

1 [Affirming the Approval of a Final Mitigated Negative Declaration - 110 The Embarcadero/115
2 Steuart 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 110 The Embarcadero/115 Steuart Street.**

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7 WHEREAS, The Planning Commission has approved a Final Mitigated Negative
8 Declaration (FMND) under the California Environmental Quality Act ("CEQA"), the CEQA
9 Guidelines, and San Francisco Administrative Code, Chapter 31, for a project located at 110
10 The Embarcadero/115 Steuart Street. The project would include interior improvements,
11 rehabilitation, and the vertical addition of a third story (5,085 sf), circulation penthouse, and
12 roof deck to an existing building for use as offices and assembly functions for the
13 Commonwealth Club of California, resulting in a building height of 51'-1" (62'-10" including
14 rooftop features normally exempt from height calculations). The overall shell of the existing
15 building would be retained, and the building would remain a through lot with exposed facades
16 on The Embarcadero and Steuart Street. The materials of the Embarcadero façade would be
17 changed, but the project would preserve the Steuart Street façade, which is associated with
18 significant events in labor history that occurred in 1934; and

19 WHEREAS, The Preliminary Mitigated Negative Declaration ("PMND") for the project
20 was published on June 25, 2014, and David Osgood of Rincon Point Neighbors Association
21 filed an appeal to the Planning Commission of the Planning Department's publication of the
22 PMND on July 15, 2015; and

23 WHEREAS, On September 18, 2014, the Planning Commission affirmed the
24 Department's decision to issue the PMND for the project; and

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1 WHEREAS, On November 13, 2014, by Motion No. 19277, the Planning Commission
2 approved the proposed project under Planning Code, Section 309, which constituted the
3 approval action for the project; and

4 WHEREAS, By letter to the Clerk of the Board received on December 15, 2013, David
5 Osgood, on behalf of the Rincon Point Neighbors Association (Appellant), appealed the
6 Planning Commission approval of the FMND; and

7 WHEREAS, On January 27, 2015, this Board held a duly noticed public hearing to
8 consider the appeal of the FMND filed by Appellant and, following the public hearing, affirmed
9 the Planning Commission's approval of the FMND; and

10 WHEREAS, In reviewing the appeal of the FMND, this Board reviewed and considered
11 the FMND, the appeal letter, the responses to concerns document that the Planning
12 Department prepared, the other written records before the Board of Supervisors and all of the
13 public testimony made in support of and opposed to the FMND appeal. Following the
14 conclusion of the public hearing, the Board of Supervisors affirmed the Planning
15 Commission's approval of the FMND for the project based on the written record before the
16 Board of Supervisors as well as all of the testimony at the public hearing in support of and
17 opposed to the appeal. The written record and oral testimony in support of and opposed to the
18 appeal and deliberation of the oral and written testimony at the public hearing before the
19 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
20 the FMND is in the Clerk of the Board of Supervisors File No. 141320 and is incorporated in
21 this motion as though set forth in its entirety; now therefore be it

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

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

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

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