

1 [Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street  
2 Project.]

3 **Motion reversing the Planning Commission adoption of the final mitigated negative**  
4 **declaration for the 3400 Cesar Chavez Street Project.**

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6 WHEREAS, On November 18, 2006, the Environmental Review Officer of the Planning  
7 Department issued a preliminary mitigated negative declaration for the demolition of an  
8 existing commercial building and construction of a new four-story ground-floor commercial  
9 and 60-unit residential building, totaling about 115,000 gross square feet and including about  
10 97 parking spaces, at 3400 Cesar Chavez Street (the "Project"), in accordance with the  
11 California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco  
12 Administrative Code Chapter 31; and

13 WHEREAS, On April 19, 2007, following a noticed public hearing, the Planning  
14 Commission by Motion No. 17417 adopted a Final Mitigated Negative Declaration for the  
15 Project (the "negative declaration") in accordance with Administrative Code Section 31.11(h).  
16 A copy of said document is on file with the Clerk of the Board of Supervisors in File No.  
17 070708 and is incorporated by reference herein; and,

18 WHEREAS, on or about May 21, 2007, the Clerk of the Board received an appeal  
19 dated May 21, 2007, from Nick Pagoulatos, on behalf of the Mission Anti-displacement  
20 Coalition (the "Appellant"); and

21 WHEREAS, This Board of Supervisor's held a duly noticed public hearing on June 26,  
22 2007, to consider the negative declaration appeal filed by Appellant; and

23 WHEREAS, This Board has reviewed and considered the negative declaration and  
24 heard testimony, the appeal letter, a responses to concerns document prepared the by  
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1 Planning Department and received public comment regarding the adequacy of this document;  
2 and

3 WHEREAS, The negative declaration files and all correspondence and other  
4 documents have been made available for review by this Board and the public. These files are  
5 available for public review by appointment at the Planning Department offices at 1660 Mission  
6 Street, and are part of the record before this Board by reference herein; now, therefore, be it

7 MOVED, That this Board of Supervisors reverses the Planning Commission's adoption  
8 of the negative declaration for the 3400 Cesar Chavez Street Project.

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