

1 [Adopting findings related to affirming the categorical exemption issued for 899 North Point
2 Street.]

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4 **Motion adopting findings related to affirming the determination by the Planning**
5 **Department that the 899 North Point Street project is categorically exempt from**
6 **environmental review under the California Environmental Quality Act.**

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8 The Planning Department determined that a proposal to subdivide a 5,466 square foot
9 lot into three lots and construct one two-unit and two three-unit residential buildings, located at
10 899 North Point Street (the "Project") was categorically exempt from the California
11 Environmental Quality Act ("CEQA") on or around May 3, 2006 ("determination"). By letter to
12 the Clerk of the Board of Supervisors dated June 16, 2006, Malana Moberg, on behalf of the
13 Aquatic Park Neighbors and the Ghirardelli Square Neighbors ("Appellants"), filed an appeal
14 of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors
15 received on or around June 16, 2006.

16 On July 25, 2006, this Board held a duly noticed public hearing to consider the appeal
17 of the determination and following the public hearing affirmed the determination of the
18 Planning Department that the Project is categorically exempt from CEQA.

19 In reviewing the appeal of the categorical exemption determination, this Board
20 reviewed and considered the written record before the Board and all of the public comments
21 made in support of and opposed to the appeal. Following the conclusion of the public
22 hearing, the Board affirmed the Planning Department's categorical exemption determination
23 for 899 North Point Street based on the written record before the Board as well as all of the
24 testimony at the public hearing in support of and opposed to the appeal. Said Motion and
25 written record is in the Clerk of the Board of Supervisors File No. 060929 and is incorporated

1 herein as though set forth in its entirety.

2 In regard to said decision, this Board made certain findings specifying the basis for its
3 decision to affirm the Planning Department's approval of the determination for 899 North Point
4 Street based on the whole record before the Board including the written record in File No.
5 060930, which is hereby declared to be a part of this motion as if set forth fully herein; the
6 written submissions to and official written records of the Planning Department determination
7 related to the 899 North Point Street project; the official written and oral testimony at and
8 audio and video records of the public hearing in support of and opposed to the appeal and
9 deliberation of the oral and written testimony at the public hearing before the Board of
10 Supervisors by all parties and the public in support of and opposed to the appeal of the
11 categorical exemption.

12 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
13 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
14 though fully set forth, the determination made by the Planning Department on May 3, 2006.

15 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
16 record before it there are no substantial Project changes, no substantial changes in Project
17 circumstances, and no new information of substantial importance that would change the
18 conclusions set forth in the determination by the Planning Department that the proposed
19 Project is exempt/excluded from environmental review.

20 FURTHER MOVED, That after carefully considering the appeal of the categorical
21 exemption, including the written information submitted to the Board and the public testimony
22 presented to the Board at the hearing on July 25, 2006, this Board concludes that the Project
23 qualifies for a general rule exclusion under CEQA Guidelines Section 15061(b)(3) and a Class
24 32 categorical exemption under CEQA Guidelines Section 15332.

1 FURTHER MOVED, that the Board finds that there are no special circumstances
2 present in this case that would require the preparation of a negative declaration or an
3 environmental impact report for the Project under the California Environmental Quality Act and
4 CEQA Guidelines and there is no merit to the objections raised by Appellants that the Project
5 will impact historic resources, is inconsistent with the surrounding neighborhood, does not
6 qualify for a Class 32 exemption or will cause any other environmental impacts, for the
7 reasons set forth in the written submittals from the Planning Department and the project
8 sponsor and as stated at the hearing before the Board on July 25, 2006.