



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion 18087

HEARING DATE: May 20, 2010

Case No.: 2007.0690E
Project Address: 260 Fifth Street
Zoning: Mixed Use - Residential (MUR) District
85-X Height and Bulk District
Block/Lot: 3732/008
Project Sponsor: AGI Capital Group
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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED-USE PROJECT AT 260 FIFTH STREET WITH 179 DWELLING UNITS, 5,173 SQUARE FEET OF RETAIL USE, AND 133 PARKING SPACES.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2007.0690E, 260 Fifth Street (hereinafter "Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2008.
 - B. On July 29, 2009, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
 - C. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on July 29, 2009.
 - D. On July 29, 2009, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

- E. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on July 29, 2009.
2. The Commission held a duly advertised public hearing on said DEIR on September 10, 2009 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 15, 2009.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 6, 2010, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at Department offices.
 4. A Final Environmental Impact Report has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law.
 5. Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1650 Mission Street, and are part of the record before the Commission.
 6. On May 20, 2010, the Commission reviewed and considered the Final Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
 7. The project sponsor has indicated that the presently preferred alternative is Alternative C, Adaptive Reuse/Partial Preservation, Addition to 260 Fifth Street, described in the Final Environmental Impact Report.
 8. The Planning Commission hereby does find that the Final Environmental Impact Report concerning File No. 2007.0690E, 260 Fifth Street reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.
 9. The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the project described in the Environmental Impact Report:
 - A. Will have a project-specific significant effect on the environment through the loss of opportunity for PDR use on the project site; and,

- B. Will have a significant cumulative impact on the environment through demolition of a contributory building to a California Register-eligible historic district.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 20, 2010.



Linda Avery
Commission Secretary

AYES: 7
NOES: 0
ABSENT: 0
ADOPTED: May 20, 2010

