

1 [Affirming Final Environmental Impact Report Certification - 1500-1540 Market Street (One
2 Oak Street)]

3 **Motion affirming the Planning Commission’s certification of the Final Environmental**
4 **Impact Report prepared for the proposed project at 1500-1540 Market Street (One Oak**
5 **Street).**

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7 WHEREAS, The proposed project at 1500-1540 Market Street (also referred to as the
8 “One Oak Street Project” or “Project”) proposes to demolish all existing structures on the
9 project site at 1500-1540 Market Street and construct a new 304-unit, 40-story residential
10 tower with ground-floor commercial space, one off-street loading space, a subsurface parking
11 garage containing 136 spaces for residents and two service vehicle spaces, bicycle parking
12 accommodating 304 Class 1 and 62 Class 2 spaces, a public plaza and shared public way
13 within the Oak Street right-of-way, several wind canopies within the proposed plaza, and one
14 wind canopy within the sidewalk at the northeast corner of Market Street and Polk Street to
15 reduce pedestrian-level winds; and

16 WHEREAS, The Planning Department determined that an Environmental Impact
17 Report (hereinafter "EIR") was required for the proposed Project and provided public notice of
18 that determination by publication in a newspaper of general circulation on June 17, 2015.; and

19 WHEREAS, The Planning Department published a Draft EIR for the proposed Project
20 on November 16, 2016, and circulated to local, state, and federal agencies and to interested
21 organizations and individuals for a 55-day public review period; and

22 WHEREAS, The Planning Commission held a public hearing on the Draft EIR on
23 January 5, 2017; and

1 WHEREAS, The Planning Department prepared a Responses to Comments document
2 (RTC), responding to all comments received orally at the public hearings and in writing, and
3 published the RTC on June 1, 2017; and

4 WHEREAS, On June 15, 2017, the Planning Commission, by Motion No. 19938,
5 certified a Final Environmental Impact Report (Final EIR) for the proposed Project under the
6 California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,
7 the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and San
8 Francisco Administrative Code Chapter 31, finding that the Final EIR reflects the independent
9 judgment and analysis of the City and County of San Francisco, that it is adequate, accurate
10 and objective, and contains no significant revisions to the Draft EIR; and

11 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July
12 17, 2017, Jason Henderson appealed the Final EIR certification ("Appellant") (authorizing
13 Sue Hestor to submit the appeal on his behalf); and

14 WHEREAS, The Planning Department's Environmental Review Officer, by
15 memorandum to the Clerk of the Board dated July 24, 2017, determined that the appeal had
16 been timely filed; and

17 WHEREAS, On September 26, 2017, this Board held a duly noticed public hearing to
18 consider the appeal of the Final EIR certification filed by Appellant and, following the public
19 hearing, the Board of Supervisors affirmed the Planning Commission's certification of the
20 Final EIR based on the written record before the Board of Supervisors as well as all of the
21 testimony at the public hearing in support of and opposed to the appeals; and

22 WHEREAS, The written record and oral testimony in support of and opposed to the
23 appeals and deliberation of the oral and written testimony at the public hearing before the
24 Board of Supervisors by all parties and the public in support of and opposed to the appeal of
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1 the Final EIR certification is in the Clerk of the Board of Supervisors File No. 170812 and is
2 incorporated in this motion as though set forth in its entirety; now therefore be it

3 MOVED, That this Board of Supervisors hereby affirms the decision of the Planning
4 Commission in its Motion No. 19938 to certify the Final EIR and finds the Final EIR to be
5 complete, adequate, and objective and reflecting the independent judgment of the City and in
6 compliance with CEQA, the CEQA Guidelines, and San Francisco Administrative Code
7 Chapter 31; and be it

8 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
9 record before it there are no substantial project changes, no substantial changes in project
10 circumstances, and no new information of substantial importance that would change the
11 conclusions set forth in the Final EIR.

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