

1 [Affirm adoption of the negative declaration for 800 Brotherhood Way]

2 **Motion affirming Planning Commission adoption of the final negative declaration for**
3 **800 Brotherhood Way.**
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5 WHEREAS, On October 30, 2004, the Environmental Review Officer of the Planning
6 Department issued a preliminary mitigated negative declaration for 800 Brotherhood Way in
7 accordance with the California Environmental Quality Act (“CEQA”), the CEQA Guidelines and
8 San Francisco Administrative Code Chapter 31; and

9 WHEREAS, On May 19, 2005, following a noticed public hearing, the Planning
10 Commission by motion adopted a Final Mitigated Negative Declaration for 800 Brotherhood
11 Way (“negative declaration”) in accordance with Administrative Code Section 31.11(h). A copy
12 of said document is on file with the Clerk of the Board of Supervisors in File No. 051226
13 and is incorporated by reference herein; and

14 WHEREAS, the Clerk of the Board received two appeals of the negative declaration,
15 one from Julian P. Lagos on behalf of the Park Merced Residents Organization on June 17,
16 2005 and the other from several individuals and organizations on behalf of the Lakeshore
17 Acres Improvement Club on June 20, 2005 (“Appellants”); and

18 WHEREAS, This Board of Supervisor’s held a duly noticed public hearing on July 19,
19 2005, to consider the negative declaration appeal filed by Appellant; and

20 WHEREAS, This Board has reviewed and considered the negative declaration and
21 heard testimony, the appeal letter, a responses to concerns document prepared by the
22 Planning Department and received public comment regarding the adequacy of this document;
23 and
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1 WHEREAS, The negative declaration files and all correspondence and other
2 documents have been made available for review by this Board and the public. These files are
3 available for public review by appointment at the Planning Department offices at 1660 Mission
4 Street, and are part of the record before this Board by reference herein; and

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

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

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

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