of this document; and

3 WHEREAS, The mitigated negative declaration files and all correspondence and other
4 documents have been made available for review by this Board and the public. These files are
5 available for public review by appointment at the Planning Department offices at 1650 Mission
6 Street, and are part of the record before this Board by reference herein; and

7 WHEREAS, Since the Planning Commission adoption of the mitigated negative
8 declaration, there is no new information of significant that would require a substantial revision
9 to the mitigated negative declaration and necessitate recirculation of said document pursuant
10 to CEQA Guidelines Section 15073.5; now, therefore, be it

11 MOVED, That this Board of Supervisors finds that the contents of the mitigated
12 negative declaration and the procedures through which it was prepared, publicized, and
13 reviewed complied with the provisions of the California Environmental Quality Act (Cal. Pub.
14 Res. Code Sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal.
15 Code Regs., Title 14, Section 15000 et seq., ("CEQA Guidelines") and Chapter 31 of the San
16 Francisco Administrative Code ("Chapter 31"); and, be it

17 FURTHER MOVED, That based on substantial evidence in light of the whole record,
18 this Board of Supervisors finds the mitigated negative declaration reflects its independent
19 judgment and analysis and is adequate, accurate, and objective, and hereby affirms the
20 decision of the Planning Commission to adopt the mitigated negative declaration for the
21 Project in compliance with CEQA, the State CEQA Guidelines, and Chapter 31.

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